

October 1, 2008

Tennessee Regulatory Authority Attn: Docket Room (08-00169) 460 James Robertson Parkway Nashville, TN 37243

RE: NOTICE of TRA Receipt of Application for Certificate of Franchise Authority and Official Request for Information

Dear Ms. Cooper:

This letter is in response to a letter dated September 19<sup>th</sup>, 2008 from the Tennessee Regulatory Authority as referenced above.

In accordance with 10(a) of the CCVSA, the City of Spring Hill has **zero** activated PEG channels and there are **zero** authorized to be activated.

The City of Spring Hill receives no PEG support payments

If you require further information or assistance, please contact me at (931) 486-2252 or at the address listed below.

Sincerely,

Mayor Danny Leverette City of Spring Hill

199 Town Center Parkway P. O. Box 789 Spring Hill, TN 37174



Phone 931.486.2252 Fax 931.486.0516 www.springhilltn.org



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P. O. BOX 471 • 122 PUBLIC SQUARE • WAYNESBORO • TENNESSEE • 38485

OFFICE (931) 722-5458 • FAX (931) 722-9109 • WWW.cityofwaynesbpro.org

To: Whom it may concern

Tennessee Regulatory Authority

From: Victor Lay, City Manager

Date: October 6, 2008

Re: PEG Channels request within statewide franchise

Recently, the city of Waynesboro received notice that Charter Cable had applied for a statewide franchise agreement. In accordance with state law the city is forwarding to you a copy of our existing local franchise agreement with Charter Cable regarding access to PEG channels. To date, the city has not yet activated the channel but has reserved the right to do so. Please find attached and excerpt from our existing agreement section 13.3 through section 13.5. If additional information is need, please contact Victor Lay, City Manager at (931) 722-5458.

- 13.3 Access to the System. Grantee shall provide one channel on the Cable System for use by the Franchising Authority for non-commercial, video programming for public, education and government access programming.
- 13.4 Grantee shall maintain a return path and all equipment necessary for the Franchising Authority to transmit PEG Channels from the City Administration building or some other building as designated by the City, provided however that such site is located along Grantee's activated return path fiber facilities. Said equipment is limited to transmit and receive equipment and does not include cameras, editing, playback equipment or any other equipment the Franchising Authority may need in order to create programming on the Franchising Authority's EG channels.
- 13.5 PEG Funding. Grantee shall collect and pay Franchising Authority an amount equal to twenty-five (25) cents per Cable Services customer per month and remit such amount to Franchising Authority in conjunction with franchise fee payments, provided however any such PEG Funding payments shall be itemized separately on the customer's bill and on the payment to the Franchising Authority. All PEG Funding must be used by Franchissing Authority soley for capital expenditures related to the PEG Access Channel(s).

## SECTION 14 Enforcement and Revocation

- 14.1 Notice of Violation. If the Franchising Authority believes that the Grantee has not complied with the terms of the Franchise, the Franchising Authority shall first informally discuss the matter with Grantee. If these discussions do not lead to resolution of the problem, the Franchising Authority shall notify the Grantee in writing of the exact nature of the alleged noncompliance.
- 14.2 Grantee's Right to Cure or Respond. The Grantee shall have thirty (30) days from receipt of the notice described in subsection 14.1 to (i) respond to the Franchising Authority, contesting the assertion of noncompliance, or (ii) to cure such default, or (iii) if, by the nature of default, such default cannot be cured within the thirty (30) day period, initiate reasonable steps to remedy such default and notify the Franchising Authority of the steps being taken and the projected date that they will be completed.
- 14.3 Public Hearing. If the Grantee fails to respond to the notice received from the Franchising Authority pursuant to the procedures set forth in subsection 14.2, or if the default is not remedied within the cure period set forth above, the Board shall schedule a public hearing if it intends to continue its investigation into the default. The Franchising Authority shall provide the Grantee at least twenty (20) days prior written notice of such hearing, which specifies the time, place and purpose of such hearing, notice of which shall be published by the Clerk of the Franchising Authority in a newspaper of general circulation within the Franchising Authority in accordance with subsection 15.5 hereof.
- <u>14.4 Enforcement.</u> Subject to applicable federal and state law, in the event the Franchising Authority, after the hearing set forth in subsection 14.3 above, determines that the Grantee is in default of any provision of the Franchise, the Franchising Authority may: Seek specific

300 E. Spring St. - Rm. 8 Cookeville, TN 38501 (931) 526-2161 Ph. 528-1300 Fax T.R.A. DOCKET RUCM

October 1, 2008

Lisa Cooper TRA Programs Mgr. Tennessee Regulatory Authority 460 James Robertson Parkway Nashville TN 37243

Dear Ms. Cooper,

This is to advise you that we have no PEG channels. Should you have any questions, please feel free to give me a call.

Sincerely,

Kim Blaylock County Executive



County Executive
John M. Pelham

Commissioners Terry Bell Morris Bond Carl Bouldin M.A. Bouldin Teddy Boyd Sally Brock Bryan Denton David Grissom Clinton Hill Carl Hulett Harold Hyatt Earl Jones Ron Lee Ken Martin Michael Martin Gary Prater George Smartt Bessie Smithson Diane Starkey Danice Taylor Les Trotman Bobby Turner Herschel Wells William Yancy



## WARREN COUNTY, TENNESSEE

201 Locust St., Suite 1 • McMinnville, Tennessee 37110 Phone (931) 473-2505 • Fax (931) 473-0635

T.R.A. DOGNET ROOM

October 6, 2008

Ms. Lisa Cooper TRA Programs Manager Tennessee Regulatory Authority ATTN: Docket Room (08-00169) 460 James Robertson Parkway Nashville, TN 37243

RE: Response to Notice of TRA Receipt of Application for Certificate of Franchise Authority and Official Request for Information

Dear Ms. Cooper:

In compliance with Public Chapter 932 – Competitive Cable and Video Services Act, Warren County is providing information included in our franchise agreement with Charter Communications Operating LLC, specifically regarding the number of PEG access channels and any associated payment or fees. These provisions are enumerated below:

- Section 13.3 provides that upon 60 days notice, Charter shall provide one channel on the cable system for the use by the Franchising Authority for noncommercial, video programming for public, education and government access programming. <u>Please note, that as of this date, this channel HAS NOT been activated or authorized for activation.</u>
- 2. Section 13.5 provides that upon 60 days notice, Charter shall collect and pay Franchising Authority an amount equal to twenty-five cents (25¢) per Cable Services customer per month and remit such amount to Franchising Authority in conjunction with franchise fee payments, provided however any such PEG funding payments shall be itemized separately on the customer's bill and on the payment to the Franchising Authority. All PEG funding must be used by Franchising Authority solely for capital expenditures related to the PEG Access Channel(s).

If you have any questions regarding this submission, or need further information, please contact our office at (931) 473-2381.

Respectfully submitted:

Linda G. Hillis

Warren County Director of Accounts