

**BEFORE THE TENNESSEE REGULATORY AUTHORITY**

December 13, 1996

Nashville, Tennessee

**IN RE: ZETA IMAGE, INC. v. UNITED TELEPHONE-SOUTHEAST**

**DOCKET NO. 96-00462**

**ORDER RE: CONSIDERATION OF THE PETITION TO CLARIFY EFFECTIVE DATE  
OF PETITIONER'S RELIEF**

This matter came to be heard by the Directors of the Tennessee Regulatory Authority (the "Authority") on November 13, 1996.

On October 9, 1996, Zeta Image, Inc. ("Zeta") filed its "Petition to Clarify Effective Date of Petitioner's Relief" (the "Petition") and on October 23, 1996, Zeta filed its "Brief In Support of the Petition." United Telephone-Southeast ("United") filed its "Response to Zeta's Petition and Brief" on October 25, 1996 (the "Response") and asked that the Authority consider the Petition and all related filings on October 29, 1996; however, United's Senior Attorney was unable to be present at the Conference on October 29, 1996. The Directors ordered that consideration of the Petition, the Brief In Support of the Petition, and the Response be deferred until November 13, 1996. In the interim, on November 8, 1996, Zeta and United filed the Stipulation Agreement. At the Conference on November 13, 1996, Henry Walker, Esquire, counsel for Zeta, stated that the Petition was "moot unless at some future time the agreement falls through. You don't have to rule on it. You don't have to address it."<sup>1</sup> James Wright, Esquire, Senior Attorney for United, stated "if the stipulation is approved and the Centrex tariff is

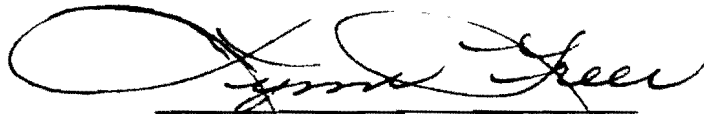
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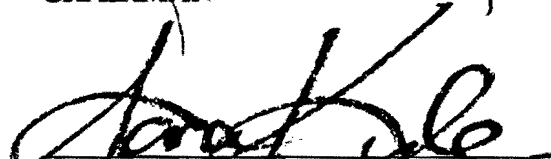
<sup>1</sup> See Transcript entitled "Tennessee Regulatory Authority Commission Conference Wednesday, November 13, 1996," page 3, lines 11-14.

approved, I believe all the issues among the parties are resolved.”<sup>2</sup> Based upon the comments of the parties, the Directors hereby order that the Petition and all related documents are considered moot.

**IT IS THEREFORE ORDERED:**

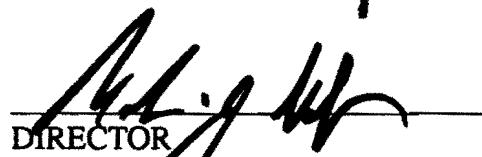
1. That the Petition, the Brief In Support of the Petition, and the Response, be, and hereby are, considered moot and shall not be acted upon by the Authority.
2. That any party aggrieved with the Authority’s decision in this matter may file a Petition for Reconsideration with the Authority within ten (10) days from and after the date of this Order.
3. That any party aggrieved with the Authority’s decision in this matter has the right of judicial review by filing a Petition for Review in the Tennessee Court of Appeals, Middle Section, within sixty (60) days from and after the date of this Order.

  
CHAIRMAN

  
DIRECTOR

ATTEST:

  
EXECUTIVE SECRETARY

  
DIRECTOR

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<sup>2</sup> See Transcript entitled “Tennessee Regulatory Authority Commission Conference Wednesday, November 13, 1996,” page 3, lines 22-24.