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DOCKET ROOM

Rutherford County Office of Information Technology
Brian Robertson, Director
County Courthouse, Suite 104
Murfreesboro, TN 37130

December 22, 2011

BY: USPS STANDARD MAIL AND E-MAIL

Tennessee Regulatory Authority
ATTN: Docket Room (11-00208)
460 James Robertson Parkway
Nashville, TN 37243

RE: United Telephone Company Franchise Application and Official Response to requested information

Dear Mr. Arnold Reed,

Being in receipt of TRA's letter dated December 14 regarding Notice of TRA Receipt of Application for Certificate of Franchise Authority and Official Request for Information, and at the request of Rutherford County Mayor Ernest Burgess, I would like to respond on behalf of the Rutherford County Government by providing the requested information regarding provisions in a current franchise agreement with the county's original incumbent cable services provider.

Rutherford County has an active franchise agreement with Comcast Cable allowing them to provide cable services in the unincorporated area of our county. Regarding government access channels or "PEG" channels, we currently cablecast one (1) government access channel throughout the entire county, *including the interior of the municipalities*. The franchise further authorizes activation of one (1) additional PEG channel under the following circumstances:

Section 6(a)(2) In addition to the Access Channel specified above, the County may require the Franchisee to make available one (1) additional Access Channel pursuant to the criteria of this subsection. Such additional Access Channel shall be provided by the Franchisee within one hundred twenty (120) days after a written request from the County when the following conditions are met.

6(a)(2)(A) The Franchisee shall provide one (1) additional Government Access Channel whenever the Access Channel set aside by the County for Governmental Access Channel programming is programmed with Qualified Programming at least eighty percent (80%) of the cumulative time for sixty (60) consecutive hours measured over a calendar quarter. All Qualified Programming shall count in this measurement for the actual running time shown.

As stated previously, the current PEG channel airs inside the entire County boundary, **including the interior of the municipalities**. These municipalities (the City of Murfreesboro, Town of

Smyrna, and City of LaVergne) all have franchise agreements with Comcast as well. To my knowledge their PEG channel provisions do not include Rutherford County's channel, and as a result their submission to TRA may not include provisioning our channel in their city limits. However, Rutherford County strongly believes and vigorously maintains that the Rutherford County PEG channel should be made available on any and all additional cable service provider's transmissions **to include the interior of each of the municipalities** as well as within the unincorporated areas, consistent with the intent and resultant outcome of such in the incumbent's current franchise. To do otherwise would hamper our ability to reach the citizenry with our programming, the result of which would mean limited exposure of our government proceedings.

Regarding the terms of any PEG support payments being provided by the incumbent services provider, there are none in this franchise other than the 5% subscriber fees which at least conceptually are allocated to offset our cost in operating the channel.

Sincerely,

A handwritten signature in cursive script that reads "Brian Robertson".

Brian Robertson
Chief Information Officer

cc: Mayor Ernest Burgess, Rutherford County
James Cope, County Attorney