

**BEFORE THE TENNESSEE REGULATORY AUTHORITY
AT NASHVILLE, TENNESSEE**

September 17, 1996

Petition of Intermedia Communications)	
of Florida, Inc. to Act as a Competing)	Docket No. 96-00942
Telecommunications Service Provider)	
in the State of Tennessee)	
)	

ORDER

BACKGROUND

This matter is before the Tennessee Regulatory Authority ("Authority") upon the Petition of Intermedia Communications of Florida, Inc. ("Intermedia") pursuant to T.C.A. § 65-4-201. On April 26, 1996, Intermedia filed its original Petition to Act as a Competing Telecommunications Service Provider before the Tennessee Public Service Commission. Intermedia's petition served as its application for authority to provide resold and facilities-based local and interexchange inter-LATA and intra-LATA telecommunications service in the State of Tennessee. The Petition was assigned Docket No 96-00942. Pursuant to the Tennessee Public Service Commission's Order of June 28, 1996, disposing of all pending business before the Commission, as well as the agency itself, and the Authority's Administrative Order No. 1, Intermedia filed with the Authority on July 25, 1996, a Petition for Recommencement

On July 30, 1996, the Authority issued its Notice of Hearing, setting this matter for hearing on August 13, 1996 at 10:00 a.m. On August 6, 1996, in support of its application, Intermedia filed the written testimony of Thomas E. Allen, Jr. and its Minority Purchasing Program. The matter was heard on August 13, 1996 as scheduled. The Applicant offered the written and oral testimony of Mr. Thomas E. Allen, Jr., Vice President of Strategic Planning and Regulatory Policy of Intermedia. In addition, the

Authority took official notice of the application, exhibits, and pleadings filed in this case. Intermedia's application was unopposed.

FINDINGS OF FACT

Based upon the foregoing and a review of the entire record in this proceeding, the Authority now makes the following findings of fact:

- 1) Intermedia is a Delaware corporation, duly authorized to do business in Tennessee, with its principal office and place of business at 3625 Queen Palm Drive, Tampa, Florida 33619-1309.
- 2) Intermedia seeks a certificate of public convenience and necessity to provide resold and facilities-based local and interexchange inter-LATA and intra-LATA telecommunications service as a Competing Telecommunication Service Provider within the state of Tennessee.
- 3) Intermedia has demonstrated that it will adhere to applicable policies, rules and orders of the Authority.
- 4) Intermedia possesses sufficient managerial, financial and technical abilities to provide resold and facilities-based local and interexchange inter-LATA and intra-LATA telecommunications service as a Competing Telecommunication Service Provider within the state of Tennessee.
- 5) Intermedia has reached a nine-state interconnection agreement with BellSouth Telecommunications, Inc., which includes the State of Tennessee.

CONCLUSIONS

Based upon the foregoing Findings of Fact, and the entire record in this proceeding, the Authority reaches the following conclusions of law:

- 1) Intermedia Communications of Florida, Inc. should be granted a certificate of public convenience and necessity to provide resold and facilities-based local and interexchange inter-LATA and intra-LATA telecommunications service as a Competing Telecommunication Service Provider in Tennessee.
- 2) Intermedia is obligated to abide by all applicable rules, regulations and orders entered and adopted by the Authority.
- 3) Intermedia is responsible for the payment of all regulatory fees relating to intrastate service provided in Tennessee from the date of certification forward.
- 4) Intermedia, consistent with the provisions of T.C.A. § 65-4-201(d), may not be authorized to provide local exchange and exchange access service in areas within the State served by an incumbent local exchange company with fewer than 100,000 access lines.

IT IS THEREFORE ORDERED:


- 1) That Intermedia is hereby granted a certificate of public convenience and necessity to provide resold and facilities-based local and interexchange inter-LATA and intra-LATA telecommunications service as a Competing Telecommunication Service Provider in the State of Tennessee, subject to the following terms and conditions:
 - a) Intermedia shall abide by all applicable rules and regulations of the Tennessee Regulatory Authority;
 - b) Intermedia shall pay all regulatory fees relating to intrastate service provided in Tennessee from the date of certification forward;

- c) Intermedia may not provide local exchange and exchange access service in areas within the State served by an incumbent local exchange company with fewer than 100,000 access lines; and
- 2) That this Order shall constitute the certificate of public convenience and necessity granted to Intermedia by the Tennessee Regulatory Authority to provide resold and facilities-based local and interexchange inter-LATA and intra-LATA telecommunications service as a Competing Telecommunication Service Provider within the State of Tennessee.


CHAIRMAN

ATTEST:


INTERIM EXECUTIVE SECRETARY


DIRECTOR


DIRECTOR

Ord / 96-00942