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415 Hepplewhite Dr., Alpharetta, GA 30022 Phone: 866.253.7178 Fax: 770.645.6545

TRADE LETTER  
T.R.A. DOCKET #  
www.bodamer.com

Chairman Sara Kyle  
c/o Ms. Sharla Dillon  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243

Via Fed Ex



Re: Application of North Central Communications for a State-Issued Certificate of Franchise Authority

July 30, 2010

Dear Chairman Kyle:

Enclosed please find an original and five (5) copies of Application of North Central Communications for a State-Issued Certificate of Franchise Authority. I am also enclosing our firm's check in the amount of \$2,000 for the filing fee.

Confirmation of receipt and the date of receipt are respectfully requested. Please date and return a copy of this letter and a postage-paid self-addressed letter. Please direct any questions to me at the above address. I may be reached at 770-649-1886. Thank you in advance for your consideration.

Sincerely,

A handwritten signature in dark ink, appearing to read "Eileen M Bodamer". The signature is fluid and cursive.

Eileen M Bodamer  
Consultant to North Central Communications

Enclosures

Cc: Johnny McClanahan, North Central Communications  
Anthony Holt, Sumner County Executive  
Michael Nesbitt, Smith County Mayor

BEFORE THE TENNESSEE REGULATORY AUTHORITY  
Nashville, Tennessee

In Re:     *Application of North Central Communications for a State-Issued Certificate of Franchise Authority*

AFFIDAVIT OF NANCY JOHNSON WHITE

STATE OF TENNESSEE

I, Nancy Johnson White, having been duly sworn in accordance with the law, state as follows:

A.     Identification of Affiant and Application Fee

1.     Affidavit is Made by Officer of Applicant Consistent with T.C.A. §7-59-305(c)

My name is Nancy Johnson White and I am President and CEO of North Central Telephone Cooperative (“NCTC”), the Applicant in this matter. NCTC has offices at 872 Highway 52 By Pass East, Lafayette, TN 37083. I am authorized to make this Application on behalf of NCTC.

2.     Application fee for Service as Set Forth in T.C.A. §7-59-305(b)(1)

NCTC submits the application fee of \$2,000 with this application on the basis of a service area population of 100,000 to 500,000 as reflected in the most recent decennial census of its entire proposed service area, including the areas contained within Exhibit A as to which NCTC seeks a State-issued certificate of franchise authority.

B.     Required Information and Affirmations

1.     Compliance with Applicable Laws Pursuant to T.C.A. §7-59-305(c)(1)

NCTC agrees to comply with all applicable federal and state laws and regulations to the extent that the state laws and regulations are not in conflict with or superseded by 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. NCTC will comply with all applicable FCC requirements involving the distribution and notification of emergency messages over the emergency alert system consistent with the enforcement of the rules, and any waivers to the rules, as determined by the FCC.

2. Description of Areas to be Served in Whole or Part Pursuant to T.C.A. §7-59-305(c)(2)

NCTC intends to provide cable or video services in the same geographic areas in which it provides its incumbent regulated telephone services in Smith and Sumner Counties. NCTC has already obtained an individual franchise from the city of Westmoreland. NCTC seeks a State certificate of franchise authority to serve the remaining areas of its service area in portions of Sumner County as well as the communities of Defeated and Pleasant Shade in Smith County. NCTC intends to offer cable or video services in the municipalities and counties from which it has received individual franchise authority as well as in the municipality and the portions of the counties as to which it seeks a State-issued certificate of franchise authority. The geographic boundaries in which NCTC intends to offer cable or video services are set forth in the maps attached as Exhibit A.

3. Intent to Serve Pursuant to T.C.A. §7-59-305(c)(3)

NCTC intends to begin to offer video service or cable service for purchase or provide new broadband Internet service in accordance with § 7-59-311(d) in each of the municipalities and the unincorporated areas of each county described in subdivision (c)(2) within twenty-four (24) months of the date of the issuance of a state-issued certificate of franchise authority.

4. Indemnification Pursuant to T.C.A. §7-59-305(c)(4)

NCTC agrees to indemnify and hold harmless, in accordance with § 7-59-318, 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 § 7-59-318 as the “indemnatee.”

5. Contact Information Pursuant to T.C.A. §7-59-305(c)(5)

NCTC’s principal place of business is 872 Highway 52 By Pass East, Lafayette, TN 37083; telephone number (615) 666-2151. Principal executive officers all located at this same address are as follows:

Nancy Johnson White	President / CEO
Johnny McClanahan	VP Finance and Administration

Johnny McClanahan, is further authorized to represent the Applicant before the Tennessee Regulatory Authority in this matter.

6. Affirmation of Qualifications Pursuant to T.C.A. §7-59-305(c)(6)

NCTC affirms that it has the managerial, technical, and financial ability to provide cable or video services. NCTC is already an existing firm providing a range of services, including video, in the states of Kentucky and Tennessee and Kentucky. NCTC’s success as a provider of services provides evidence of its qualifications.

7. Description of the Applicant's Customer Service Complaint Handling Process Pursuant to T.C.A. §7-59-305(c)(7)

NCTC’s business plan hinges on the company’s ability to provide its customers with exemplary service and it has already proven its ability in this regard through the success of its service-focused approach in its existing operations.

NCTC provides several effective options for its customers to communicate with the company for billing, repair and maintenance and other customer services issues. In addition to responding promptly to any written communications from its customers, the company also publishes a local contact numbers for service inquiries by its customers on billing and other customer services issues. Additionally, NCTC maintains a Website ([www.NCTC.com](http://www.NCTC.com)) that provides sales and service contact information for the company and allows for communication with the company via electronic mail and live chat for selected technical support. Any service inquiries from the TRA or other government entity are directly referred to Johnny McClanahan at the location indicated in above.

8. Notice to the Affected Local Governing Authority Pursuant to T.C.A. §7-59-305(c)(8)

NCTC has provided notice and a copy of this Affidavit to each local government that would be affected by the State-issued certificate of franchise authority at the addresses set forth in the list attached as Exhibit B. NCTC will comply with any applicable local ordinance or resolution requiring notice to other entities with facilities in the rights of way.

9. Compliance with Applicable Nondiscrimination and Service Deployment Requirements Pursuant to T.C.A. §7-59-305(c)(9)

NCTC agrees to comply with the requirements set forth in the Act, expressly including the non-discrimination and service deployment requirements of T.C.A. §7-59-311. NCTC hereby acknowledges the provisions of T.C.A. §7-59-311 relevant to enforcement of non-discrimination and deployment requirements.

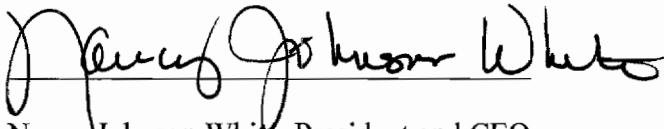
10. Agreement to Provide Notice to an Affected Local Governing Authority Pursuant to T.C.A. §7-59-305(c)(10)

Following issuance of a state-wide certification, NCTC will provide notice to an affected local governing authority 10 days prior to providing service in the jurisdiction.

11. Minority Owned Business Participation Plan Pursuant to T.C.A. §7-59-305(c)(11)

NCTC agrees to comply with the provisions of its Minority Owned Business Participation Plan that is included in Exhibit C of this Application.

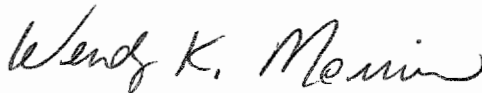
I swear that the foregoing Affidavit is true and correct to the best of my knowledge.



Nancy Johnson White, President and CEO  
North Central Telephone Cooperative

Subscribed and sworn to me this 27<sup>th</sup> day of July, 2010.

Notary Public



State of Tennessee

County of

Macon

My commission expires

11/26/2011



## **EXHIBIT A**

Application of North Central Telephone Cooperative for a State-Issued Certificate  
of Franchise Authority

Proposed Operating Areas

SUMNER COUNTY



## **EXHIBIT B**

### **Application of North Central Telephone Cooperative for a State-Issued Certificate of Franchise Authority**

#### **Local Governments Provided Notice**

##### **Sumner County**

Anthony Holt, Sumner County Executive  
355 North Belvedere Drive, Room 102  
Gallatin, TN 37066  
Phone: (615) 452-3604

##### **Smith County**

Michael Nesbitt, County Mayor  
122 Turner High Circle, Ste. 100  
Carthage, TN 37030  
Phone: (615) 735-2294

## **Exhibit C**

### **North Central Telephone Cooperative**

### **Minority-owned Business Participation Plan**

Pursuant to T.C.A. §7-59-313, as amended, North Central Telephone Cooperative (“NCTC”) submits this minority-owned business participation plan (the “Plan”) along with its Application of North Central Telephone Cooperative for a State-Issued Certificate of Franchise Authority in Tennessee.

## **I. Purpose**

The purpose of §7-59-313 is to provide opportunities for minority-owned businesses to provide goods and services to video and cable service providers. NCTC is committed to the goals of §7-59-313 and to taking steps to support the participation of minority-owned businesses in the video and cable industry. NCTC will endeavor to provide opportunities for minority-owned businesses to compete for contracts and subcontracts for goods and services. As part of its procurement process, NCTC will make efforts to identify and inform minority-owned businesses that are qualified and capable of providing goods and services to NCTC of such opportunities to do so. NCTC will 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**

### **As defined in §7-59-313.**

*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, national origin, or disability.

## **III. Administration**

NCTC’s Plan will be overseen and administered by the individual named below, hereinafter referred to as the Administrator, who will be responsible for carrying out and promoting NCTC’s full efforts to provide equal opportunities for small and minority-owned businesses. The Administrator of the Plan will be:

Human Resources Manager  
North Central Telephone Cooperative  
872 Highway 52 By Pass East, PO Box 70  
Lafayette, TN 37083  
Telephone: 615-666-2151; fax: 615-666-6244

The Administrator’s responsibilities will include:

1. Maintaining an updated Plan in full compliance with §7-59-313 and the rules and orders of the Tennessee Regulatory Authority.

### **III. Administration (continued)**

2. Establishing and developing policies and procedures necessary for the successful implementation of the Plan.
3. Preparing and submitting such forms as may be required by the Tennessee Regulatory Authority, including the filing of updates as may be required.
4. Serving as the primary liaison to and cooperate with the Tennessee Regulatory Authority, other agencies of the State of Tennessee, and small and minority-owned businesses to locate and use qualified small and minority-owned businesses as defined in §7-59-313.
5. Searching for and developing opportunities to use minority-owned businesses and encouraging such businesses to participate in and bid on contracts and subcontracts.
6. Providing records and reports and cooperating in any authorized surveys as required by the Tennessee Regulatory Authority.
7. Establishing a record-keeping system to track qualified minority-owned businesses and efforts to use such businesses.
8. Providing information and educational activities to persons within NCTC and training such persons to seek out, encourage, and promote the use of small and minority-owned businesses.

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

- Chambers of Commerce
- The Tennessee Department of Economic and Community Development
- The United States Department of Commerce
- 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, small and minority-owned

businesses assistance with technical, insurance, bonding, licensing, production, and deadline requirements.

#### **IV. Records and Compliance Reports**

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

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

