

BEFORE THE TENNESSEE REGULATORY AUTHORITY
AT NASHVILLE, TENNESSEE

IN RE: UNITED TELEPHONE-SOUTHEAST, INC.)
TARIFFS TO REFLECT PROPOSED CHANGES) DOCKET NO. 98-00626
UNDER PRICE REGULATION PLAN)

UNITED TELEPHONE-SOUTHEAST, INC.
OBJECTION TO APPALACHIAN COUNCIL PETITION TO INTERVENE

1. United Telephone-Southeast, Inc. ("United") files this objection to the Petition to Intervene filed in this Docket by the Appalachian-Northeast Tennessee Resource Conservation and Development Council ("Council").
2. On November 18, 1998, the Council filed a Petition to Intervene in this case. On Wednesday, December 9, 1998 United representatives completed meeting with the Council Chairman and determined that the Council's only concern was United's rate design proposal to increase intraLATA toll by one cent.
3. A review of the Petition to Intervene shows that it is inadequate as a matter of law to constitute a basis for granting intervention. The ONLY concern raised by the proposed intervenors is the rate design proposed by United. The Council nowhere alleges that the toll increase is illegal, improper or otherwise not permitted either as a matter of fact or law. The Council merely states that it is in the interests of citizens impacted by the rates to have a public hearing. As a price regulated company, United is permitted to set rates for non-Basic services as the company deems appropriate [Tenn. Code Ann.

Section 65-5-208(h)]. Petitioner has failed to state any fact demonstrating that its legal right or interest may be determined in this case. Accordingly, absent any allegation of illegality, the Council's statements are insufficient to warrant the establishment of a contested case.

4. United does not object to the Council's filing being placed in the official docket file in this Case for consideration.

For the above stated reasons, United asks that the Council's Petition to Intervene be denied.

December 14, 1998

Respectfully submitted,
UNITED TELEPHONE-SOUTHEAST, INC.

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