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February 1, 2001

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Mr. David Waddell
Executive Secretary
Tennessee Regulatory Authority
360 James Robertson Parkway
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TN REGULATORY AUTHORITY
GENERAL COUNSEL'S OFFICE

Re: Implementation of BellSouth's Revised Tariffs as Ordered in
Docket No. 97-00409

Dear David:

On behalf of the Tennessee Payphone Owners Association, I am writing to inquire about the status of the revised payphone tariffs filed by BellSouth pursuant to the Authority's rulings on December 19, 2000 and January 9, 2001. The Authority has directed BellSouth to make the rates effective "upon notification" by the TRA, presumably so that the rates can go into effect as soon as the TRA staff has reviewed them.

The rates have now been filed and, as far as I am aware, the rates are consistent with the Authority's instructions. Although BellSouth had asked the Court of Appeals to stay implementation of the new rates, the Court has denied BellSouth's motion in an order dated January 26, 2001.

Today is the first day of the month and both a logical and administratively convenient date to implement the new rates. Therefore, TPOA requests that the Authority notify BellSouth that the rates are in effect as of today, February 1, 2001.

If, for any reason, the rates cannot be implemented immediately, TPOA requests that this matter be placed on the Authority's next conference agenda scheduled for February 6, 2001, so that any pending issues can be addressed by the Directors at that time.

In their initial ruling on this case and in their denial of BellSouth's request for a stay, all three Directors have indicated, separately and collectively, their strong desire to see this matter quickly concluded so that the payphone owners can finally receive the relief to which they

Mr. David Waddell
April 11, 1997
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are entitled. Now that the Court has denied BellSouth's motion for a stay, all that remains is to enforce the Authority's decision.¹

The TPOA has been very appreciative of the Authority's efforts over the last six months to bring this case to an end and eagerly anticipates implementation of the agency's rulings.

Very truly yours,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By: *Henry Walker*
Henry Walker *by WSM w/permission*

cc All parties
HW/nl

¹ The filing of BellSouth's petition for review of the Authority's ruling "does not itself stay enforcement of the agency's decision." T.C.A. § 4-5-322(c).