

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

October 17, 2005

IN RE:

**APPLICATION FOR AUTHORITY TO PROVIDE
OPERATOR SERVICES AND/OR RESELL
TELECOMMUNICATIONS SERVICES IN
TENNESSEE PURSUANT TO RULE 1220-4-2-.57**

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**DOCKET NO:
96-01470**

Company ID: 124459

**ORDER REVOKING AUTHORITY TO PROVIDE OPERATOR SERVICES
AND/OR RESELL TELECOMMUNICATIONS SERVICES IN TENNESSEE
FOR NON-PAYMENT OF FEES**

This matter came before Director Deborah Taylor Tate, Director Pat Miller and Director Sara Kyle of the Tennessee Regulatory Authority (the "Authority"), the voting panel assigned to this docket, at a regularly scheduled Authority Conference held on September 26, 2005 to cancel the authority of Marathon Communications Corporation (the "Company") to offer operator services and/or resell telecommunications services in Tennessee due to non-payment of its annual inspection fee pursuant to Tenn. Code Ann. § 65-4-301(a)(1) (2004).¹

The Company originally filed an Application to provide operator services and/or resell telecommunications services within the State of Tennessee on October 9, 1996. During a regularly scheduled Authority Conference held on January 12, 1999, the Directors concluded that the Company had met all the requirements for certification and the requirements of Tenn. Comp. R. & Regs. 1220-4-2-.57, which was promulgated pursuant to, *inter alia*, Tenn. Code Ann. § 65-

¹ Tenn Code Ann § 65-4-301(a)(1) (2004) provides

Every public utility doing business in this state and subject to the control and jurisdiction of the authority to which the provisions of this chapter apply, shall pay to the state of Tennessee on or before April 1 of each year, a fee for the inspection, control and supervision of the business, service and rates of such public utility

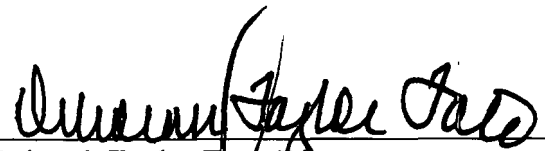
2-102 (2004) and Tenn. Code Ann. § 65-4-201 (2004), and voted unanimously to authorize the Company to provide operator services and/or resell telecommunications services in Tennessee.

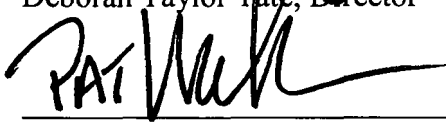
An initial notice advising the Company of its failure to comply with the requirements of Tenn. Code Ann. § 65-4-301(a)(1) (2004) was mailed on February 10, 2005. A second notice was mailed on May 11, 2005. Finally, a Notice of Cancellation was mailed on July 28, 2005 via certified mail. The Company failed to respond. As a result of this failure, this matter was placed on the September 26, 2005 Authority Conference for the voting panel assigned to this docket to consider revocation of the authority of the Company to provide operator services and/or resell telecommunications services due to non-payment of fees.

Based upon careful consideration of the record of this matter, the panel voted unanimously to revoke the authority of the Company to provide operator services and/or resell telecommunications services in Tennessee.

IT IS THEREFORE ORDERED THAT:

As a result of the non-payment of fees, the authority granted to Marathon Communications Corporation to provide operator services and/or resell telecommunications services within the State of Tennessee is revoked, and this docket is closed.


Deborah Taylor Tate, Director


Pat Miller, Director


Sara Kyle, Director