

# TENNESSEE REGULATORY AUTHORITY

Melvin Malone, Chairman  
Lynn Greer, Director  
Sara Kyle, Director



REC'D TN  
REGULATORY AUTHORITY  
Nashville, Tennessee 37243-0505  
'99 APR 21 PM 3 18

April 20, 1999

OFFICE OF THE  
EXECUTIVE SECRETARY

## **MEMORANDUM**

**TO:** Docket File

**FROM:** Paul Greene, Regulatory Manager  
Telecommunications Division *PG*

**RE:** Docket 97-07632 - Tariff filing by AT&T to Grandfather the Reach Out Tennessee Optional Calling

**SUBJECT:** Documentation of March 12, 1999 Telephonic Status Conference

This tariff to grandfather the Reach Out Tennessee Optional Calling Plan<sup>1</sup> (OCP) was filed December 19, 1997 with subsequent suspensions through the scheduling of oral arguments and a decision in this matter. At a regularly scheduled Authority Conference on February 3, 1998 the Directors of the Authority approved the January 16, 1998 Petition to Intervene filed by the Consumer Advocate Division (CAD). Dennis McNamee was appointed to serve as the Hearing Officer. The CAD's reason for intervention alleged that this tariff violates Tennessee law and policy against discrimination among classes of users.

Subsequently, AT&T's Motion for a More Definitive Statement was granted by the Hearing Officer and the CAD filed a more definitive statement of the issues on March 16, 1998. Thereafter, further action in this docket was postponed pending issuance of the

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<sup>1</sup> This OCP provides one hour of intrastate night and weekend calling for a fixed monthly fee of \$6.40.

Authority's Order in the UTSE Opportunity 800 tariff (Docket No. 97-01387, October 22, 1998). After that order was issued, AT&T submitted a proposed draft affidavit on October 26, 1998 to the CAD.

The CAD filed a Reply Brief to AT&T's proposed draft affidavit on November 5, 1998 which states the following two (2) reasons for the CAD's continued opposition to this tariff:

- 1) AT&T has not set forth sufficient reasons for the proposed grandfathering; in particular, AT&T has not set forth any technological reason the service cannot be provided; and
- 2) AT&T has not meet all the criteria for grandfathering as set forth in the TRA's Opportunity 800 Order.

On March 12, 1999 a Telephonic Status Conference with AT&T and the CAD was held in this matter with Paul Greene representing the TRA Staff. Attempts by the parties to reach a settlement in this Docket were not successful. As a result of the Status Conference AT&T agreed to file information to support its request for grandfathering and to demonstrate the tariff's compliance with the Opportunity 800 Order. Neither party to this proceeding felt that a hearing was warranted in this Docket; however, the parties did request the opportunity to present oral arguments at an Authority Conference.

c: Jim Lamoureux, AT&T  
Vance Broemel, CAD