

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE TENNESSEE

May 20, 2013

IN RE:)	
)	
APPLICATION OF NAVIGATOR)	DOCKET NO.
TELECOMMUNICATIONS, LLC FOR)	99-00412
AUTHORITY TO PROVIDE RESELL)	
TELECOMMUNICATION SERVICES)	
IN TENNESSEE)	
)	
APPLICATION OF NAVIGATOR)	DOCKET NO.
TELECOMMUNICATIONS, LLC FOR A)	99-00726
CERTIFICATE TO PROVIDE COMPETING)	
LOCAL TELECOMMUNICATIONS SERVICES)	Company ID: 128369

**ORDER REVOKING AUTHORITY FOR FAILURE TO PROVIDE
SURETY BOND OR IRREVOCABLE LETTER OF CREDIT**

This matter came before Chairman James M. Allison, Vice Chairman Herbert H. Hilliard and Director Kenneth C. Hill of the Tennessee Regulatory Authority (the “Authority” or “TRA”), the voting panel assigned to this docket, at a regularly scheduled Authority Conference held on May 6, 2013. The Directors considered whether to revoke the authority of Navigator Telecommunications, LLC (“Navigator” or the “Company”) to conduct business in the State of Tennessee as a public utility for failure to comply with Tenn. Code Ann. § 65-4-125(j) (2004).¹

¹ Tenn. Code Ann. § 65-4-125(j) (2004) provides:

By September 1, 2000, all telecommunications service providers subject to the control and jurisdiction of the authority, except those owners or operators of public telephone service who pay annual inspection and supervision fees pursuant to § 65-4-301(b), or any telecommunications service provider that owns and operates equipment facilities in Tennessee with a value of more than five million dollars (\$5,000,000), shall file with the authority a corporate surety bond or irrevocable letter of credit in the amount of twenty thousand dollars (\$20,000) to secure the payment of any monetary sanction imposed in any enforcement proceeding, brought under this title or the Consumer Telemarketing Protection Act of 1990, compiled in title 47, chapter 18, part 15, by or on behalf of the authority.

Navigator filed an Application for authority to provide operator services and/or resell telecommunications services in Tennessee in Docket No. 99-00412 on April 19, 1999. During a regularly scheduled Authority Conference held on August 24, 1999, the Directors found that the Company had met all the requirements for certification and the requirements of Tenn. Comp. R. & Regs. 1220-4-2-.57, which was promulgated pursuant to, *inter alia*, Tenn. Code Ann. § 65-2-102 and Tenn. Code Ann. § 65-4-201, and approved the Application.

On September 29, 1999, in Docket No. 99-00726, Navigator filed an Application for a Certificate of Public Convenience and Necessity for authority to provide competing local telecommunications services in Tennessee. During a Hearing held on January 26, 2000, the Directors found that the Company had met all the requirements for certification and the requirements of Tenn. Comp. R. & Regs. 1220-4-2-.57, which was promulgated pursuant to, *inter alia*, Tenn. Code Ann. § 65-2-102 and Tenn. Code Ann. § 65-4-201, and approved the Application.

TRA Staff attempted to contact Navigator via phone and certified mail to advise the Company of its failure to comply with the requirements of Tenn. Code Ann. § 65-4-125(j) (2004). Certified mail was returned as undeliverable, and TRA Staff was unable to reach the Company by phone. On March 11, 2013, the TRA received a letter from Eagle Bank and Trust Company stating that Navigator's letter of credit was no longer valid.

As of the May 6, 2013 Authority Conference, the Company had failed to file with the Authority a \$20,000 corporate surety bond or an irrevocable letter of credit to secure the payment of any monetary sanction imposed in any enforcement proceeding. Accordingly, the Directors voted unanimously to revoke the Company's authority to conduct business in the State of Tennessee as a public utility.

IT IS THEREFORE ORDERED THAT:

The authority of Navigator Telecommunications, LLC to conduct business in the State of Tennessee as a public utility is revoked, and this docket is closed.

Chairman James M. Allison, Vice Chairman Herbert H. Hilliard and Director Kenneth C. Hill concur.

ATTEST:



Earl R. Taylor, Executive Director