

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

October 31, 2006

IN RE:

APPLICATION OF UTILITIES COMMISSION, NEW
SMYRNA BEACH D/B/A SPARKS COMMUNICATIONS
FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND
NECESSITY TO PROVIDE TELECOMMUNICATIONS
SERVICES WITHIN THE STATE OF TENNESSEE

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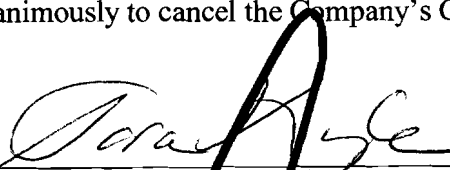
DOCKET NO.
04-00052

Company ID:
128889

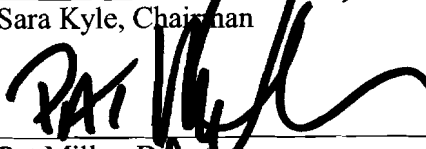
ORDER GRANTING CANCELLATION OF AUTHORITY
TO PROVIDE TELECOMMUNICATIONS SERVICES

This matter came before Chairman Sara Kyle, Director Pat Miller and Director Ron Jones of the Tennessee Regulatory Authority (“TRA”), the voting panel assigned to this docket, at a regularly scheduled Authority Conference held on September 11, 2006. Utilities Commission, New Smyrna Beach d/b/a Sparks Communications¹ (the “Company”) originally filed an Application for a Certificate of Public Convenience and Necessity (“CCN”) to provide competing facilities-based local exchange telecommunications services, including exchange access services, and resale interexchange telecommunications services in Tennessee on February 17, 2004. During a Hearing held on May 12, 2004, the Hearing Officer 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 May 31, 2006, the Company requested that the TRA cancel its CCN. Based upon careful consideration of the entire record in this matter, the panel voted unanimously to cancel the Company’s CCN.

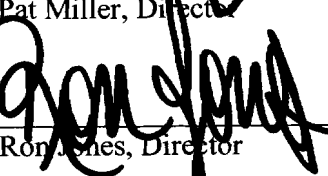
IT IS SO ORDERED.



Sara Kyle, Chairman



Pat Miller, Director



Ron Jones, Director

¹ A name change to Utilities Commission, New Smyrna Beach d/b/a New Smyrna Communications was effected by Order dated April 19, 2006 (TRA Docket No. 05-00312).