

# TENNESSEE REGULATORY AUTHORITY

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460 James Robertson Parkway  
Nashville, Tennessee 37243-0505  
T.R.A. BUSINESS ROOM

January 5, 2009

CABLE ONE

Attn: Mr. Emerson Yearwood  
1314 North Third Street  
Phoenix, Arizona 85004

RE: Application for State-issued Certificate of Franchise Authority  
Reference: Docket No. 08-00228

Dear Mr. Yearwood:

On December 24, 2008, the Tennessee Regulatory Authority (“TRA”) received your application for a state-issued certificate of franchise authority pursuant to Public Chapter No. 932,<sup>1</sup> also known as the Competitive Cable and Video Services Act (the “CCVSA”). Upon review, it has been determined that the application fails to comply with the statutory requirements of the CCVSA, and is therefore not complete. Further action will not be taken until the application is determined to be complete. Specifically, the application is incomplete because it does not contain:

- \_\_\_\_\_ The proper application fee calculated in accordance with CCVSA § 6(b).
- \_\_\_\_\_ An application (affidavit) signed by an officer or partner of the applicant (CCVSA § 6(c)).
- \_\_\_\_\_ A statement affirming that the applicant agrees to comply with all applicable federal and state laws and will timely file with the Federal Communications Commission (“FCC”) all forms required by the FCC in advance of offering video services or cable services (*see*, CCVSA § 6 (c)(1)).
- \_\_\_\_\_ A sufficiently detailed written description of the municipalities and unincorporated areas within counties to be served, in whole or in part, by the applicant (CCVSA § 6 (c)(2)).
- \_\_\_\_\_ A statement affirming that the applicant intends to begin to offer video service or cable service for purchase or provide new broadband Internet service in accordance with § 12(d) in each of the municipalities and the unincorporated areas of each county to be served as described in the application within twenty-four (24) months of the date of the issuance of a state-issued certificate of franchise authority (CCVSA § 6 (c)(3)).
- \_\_\_\_\_ A statement affirming that the applicant agrees to indemnify and hold harmless, in accordance with CCVSA § 19, the state, municipality, county

<sup>1</sup> 2008 Tenn. Pub. Acts 932.

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" (CCVSA § 6 (c)(4)).

\_\_\_\_\_ The location and telephone number of the principal place of business, the names of the principal executive officers of the applicant and the names of any persons authorized to represent the applicant before the TRA (CCVSA § 6(c)(5)).

\_\_\_\_\_ A statement affirming that applicant has the managerial, financial, and technical qualifications to provide cable or video service (CCVSA §§ 6(c)(6) and 6 (d)(2)).

\_\_\_\_\_ A description of the applicant's customer service complaint handling process, including policies on addressing customer service issues, billing adjustments and communication with government officials regarding customer complaints, and a local or toll-free telephone number at which a customer may contact the applicant, or the terms and conditions relating to customer complaints applicable to its customers (CCVSA § 6 (c)(7)).

\_\_\_\_\_ A statement affirming that notice has been provided to the affected local governing authority of its right to receive a franchise fee consistent with the applicable provisions of the CCVSA (CCVSA § 6 (c)(8)).

\_\_\_\_\_ A statement affirming that the applicant agrees to comply with the requirements of the CCVSA, expressly including the applicable non-discrimination and service deployment requirements of § 12 and further, that the applicant acknowledges the provisions of § 13 relative to enforcement of non-discrimination and deployment requirements (CCVSA § 6 (c)(9)).

\_\_\_\_\_ A statement affirming that the applicant agrees to provide notice to an affected local governing authority ten (10) days prior to providing service in that jurisdiction (CCVSA § 6 (c)(10)).

  X   A minority owned business participation plan and a statement affirming that the applicant agrees to comply with the provisions of such plan in accordance with § 14 of the CCVSA (CCVSA § 6 (c)(11)).

Please be advised that it is necessary that you submit all statutorily required information before a state-issued certificate of franchise authority can be issued. Submit the items noted above with the assigned docket number listed clearly on each document to the Tennessee Regulatory Authority, ATTN: Docket Room, 460 James Robertson Parkway, Nashville, TN 37243. Should you have any questions or concerns in this matter, please contact me at (615) 741-2904 x150 or at the address listed above. Thank you for your interest and cooperation.

Sincerest Regards,



Lisa Cooper  
TRA Programs Manager