

**KNOLOGY®**

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T.R.A. DOCKET ROOM

October 31, 2008

Chairman Tre Hargett  
C/O Docket Room  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37243-0505

DOCKET NO.

08-00208

RE: Application for State-Issued Certificate of Franchise Authority

Dear Chairman Hargett:

Enclosed please find an original and five (5) copies of an Application for State-Issued Certificate of Franchise Authority on behalf of Knology, Inc. and its wholly-owned subsidiary, Knology of Knoxville, Inc. Also enclosed is the application fee of \$2,000.

This application addresses each of the requirements of the Competitive Cable and Video Services Act, Public Chapter No. 932. Knology is seeking state franchise authority for both Knox County and the City of Knoxville. Knology currently provides service in these areas pursuant to local franchise agreements. Both jurisdictions have been notified and have been provided a copy of this application.

If you have any questions or concerns or require any additional information, please feel free to contact me directly at (706) 634-6713.

Sincerely,



Kathryn E. Ford  
Director of Legal Affairs

**BEFORE THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE**

**In Re: Application of Knology, Inc., on behalf of itself and its wholly owned subsidiary,  
Knology of Knoxville, Inc., for State-Issued Certificate of Franchise Authority.**

**Docket No. \_\_\_\_\_**

**AFFADIVIT OF FELIX L. BOCCUCCI**

**STATE OF TENNESSEE  
COUNTY OF DAVIDSON**

I, Felix L. Boccucci, in accordance with the requirements of the Competitive Cable and Video Services Act, Public Chapter 932 (the "Act"), state as follows:

**1. Name of Applicant:**

I, Felix L. Boccucci, do hereby attest to being an officer of Knology, Inc., and furthermore am authorized to make this affidavit on behalf of Knology, Inc. and its wholly owned subsidiary, Knology of Knoxville, Inc. (hereinafter referred to in this application as "Applicant").

**2. Application Fee for a service area of 100,000 to 500,000 as set forth in (Section 6(b)(1) of the Act):**

The following application fee of two thousand (\$2,000.00) is submitted in accordance with the aggregate population of the service area(s) applied for in this application in accordance with the most recent decennial census (check applicable box):

- ☐ \$500.00 -- aggregate service area(s) population of 50,000 or less;
- ☐ \$1,000.00 -- aggregate service area(s) population of 50,001 to 100,000;
- ☒ \$2,000.00 -- aggregate service area(s) population of 100,001 to 500,000;
- ☐ \$5,000.00 -- aggregate service area(s) population of 500,001 to 1,000,000;
- ☐ \$10,000.00 -- aggregate service area(s) population of 1,000,000 to 2,000,000; or
- ☐ \$15,000.00 -- aggregate service area(s) population of over 2,000,000

**3. Compliance with applicable laws (Section 6(c)(2) of the Act):**

Applicant agrees to comply with all applicable federal and state laws and regulations to the extent that such state laws and regulations are not in conflict with or superseded by the provisions of this part or other applicable law and will timely file with the FCC all forms required by the FCC in advance of offering video services or cable services.

**4. Description of municipalities and/or unincorporated counties to be served (Section 6(c)(2) of the Act):**

Attachment 1 to this application lists the service areas applied for by Applicant. Applicant currently provides cable service in each of the identified service areas under an existing local franchise agreement. Applicant is not seeking to provide cable service in any "new areas." Attachment 1 is incorporated by reference into this affidavit.

**5. Provision of cable service to service areas (Section 6(c)(3) of the Act):**

Applicant is currently providing cable service for purchase in each of the municipalities and/or unincorporated areas of counties identified in Attachment 1. Accordingly, Applicant currently satisfies the requirements of Section 6(c)(3) of the Act.

**6. Indemnification (Section 6(c)(4) of the Act):**

Applicant agrees to indemnify and hold harmless, in accordance with Section 19 of the Act, the state, municipality, county and any employee or representative of the state, municipality or county, as well as any political subdivision of the state and any employee or representative of the political subdivision, individually and collectively, referred to in Section 19 as the "indemnitee."

**7. Applicant Contact Information (Section 6(c)(5) of the Act):**

- a. Applicant's principal place of business is located at: 1241 O. G. Skinner Drive, West Point, Georgia 31833.
- b. Contact telephone number is 706.645.8567
- c. The principal executive officers of the Application are:
- d. Rodger L. Johnson, Chairman and CEO
- e. Todd Holt, President
- f. Bret McCants, Sr. EVP Operations
- g. Bruce Herman, CFO
- h. Chad Wachter, VP & General Counsel
- i. Rickey Luke, CTO
- j. Felix Leonard Boccucci, Jr., VP Regulatory Finance / Government Affairs
- k. The following persons are authorized to represent the Applicant before the Tennessee Regulatory Authority:
  - (i) Felix Leonard Boccucci, Jr.
  - (ii) Chad Wachter

- (iii) Kathryn E. Ford
- (iv) Bruce Schoonover
- (v) Jason Clabo

**8. Knology Inc. meets the requirements of having the Managerial, Financial and Technical Qualifications of Applicant to Provide Cable Service (Sections 6(c)(6) and 6(d)(2) of the Act):**

Section 6(d)(3) of the Act provides that an incumbent cable service provider (as defined by Section 4(13) of the Act) is deemed by operation of law to have the managerial, financial and technical qualifications to obtain a state-issued Certificate of Franchise Authority; provided that the incumbent is not seeking a new service area which would double its current size of operations and the incumbent does not have cable assets of at least ten million (\$10,000,000.00) in the state.

Applicant is an incumbent cable service provider as defined in Section 4(13) of the Act in each of the areas listed on Attachment 1 and therefore is deemed by operation of law to have the managerial, financial and technical qualifications to obtain a state issued franchise. Applicant is not seeking any new service areas in this application. Accordingly, no review of Applicant's managerial, financial and technical qualifications is required or permitted by the Act.

**9. Customer Service Complaint Handling Process (Section 6(c)(7) of the Act):**

a. Policies on addressing customer service issues, billing adjustments and communication with government officials regarding customer complaints:

Subscribers that have questions or complaints regarding their subscription may contact Knology, Inc. at 1241 O.G. Skinner Drive, West Point, GA 31833 or 10115 Sherrill Blvd, Knoxville, TN 37932 or [www.knology.com](http://www.knology.com). Knology will address customer questions or complaints in a timely manner. Should a customer feel their request has not been properly handled, they may contact the Tennessee Regulatory Authority.

b. Local or toll free telephone number at which customers may contact the Applicant regarding customer service issues and billing adjustments:

(865) 357-1000

**10. Notice to Affected Local Governing Authority (Section (6)(8) of the Act):**

Notice has been provided to the affected local governing authorities for the areas listed on Attachment 1 of their right to receive a franchise fee consistent with the Act. Notice will be provided to other entities with facilities in the rights-of-ways in the areas listed in Attachment 1 to the extent required by applicable local ordinances or resolutions.

**11. Non-discrimination and Service Deployment Requirements (Section 6(c)(9) of the Act):**

Applicant agrees to comply with the requirements of the Act, expressly including the applicable non-discrimination and service deployment requirements of Section 12 of the Act. Applicant acknowledges the provisions of Section 13 of the Act relative to the enforcement of non-discrimination and deployment requirements.

In accordance with Section 12(a)(2) of the Act, Applicant certifies that it is not seeking to provide cable service in any "new areas." Applicant certifies that at least 25% of the households with access to its cable or video service in the areas identified in Attachment 1 are low-income households.

In accordance with Section 12(a)(3) of the Act, Applicant certifies that it is not seeking to provide cable service to any "new areas." Pursuant to this section, no annual report is required to be filed for service areas that are, or have been subject to, the provisions of a local franchise agreement.

**12. Notice to Affected Local Governing Entity (Section 6(c)(10) of the Act):**

Applicant is an incumbent cable service provider as defined in Section 4(13) of the Act and is currently providing cable service to each of the areas listed on Attachment 1. Accordingly each of the applicable local governing entities has received notice that Applicant is providing cable service.

**13. Minority Owned Business Participation Plan (Section 6(c)(11) of the Act):**

Attachment 2 is Applicant's minority owned business participation plan and Applicant agrees to comply with the provisions of the plan in accordance with Section 14 of the Act.

**FURTHER AFFIANT SAYETH NOT**

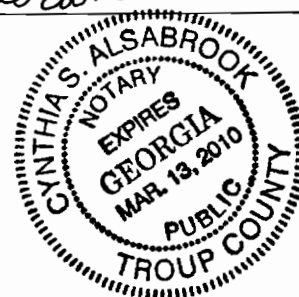
Felix L. Boccucci  
Felix L. Boccucci

STATE OF GEORGIA  
COUNTY OF TROUP

Sworn to and subscribed before me, this 31<sup>st</sup> day of October, 2008.

Cynthia S. Alsabrook  
Notary Public

My Commission Expires March 13, 2010



**ATTACHMENT 1**[illegible]

## **Attachment 2**

### **KNOLOGY, INC.**

#### **MINORITY OWNED BUSINESS PARTICIPATION PLAN**

Pursuant to the Competitive Cable and Video Services Act, Public Chapter 932 (The "ACT" § 14, Knology, Inc. ("Knology")) submits this minority owned business participation plan (the "Plan") along with its Affidavit for a Certificate to provide video services in Tennessee.

#### **I. PURPOSE**

The purpose of the Competitive Cable and Video Services Act, Public Chapter 932 (the "Act") § 14 is to provide opportunities for minority-owned businesses to provide goods and services to video service providers. Knology is committed to the goals of § 14 of the Act and to taking steps to support the participation of minority-owned businesses in the video-cable industry. Knology will continue to work to provide opportunities for minority-owned businesses to compete for contracts and subcontracts for goods and services. Knology will make efforts in its procurement process to identify and inform minority-owned businesses that are qualified and capable of providing goods and services to Knology of such opportunities. Knology will also seek to increase awareness of such opportunities so that companies not otherwise identified will have sufficient information to participate in the procurement process.

#### **II. DEFINITIONS**

***Minority-Owned Business.*** Minority-owned business shall mean a business which is solely owned, or at least fifty-one percent (51%) of the assets or outstanding stock of which is owned, by an individual who personally manages and controls daily operations of such business, and who is impeded from normal entry into the economic mainstream because of race, religion, sex, or national origin and such business has annual gross receipts of less than \$4,000,000.

#### **III. ADMINISTRATION**

The Knology Plan will be overseen by the individual named below, hereinafter referred to as the Administrator. The Administrator of the Plan will be: Mr. Jason Clabo

The Administrator's responsibilities will include:

- 1) Maintaining an updated Plan in full compliance with § 14 of the Act and the rules and orders of the Tennessee Regulatory Authority.

- 2) Ensuring policies and procedures necessary for the successful implementation of the Plan are in place.
- 3) Preparing and submitting such forms as may be required by the Tennessee Regulatory Authority, including the filing of required annual updates.
- 4) Serving as the primary liaison to the Tennessee Regulatory Authority, other agencies of the State of Tennessee, and small and minority-owned businesses to locate and use qualified minority-owned businesses.
- 5) Monitor development opportunities to use minority-owned business and encourage such businesses to participate in and bid on contracts and subcontracts.
- 6) Providing records and reports in any authorized surveys as require by the TRA.
- 7) Reviewing a record-keeping system to track qualified minority-owned businesses and efforts to use such businesses.
- 8) Reviewing information and educational activities within Knology to seek, encourage, and promote the use of minority-owned businesses.

In performance of the duties, the Administrator will utilize a number of resources, including:

Chambers of Commerce  
The Tennessee Department of Economics and Community Development  
Small Business Administration, Office of Minority Business  
The National Minority Supplier Development Counsel  
The National Association of Women Business Owners  
The National Association of Minority Contractors  
Historically Black Colleges, Universities, and Minority Institutions

The efforts to promote and ensure equal opportunities for small and minority-owned businesses are primarily spelled out in the Administrator's duties above. Additional efforts to provide opportunities to small and minority-owned businesses will include offering, where appropriate and feasible, minority-owned businesses assistance with technical, insurance, bonding, licensing, production, and deadline requirements.

Knology will maintain records of qualified minority-owned businesses and efforts to use the goods and services of such businesses. In addition, Knology will maintain records of educational and training activities conducted or attended and of the internal procurement procedures adopted to support this Plan.



Knology will submit records and reports required by the Tennessee Regulatory Authority concerning the Plan. Moreover, Knology will cooperate fully with any surveys and studies required by the Tennessee Regulatory Authority.

Knology, Inc.

By: De. 2 B —

Dated: 10 / 31 / 2008