

TENNESSEE PUBLIC UTILITY COMMISSION



502 Deaderick Street, 4th Floor
Nashville, Tennessee 37243

BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION

NASHVILLE, TENNESSEE

March 11, 2019

IN RE:

APPLICATION OF HIGHLAND TELEPHONE
COOPERATIVE, INC., ON BEHALF OF ITSELF AND ITS
WHOLLY-OWNED SUBSIDIARY, HIGHLAND HOLDINGS
CORPORATION AND ITS SUBSIDIARIES, HIGHLAND
MEDIA LLC AND HIGHLAND COMMUNICATIONS LLC,
FOR A STATE-ISSUED CERTIFICATE OF FRANCHISE
AUTHORITY

DOCKET NO.
09-00016

RE-APPLICATION AND SECOND AMENDED CERTIFICATE OF FRANCHISE AUTHORITY

On February 23, 2009, pursuant to Tenn. Code Ann. § 7-59-301, *et seq.*, also known as the Competitive Cable and Video Services Act ("CCVSA"), a state-issued certificate of authority was issued to Highland Telephone Cooperative, Inc., on behalf of itself and its Wholly-Owned subsidiary, Highland Holdings Corporation and its subsidiaries, Highland Media LLC and Highland Communications LLC (the "Company" or "Applicant"), by the Tennessee Public Utility Commission ("TPUC").

On May 31, 2011, pursuant to Tenn. Code Ann. § 7-59-301, *et seq.* the Company filed a *First Amendment to Certificate of Franchise Authority* to supplement certain municipalities and/or unincorporated areas within counties to those areas previously described within its application filled on January 30, 2009.

On February 22, 2019, pursuant to the CCVSA, § 7-59-305(b)(1)(f), the Company filed an application to reapply for a state-issued certificate of franchise authority. Additionally, the Company filed a Second Amendment to Certificate of Franchise Authority to add portions of rural unincorporated areas of counties¹. Pursuant to the CCVSA, issuance of this state-issued Certificate of Franchise Authority hereby conveys:

1. A nonexclusive grant of authority to provide cable or video service in the areas set forth in the application;²

2. A nonexclusive grant of authority to construct, maintain and operate facilities through, along, upon, over and under any public rights-of-way, subject to the laws of the state of Tennessee, including the lawful exercise of police powers of the municipalities and counties in which such service is delivered;

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¹ The application states the counties are Anderson, Campbell, Cumberland and Roane.

² According to its application, Highlands' service area will be areas covered by the original Certificate, as amended by 2 Amendments.

3. Notwithstanding the provisions of paragraphs 1 & 2 above, this grant of authority is subject to lawful operation of the cable and video service by the Applicant or its successor in interest; and,

4. Notwithstanding the provisions of paragraphs 1 & 2 above, this grant of authority does not confer upon the holder of the state-issued certificate of franchise authority the right to place facilities on private property without the owner's consent to such placement, except that nothing herein shall alter the condemnation authority provided pursuant to Tenn. Code Ann. § 65-21-204 for internal improvements or as provided in title 29, chapter 16 of the Tennessee Code.

BE IT HEREBY ISSUED.



Earl R. Taylor
Executive Director