

IN THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE

'97 MAR 24 PM 4 24

IN RE: TARIFF FILING BY UNITED  
TELEPHONE-SOUTHEAST, INC. TO  
REFLECT ANNUAL PRICE CAP  
ADJUSTMENT (TARIFF NO.96-201)

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DOCKET NO. 96-01423

**OFFICIAL FILE**  
EXECUTIVE SECRETARY

**PLEASE**

RESPONSE TO OBJECTION

**DO NOT REMOVE**

Comes the Consumer Advocate Division in response to UTSE's Objection to Motion for continuance. UTSE objects to an extension of time on two grounds. First, that it was not consulted, and second that the Consumer Advocate Division in re-listening to tapes of the legislative hearings has stated that it identified legislative arguments on some issues.

UTSE's first argument presents no ground for denial of the Consumer Advocate Division's Motion. No prejudice has been demonstrated. Moreover, Counsel for the Consumer Advocate Division will not review either UTSE's or BellSouth's brief (if BellSouth files one) until after the Division submits its own brief.

UTSE's second argument also presents no basis for denying the Division's Motion. Unlike the stance UTSE takes with respect to its duty to advise the TRA, the Consumer Advocate Division does believe it has a duty to update its response.<sup>1</sup> Directory Assistance does appear in the legislative history, as does County Wide and Metro-Area Calling. If the statute is ambiguous, then it appears that legislative hearings should be considered.

Since UTSE states no valid procedural ground for denial of the Motion for Extension of

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<sup>1</sup>See, e.g., the updated testimony of Archie Hickerson.

Time and Continuance, its Objection should be overruled.

Respectfully submitted,



L. Vincent Williams

Certificate of Service

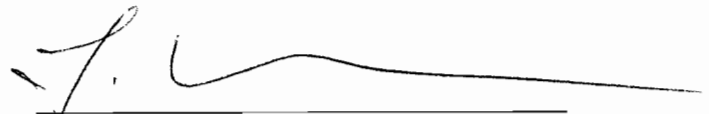
I hereby certify that a true and correct copy of the foregoing Motion has been transmitted by facsimile and mailed postage prepaid to the parties listed below this 24<sup>th</sup> day of March, 1997.

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