

BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION

NASHVILLE, TENNESSEE

November 21, 2024

IN RE:)	
)	
RULEMAKING PROCEEDING TO REPEAL AND)	DOCKET NO.
DELETE OBSOLETE TELECOMMUNICATIONS)	24-00074
INDUSTRY RULES WITHIN COMMISSION RULES)	
1220-04-02 AND 1220-04-08)	

**ORDER OPENING RULEMAKING PROCEEDING TO REPEAL OBSOLETE
TELECOMMUNICATIONS RULES**

This matter came before the Tennessee Public Utility Commission (the “Commission” or “TPUC”) with all Commissioners voting during a regularly scheduled Commission Conference held on November 18, 2024, to consider opening a docket to initiate a rulemaking proceeding to repeal obsolete Commission rules related to the telecommunications industry set forth within Tenn. Comp. R. & Regs. 1220-04-02 and 1220-04-08.¹

Tenn. Code Ann. § 4-5-213 requires state departments that promulgate and publish administrative rules to periodically review each rule and determine if it should be (1) amended or repealed, (2) reviewed further, or (3) allowed to continue in effect without amendment.² The Commission conducted a comprehensive review of all of its administrative rules and determined that many of the rules for the telecommunications industry are obsolete. Upon passage of the Market Regulation Act of 2009, the telecommunications industry in Tennessee was effectively deregulated. Except for a limited number of requirements related to maintaining the function of the wholesale

¹ Commissioner Kenneth C. Hill and Commissioner Robin Morrison participated electronically.

² Staff’s review of TPUC’s administrative rules were submitted to the Chairs of the General Assembly’s Joint Government Operations Committee. The statute requires review of agency rules every eight years. The next comprehensive review must be completed in 2031.

market and ensuring Commission oversight of underground damage prevention and video franchising, deregulated telecommunications companies are excluded from TPUC oversight.³

During the Commission Conference, given the impact of the deregulation and advances in telecommunications technology, the Commission found that a significant portion of the agency's telecommunications rules should be repealed. Thereafter, the Commissioners voted unanimously to open a rulemaking proceeding to delete obsolete telecommunications rules and directed Staff to prepare and submit the appropriate rulemaking forms to initiate and complete the repeal process.

IT IS HEREBY ORDERED.

FOR THE TENNESSEE PUBLIC UTILITY COMMISSION

Chairman David F. Jones
Vice Chairman John Hie
Commissioner Herbert H. Hilliard
Commissioner Clay R. Good
Commissioner Kenneth C. Hill
Commissioner Robin Morrison
Commissioner David Crowell

None dissenting.

ATTEST:

A handwritten signature in dark ink, appearing to read "Earl Taylor" followed by a stylized monogram or initials "abh".

Earl R. Taylor, Executive Director

³ The Market Regulation Act of 2009 allows telecommunications providers certificated by the Commission to elect deregulation. The election of deregulation is effective upon written notice provided to the Commission. A complete list of requirements still applicable to market regulated telecommunications can be found in Tenn. Code Ann. § 65-5-109(n).