

BEFORE THE TENNESSEE REGULATORY AUTHORITY  
AT NASHVILLE, TENNESSEE

FILED IN  
REGULATORY AUTH.

'00 APR 26 AM 11 54

IN RE: JOINT PETITION OF TEC )  
COMPANIES AND THE CONSUMER )  
ADVOCATE DIVISION FOR APPROVAL )  
OF EARNINGS REVIEW SETTLEMENT )  
)  
)

DOCKET NO. 99-00995  
CLERK OF THE  
TENN. SUPREME COURT

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CONSUMER ADVOCATE DIVISION'S STATEMENT OF ISSUES

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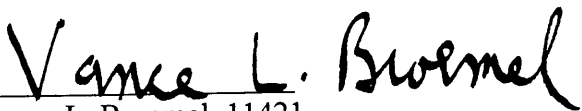
Comes the Consumer Advocate Division of the Office of Attorney General, pursuant to the request of the Regulatory Authority ("TRA"), and hereby submits its statement of issues. The Consumer Advocate Division objects to the pre-hearing statement of issues and reserves the right to amend its statement of issues pending discovery, which has not yet taken place.

1. Whether the Settlement Agreement between TEC and the Consumer Advocate Division should be approved.
2. Whether AT&T's proposed rate design benefits only AT&T, is not in the interest of TEC consumers, and is not "just and reasonable" as required under Tennessee law and is not in the public interest and should be dismissed.
3. Whether AT&T's claims are barred on the ground of unclean hands because even though AT&T has alleged that TEC's access rates are not "just and reasonable," there is no proof in the record that AT&T's own rates are just and reasonable or that AT&T's rate of return is unjust and unreasonable due to access charge payments to TEC. Unless and until AT&T can demonstrate to the TRA that its own rates are just

and reasonable it should not be heard in its complaint that TEC's rates are not just and reasonable.

4. Whether, in the alternative, AT&T's complaint regarding access charges should be transferred to the Access Charge Reform Docket, No. 97-00889, which is now also being considered in the Universal Docket No. 97-00888.

Respectfully submitted,

  
Vance L. Broemel, 11421  
Consumer Advocate Division  
Office of the Attorney General & Reporter  
425 Fifth Avenue North, Second Floor  
Nashville, TN. 37243-0500  
615-741-8700

#### CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Statement of Issues has been faxed and or mailed postage prepaid to the parties listed below this 26<sup>th</sup> day of April, 2000.

Val Sanford, Esq.  
Gullett, Sanford, Robinson & Martin, PLLC  
230 Fourth Avenue North, 3<sup>rd</sup> Floor  
P.O. Box 198888  
Nashville, Tennessee 37219-8888

T.G. Pappas, Esq.  
Dale Grimes, Esq.  
Bass, Berry & Sims PLC  
2700 First American Center  
Nashville, Tennessee 37238

Vance L. Broemel  
Vance L. Broemel