BEFORE THE TENNESSEE REGULATORY AUTHORITY AT NASHVILLE, TENNESSEE
January 25, 2000

IN RE:	)	
	)	
PETITION FOR APPROVAL OF THE RESALE AGREEMENT NEGOTIATED BY UNITED TELEPHONE-SOUTHEAST, INC. AND MAX-TEL COMMUNICATIONS, INC. PURSUANT TO SECTIONS 251 AND 252 OF THE TELECOMMUNICATIONS ACT OF 1996	)	**DOCKET NO. 99-00829**

ORDER APPROVING RESALE AGREEMENT

This matter came before the Tennessee Regulatory Authority (the "Authority") upon the Petition of United Telephone-Southeast, Inc. for approval of a Resale Agreement (the "Agreement") negotiated by and between United Telephone-Southeast, Inc. and Max-Tel Communications, Inc. The Petition for approval of the Agreement came before the Authority pursuant to 47 U.S.C. §§ 251-252.

The Agreement was considered at a regularly scheduled Authority Conference held on January 11, 2000, in Nashville, Tennessee before Chairman Melvin J. Malone, Director H. Lynn Greer, Jr., and Director Sara Kyle. The Authority has jurisdiction over public utilities pursuant to Tenn. Code Ann. § 65-4-104 *et seq.* Based upon the Petition, the record in this matter, and the standards for review set forth in 47 U.S.C. §§ 251-252, the Directors unanimously approved the Agreement and made the following findings and conclusions:

1) The Agreement is in the public interest as it provides consumers with alternative sources of telecommunications services within the United Telephone-Southeast, Inc. service area;

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2) The Agreement is not discriminatory to telecommunications service providers that are not parties thereto;

3) No party has sought intervention in this docket;

4) The approval of the Agreement is consistent with previous Authority decisions and orders; and

5) The Agreement is reviewable by the Authority pursuant to 47 U.S.C. §§ 251-252 and Tenn. Code Ann. § 65-4-104 *et seq.*

IT IS THEREFORE ORDERED THAT:

The Resale Agreement negotiated by and between United Telephone-Southeast, Inc. and Max-Tel Communications, Inc. is approved and is subject to the review of the Authority as provided herein.

Melvin J. Malone, Chairman

H. Lynn Greer, Jr., Director

Sara Kyle, Director

ATTEST:

K. David Waddell, Executive Secretary