

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 TRI-CITIES AIRPORT COMMISSION PETITION TO INTERVENE

United Telephone-Southeast, Inc. ("United") files this objection to the " Petition to Intervene" filed in this Docket by the Tri-Cities Airport Commission ("Airport Commission").

1. On November 23, 1998, United received from Mr. John Hanlin of the Airport Commission a letter and resolution requesting that said resolution be accepted as a Petition to Intervene in this case. On Friday, December 11, 1998 United representatives completed meeting with the Chairman of the Airport Commission and determined that the Commissions only concern was rate design. United would note that based on the Airport Commission's most recent monthly bill (November), United's intraLATA toll increase would have caused a \$3.80 increase in the Airport Commission's November bill. Similar results would have occurred in prior months.
2. A review of the documents filed in this case by the Airport Commission shows that even if considered as a Petition to Intervene, such documents are inadequate as a matter of law to constitute a basis for granting intervention. The ONLY concern raised

by the proposed intervenors is the one cent increase in intraLATA toll rates proposed by United. The Airport Commission nowhere alleges that the toll increase is illegal, improper or otherwise not permitted either as a matter of fact or law. the Airport Commission merely states that it is displeased with the increase. 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 Airport Commission's statements are insufficient to warrant the establishment of a contested case.

3. United does not object to the Airport Commission's resolution being placed in the official docket file in this Case for consideration.

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

December 14, 1998

Respectfully submitted,
UNITED TELEPHONE-SOUTHEAST, INC.

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