

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

August 24, 1999

IN RE:	)	
	)	
BELLSOUTH TELECOMMUNICATIONS,	)	DOCKET NO.
INC., TARIFF FILING TO OFFER	)	99-00244
CONTRACT SERVICE ARRANGEMENT	)	
(KY98-4958-00)	)	
	)	

**ORDER GRANTING INTERVENTION TO TIME
WARNER TELECOM OF THE MID-SOUTH, L.P.,
NEXTLINK OF TENNESSEE, INC. AND THE SOUTHEASTERN
COMPETITIVE CARRIERS ASSOCIATION AND CONSOLIDATION WITH
DOCKET NOS. 99-00210 AND 98-00559.**

This matter originally came before the Tennessee Regulatory Authority ("Authority") at a regularly scheduled Authority Conference held on May 4, 1999, upon the Petition for Leave to Intervene filed by Time Warner Telecom of the Mid-South, L.P. ("Time Warner") on April 27, 1999, and the petitions for Leave to Intervene filed by NEXTLINK of Tennessee, Inc. ("NEXTLINK") and the Southeastern Competitive Carriers Association ("SECCA") on April 28, 1999. On April 30, 1999, BellSouth Telecommunications, Inc. ("BellSouth") filed its "Opposition to the Petitions to Intervene."

After reviewing BellSouth's opposition, the Directors determined that the pending petitions had not fully articulated specific grounds upon which intervention could be granted under Tenn. Code Ann. § 4-5-310. As a result, the Directors voted unanimously to permit Time Warner, NEXTLINK and SECCA to file amended petitions with the

ORIGINAL **FILE**
TR. = Entered in TRM

Authority by the close of business on May 7, 1999. In addition to this action, the Directors voted to suspend this CSA for sixty (60) days.¹

The Directors would next consider these matters at a regularly scheduled Authority Conference held on June 8, 1999. At that Authority Conference, the Directors considered the amended petitions and applied the legal standard for intervention under Tenn. Code Ann. § 4-5-310, and found that the amended petitions: were timely and properly served; substantiated that legal interests of each intervenor may be determined in this matter; and demonstrated that the interest of justice and the orderly and prompt conduct of this matter would not be impaired by allowing such interventions. The Directors unanimously granted the amended petitions to intervene.

After granting these petitions, the Directors considered and granted Time Warner's request to consolidate docket numbers 99-00210 and 99-00244 for the purpose of conducting a hearing. On their own motion, the Directors further acted to consolidate docket number 99-00244 and 99-00210 with docket number 98-00599, which was established to examine the competitive effects of BellSouth's contract service arrangements.

IT IS THEREFORE ORDERED THAT:

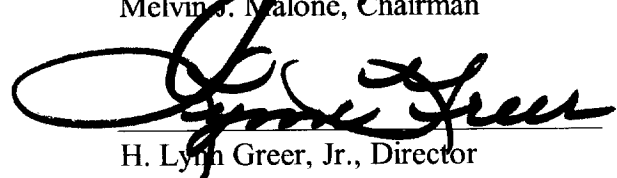
1. The Petitions to Intervene, as amended, filed by Time Warner Telecom of the Mid-South, L.P., NEXTLINK of Tennessee, Inc. and the Southeastern Competitive Carriers Association are granted and a contested case is hereby convened;

¹ The Authority's Order suspending Contract Service Arrangement Number KY98-4958-00 for sixty (60) days was entered on July 29, 1999.

2. Docket Number 99-00210 and 99-00244 are consolidated for the purpose of conducting a hearing; and

3. Docket Number 99-00244 is consolidated with docket number 98-00599.



Melvin J. Malone, Chairman

H. Lynn Greer, Jr., Director

Sara Kyle, Director

ATTEST:



K. David Waddell, Executive Secretary