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August 28, 2019

*Via Hand-Delivery and Email*

Chairman Robin Morrison  
c/o Sharla Dillon, Dockets and Records Manager  
Tennessee Public Utility Commission  
502 Deaderick Street, Fourth Floor  
Nashville, Tennessee 37243  
tpuc.docketroom@tn.gov

**In re: *Application of United Telephone Company, on Behalf of Itself and Its Wholly Owned Subsidiary, UTC Video Concepts, LLC, for a State-Issued Certificate of Franchise Authority – First Amendment***  
**Docket No. 11-00208**

Dear Chairman Morrison:

Enclosed please find five (5) copies of United Telephone Company's First Amendment to State Issued Certificate of Franchise Authority. Also enclosed is a check in the amount of Five Hundred Dollars (\$500.00) to cover the application fee. This First Amendment is being filed electronically with TPUC's Docket Manager, Sharla Dillon.

Please file the original and four (4) copies of this material and stamp the additional copy as "filed". Then please return the stamped copy to me by way of our courier.

Should you have any questions concerning this matter, please do not hesitate to contact me at the email address or telephone number listed above.

With kindest regards, I remain

Very truly yours,



R. Dale Grimes

Enclosures

cc: William Bradford  
Kristin Jackson

**BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION  
NASHVILLE, TENNESSEE**

**IN RE:**

**UNITED TELEPHONE COMPANY, ON  
BEHALF OF ITSELF AND ITS WHOLLY  
OWNED SUBSIDIARY, UNITED  
COMMUNICATIONS, INC., TO AMEND  
ITS STATE-ISSUED CERTIFICATE OF  
FRANCHISE AUTHORITY.**

**Docket No. 11-00208**

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**FIRST AMENDMENT TO STATE-ISSUED CERTIFICATE OF  
FRANCHISE AUTHORITY**

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**AFFIDAVIT OF WILLIAM H. BRADFORD**

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STATE OF TENNESSEE    )  
                                      )  
COUNTY OF MARSHALL    )

I, William H. Bradford, in accordance with the requirements of the Tennessee Competitive Cable and Video Services Act, Tenn. Code Ann. § 7-59-301 et seq. (the "Act"), state as follows:

I am an employee of United Telephone Company, where my title is President & CEO. As such, I am authorized to make this affidavit on behalf of Applicant United Telephone Company and its wholly owned subsidiary, United Communications, Inc., formerly known as UTC Video Concepts, LLC.

**1. Name of Applicant**

The name of the Applicant is United Telephone Company, on behalf of itself and its wholly owned subsidiary United Communications, Inc., (hereinafter collectively referred to as "Applicant"). The latter entity was formerly known as UTC Video Concepts, LLC, but its name was changed to United Communications, Inc. through Articles of Conversion on July 6, 2012. Applicant received a State-Issued Certificate of Franchise Authority to serve the areas specified therein on January 11, 2012. The purpose of this Application is to Amend Its State-Issued Certificate of Franchise Authority ("First Amendment") to add new Service Areas as provided herein.



**2. Application Fee for Service Area Population of 50,000, up to and including 1,000,000 (Section 305(b)(2) of the Act)**

An application fee of \$500 is submitted with this First Amendment consistent with Section 305(b)(2) of the Act and based on the population of service area(s) as reflected in the most recent decennial census applied for in this First Amendment. Such service areas are described in Exhibit A.

**3. Compliance with Applicable Laws (Section 305(c)(1) 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 as set forth in this First Amendment. Applicant 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.

**4. Description of Municipalities and Unincorporated Areas to be Added to the Area Served by Applicant Pursuant to its Existing Franchise Issued on January 11, 2012 (Section 305(c)(2) of the Act)**

Exhibit A to this First Amendment lists the municipalities and unincorporated areas within counties to be served, in whole or in part, by the Applicant pursuant to this First Amendment. Applicant intends to provide cable or video services in geographic areas that are contiguous and in close proximity with the present ILEC service area of the Parent, United Telephone Company, where Applicant operates telecommunications service, cable and video services, and regional fiber networks connecting its exchanges and surrounding areas. The service areas on Exhibit A are also those in which Applicant provides competing local regulated telecommunications services pursuant to its CLEC Certificate issued in TRA Docket No. 17-00007. Exhibit A is incorporated by reference into this Affidavit.

**5. Intent to Begin to Offer Cable or Broadband Internet Service (Section 305(c)(3) of the Act)**

Applicant already provides broadband internet, cable and video, and local telephone services in areas that are contiguous and in close proximity with each of the municipalities identified in Exhibit A and intends to begin to offer cable service for purchase in the areas identified in Exhibit A within twenty-four (24) months of the date of issuance of an Amended State-Issued Certificate of Franchise Authority.

**6. Indemnification (Section 305(c)(4) of the Act)**

Applicant agrees to indemnify and hold harmless, in accordance with Section 318 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 318 of the Act as the “indemnitee.”

**7. Applicant Contact Information (Section 305(c)(5) of the Act)**

- a. Applicant’s principal place of business is located at 120 Taylor Street, P.O. Box 38, Chapel Hill, TN 37034.
- b. Contact telephone number is (931) 364-2289.
- c. The principal executive officers of the Applicant are as follows:

**United Telephone Company**

Eugene B. Johnson, Chairman of the Board of Directors  
Steven E. Seger, Vice Chairman of the Board of Directors  
William H. Bradford, President & CEO  
Kristin M. Jackson, Treasurer, Secretary & CFO

**United Communications, Inc., f/k/a UTC Video Concepts, LLC**

Eugene B. Johnson, Chairman of the Board of Directors  
Steven E. Seger, Vice Chairman of the Board of Directors  
William H. Bradford, President & CEO  
Kristin M. Jackson, Treasurer, Secretary & CFO

- d. The following persons are authorized to represent the Applicant before the Tennessee Public Utility Commission:
  - i. William H. Bradford
  - ii. R. Dale Grimes, Legal Counsel

**8. Applicant Has the Managerial, Financial, and Technical Qualifications to Provide Cable Service (Sections 305(c)(6) and 305(d)(2) of the Act)**

Applicant has the managerial, financial and technical qualifications to provide cable or video service as required by Tenn. Code Ann. § 7-59-305(c)(6) and (d)(2). Applicant has evaluated its deployment plans and reasonably concludes that its plans will result in deployment of cable or video service to all service areas listed on Exhibit A within the time periods set forth in and in compliance with Tenn. Code Ann. § 7-59-311. Applicant agrees to comply with the non-discrimination and service deployment requirements of 7-59-311.

Applicant has the managerial, financial and technical qualifications to fulfill this plan of deployment. United Telephone Company is a certificated provider in the State of Tennessee. Accordingly, the Commission has determined that Applicant has the managerial, financial, and technical qualifications to provide local telephone service. In addition, United Communications, Inc., f/k/a UTC Video Concepts, LLC was granted a State-Issued Certificate of Franchise Authority in 2012, and has been providing cable and video services pursuant to that Certificate,



and therefore the Commission has determined that Applicant has the managerial, financial, and technical qualifications to provide cable and video services. Based on Applicant's experience and success providing telecommunications services and cable and video services, United Telephone Company and its wholly-owned subsidiary United Communications, Inc., f/k/a UTC Video Concepts, LLC have the managerial, financial, and technical qualifications to provide similar cable and video services.

1. Managerial Qualifications: Applicant has been providing telecommunications services in Tennessee since 1947, and video and cable services since 2012, primarily to Tennesseans in the seven (7) Tennessee counties serviced by Applicant, namely Bedford, Davidson, Franklin, Marshall, Moore, Rutherford and Williamson Counties. As a result of over 60 years of providing local service, Applicant knows its customers well and has the valuable experience as a telecommunications and cable service provider necessary to begin providing video and cable services in additional service areas.

United Telephone Company maintains its headquarters in Chapel Hill, Tennessee, and already operates experienced local customer service and installer/repair departments that provide exceptional customer experiences in delivering advanced broadband, communications, and cable and video services. Further, Applicant's employees already utilize coordinated back office systems necessary that can easily be expanded to add video and cable services to the product portfolio in the new service areas. Accordingly, Applicant's employees are already trained and experienced on the back office systems necessary to provide video and cable services in the new service areas, resolve service and repair issues, and handle billing inquiries in an efficient and timely manner.

Applicant is managerially qualified to provide cable and video services in its proposed service area. Applicant is currently managed by William H. Bradford, President & CEO, and he is supported by highly qualified and competent directors and staff. Attached hereto as Exhibit B is a list of the names of Applicant's principal company officers and staff and a description of each officer's and staff member's background and experience. As shown in Exhibit B, Applicant's staff has substantial managerial experience in the areas of utility operations, utility customer service and utility marketing. Further, all members of the management team have prior experience in the video and cable services sector.

2. Financial Qualifications: Applicant has been meeting the requirements of a financially stable regulated utility in the state of Tennessee for over seventy years. Throughout this time Applicant has filed annual financial and operating reports reflecting its ability to continue to invest in its network, pay-off debt, and build cash, which are all important aspects of a healthy company. Applicant's annual reports are on file with the Tennessee Public Utility Commission. Accordingly, Applicant has a proven history of being financially qualified to provide cable and video services.

3. Technical Qualifications: Based in part on its experience since 1947 as a telecommunications services provider, and its experience since 2012 of providing cable and video services, coupled with its demonstrated managerial experience, Applicant possesses the necessary technical qualifications to provide cable and video services in the new service areas. As noted

earlier herein, Applicant has successfully serviced its telecommunications customers since 1947, and its cable and video customers since 2012. Employees of United Communications, Inc., are also employees of United Telephone Company. United Telephone Company has been providing broadband services for over 20 years; therefore, the technical staff and senior management team have extensive broadband experience.

Information concerning the technical expertise of Applicant's senior management team is included in Exhibit B. This experience provides Applicant with the foundation necessary to provide the proposed cable and video services. While Applicant believes that it has sufficient technical expertise to provide these and other broadband services, Applicant also has access to various technical consultants on whom it may call if the need arises.

**9. Customer Service Complaint Handling Process (Section 305(c)(7) of the Act)**

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

Applicant has a staff of over forty dedicated local employees and has provided service and quality customer care in areas that are contiguous and in close proximity with each of the municipalities identified in Exhibit A for over 50 years. As such, subscribers in the new service areas who have questions or complaints regarding their subscriptions to Applicant's services will have access to Applicant by writing to United Telephone, 120 Taylor Street, P.O. Box 38, Chapel Hill, TN 37034, by visiting our web site at: <http://www.united.net>, or by contacting the toll-free number listed below and included on all billing statements. Applicant will continue to address customer questions or complaints in a timely manner. Should a customer believe that his/her request was not properly handled, he/she may contact the Tennessee Public Service Commission.

Local or toll-free telephone number at which a customer may contact Applicant:

1-800-779-2227 or 931-364-2289

**10. Notice to Affected Local Governing Authority (Section 305(c)(8) of the Act)**

Notice has been provided to the affected local governing authorities at the addresses set forth in Exhibit C of their right to receive a franchise fee consistent with the Act. Notice will also be provided to other entities with facilities in the rights-of-way consistent with any non-discriminatory and generally applicable local ordinances or resolutions requiring such notice.



**11. Non-Discrimination and Service Deployment Requirements  
(Section 305(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 311 of the Act. In addition, the Applicant acknowledges the provisions of Section 312 of the Act relative to enforcement of non-discrimination and deployment requirements.

**12. Notice to Local Governing Authority Prior to Providing Service  
(Section 305(c)(10) of the Act)**

Following issuance of the amended State-issued certificate of franchise authority, Applicant will provide notice to an affected local governing authority at least ten (10) days prior to providing service in that jurisdiction.

**13. Minority Owned Business Participation Plan (Section 305(c)(11) of the Act)**

Exhibit D to this Application is Applicant's Minority Owned Business Participation Plan and Applicant agrees to comply with the provisions of the Plan in accordance with Section 313 of the Act and is incorporated by reference into this Affidavit.

**FURTHER AFFIANT SAITH NOT**

William H. Bradford  
William H. Bradford, President & CEO

Sworn to and subscribed before me, this 14<sup>th</sup> day of August, 2019.

Tammy H. Welch

Notary Public

My Commission Expires: 7/27/2020





**EXHIBIT A**

**DESCRIPTION OF MUNICIPALITIES AND UNINCORPORATED AREAS TO BE SERVED**

Proposed Franchise Service Areas: Incorporated

<b>Service Area/City</b>	<b>County</b>
LaVergne	Rutherford
Lewisburg	Marshall
Smyrna	Rutherford
Thompson Station	Williamson

Proposed Franchise Service Areas: Unincorporated

*Those areas as further defined on the attached maps,  
located in the following counties:*

Marshall County  
Maury County  
Rutherford County  
Williamson County



# Lewisburg Area

Lewisburg

Holly Grove Rd

(50)

Jim McCord Hwy

Denathard Rd

Higgs Rd

Caughran Rd

Industrial Dr

Old Belfast Rd

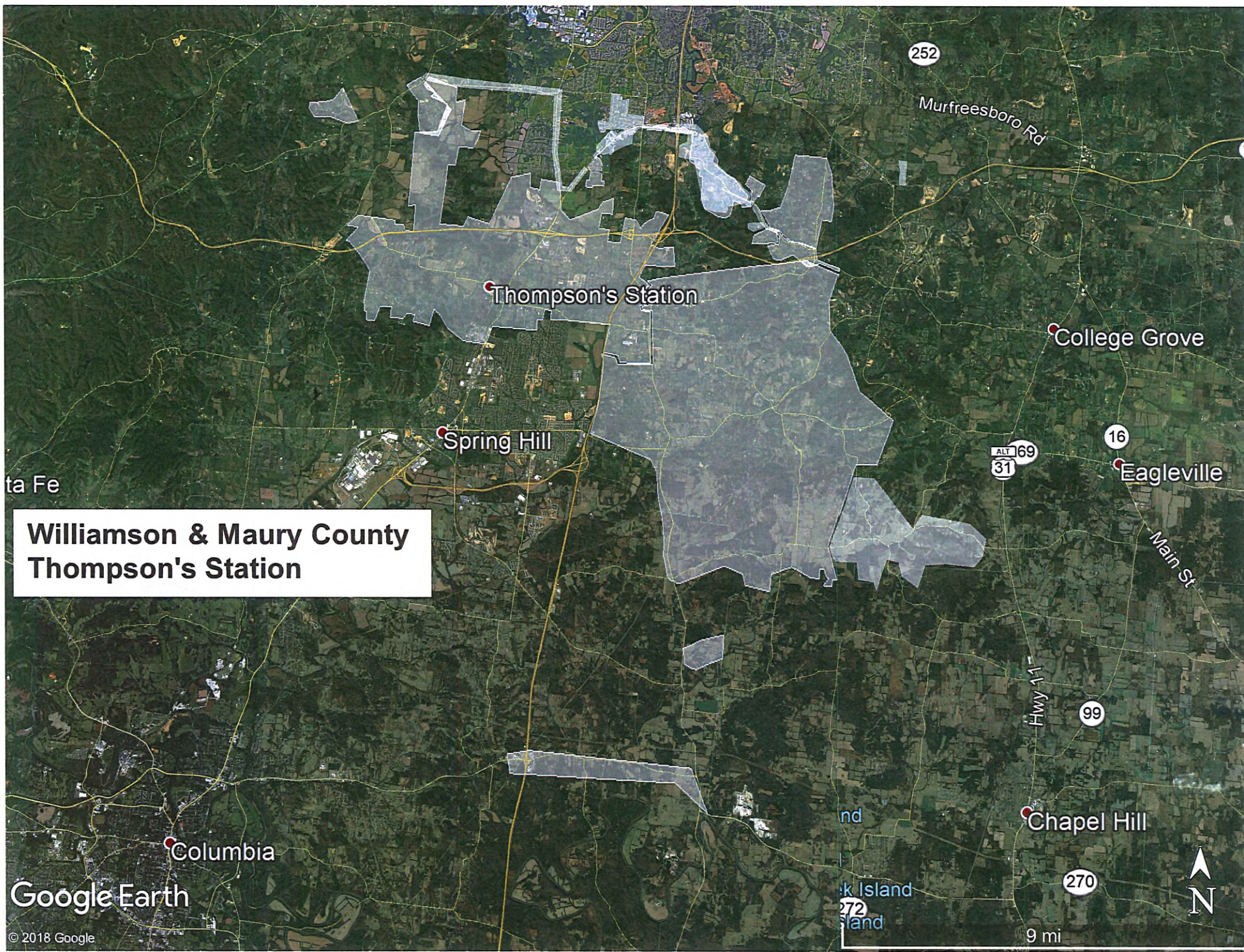
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Google Earth

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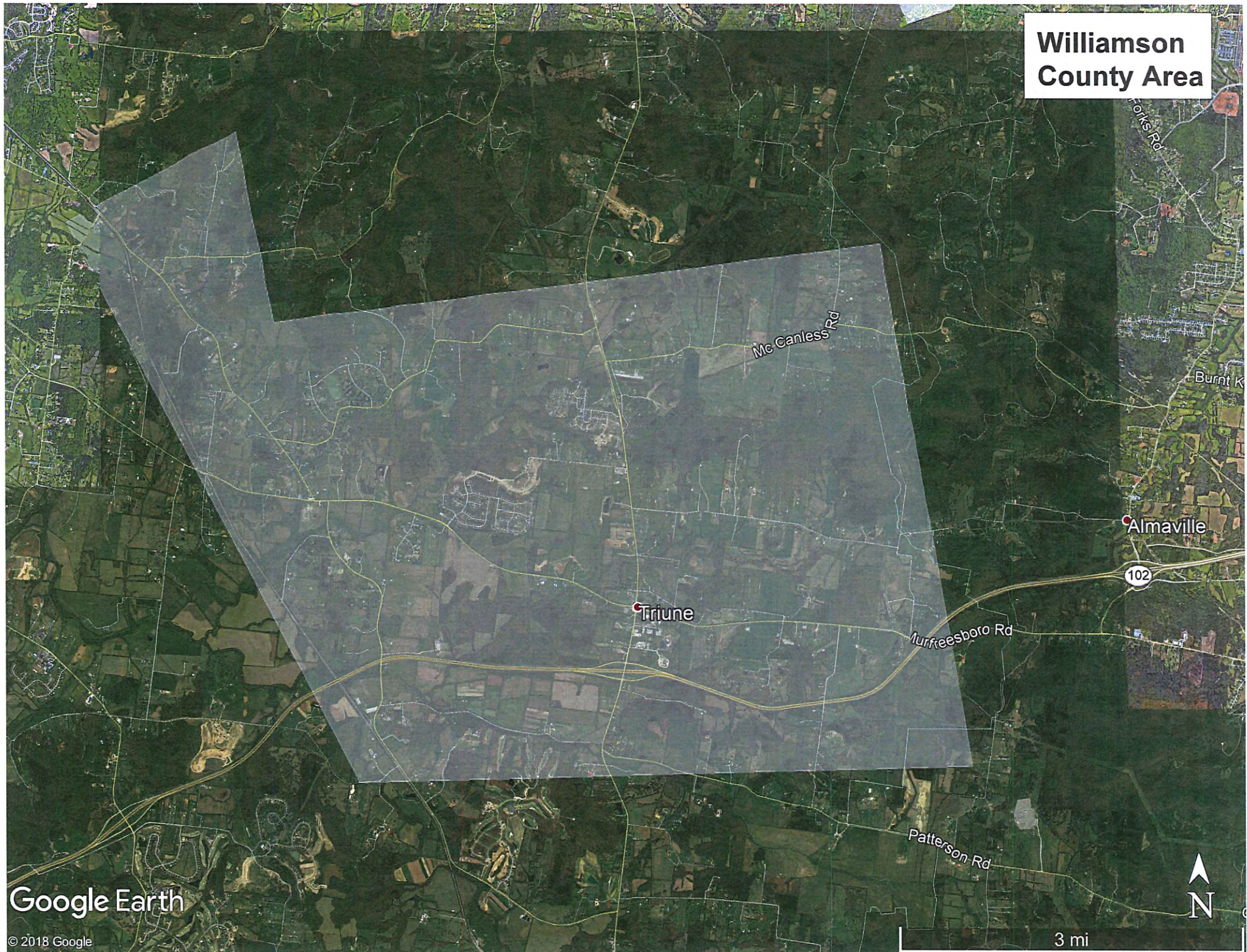
**Williamson & Maury County  
Thompson's Station**

Google Earth

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# Williamson County Area

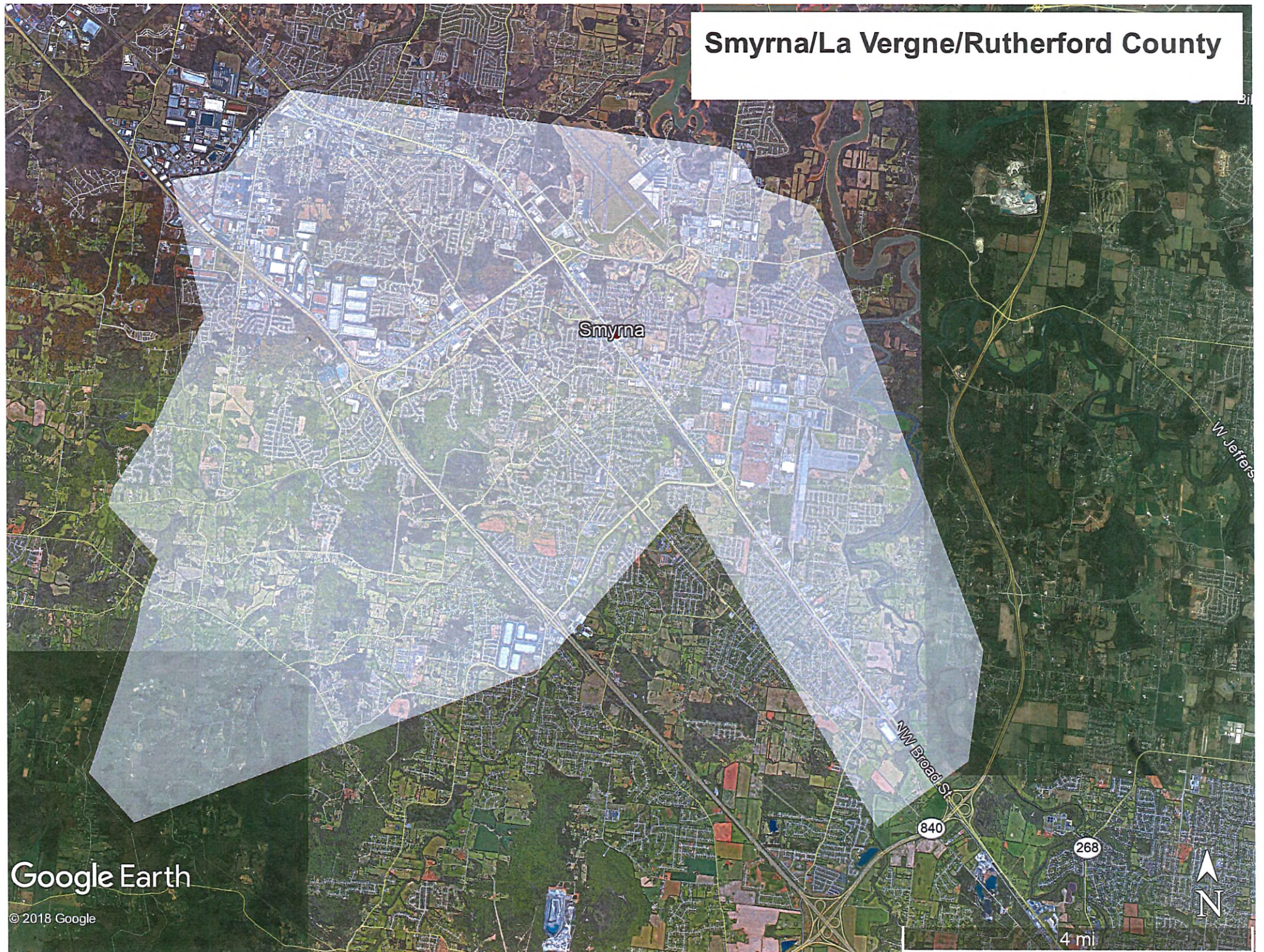


Google Earth

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# Smyrna/La Vergne/Rutherford County



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## **EXHIBIT B**

### **BIOGRAPHIES OF KEY MANAGEMENT EMPLOYEES**

#### **William Bradford, President & Chief Executive Officer:**

William Bradford is the President & CEO of United Communications, an entity he formed in partnership with Gene Johnson, providing telecommunications services to over 11,000 residential and business customers in Middle Tennessee. William is a telecommunications management executive with almost 20 years of broad industry experience acquiring and operating internet and telecommunications operations around the Country, primarily focused on serving rural, underserved markets. Prior to founding United Communications, William was President of JB Capital Advisors, LLC, providing transaction, finance, and strategic advisory services to business executives and investors, primarily in the telecom and technology sectors. William spent 7 years at FairPoint Communications, Inc., where he served as the Vice President of Corporate Development, responsible for strategic planning, mergers and acquisitions, and financial analysis. From 2006 to 2008, William was a member of the management team of American Broadband Communications, where he was responsible for acquisitions, corporate finance, and strategic initiatives. William has been an active participant in state and federal industry associations and is currently the President of the Tennessee Telecommunications Association. Additionally, William serves as Chairman of IRIS Networks, a leading provider of wholesale telecommunications services, specializing in tower backhaul solutions for wireless carriers and regional fiber transport for large carriers and enterprises. IRIS operates a state of the art fiber optic network, using leading edge IP/MPLS Ethernet technologies strategically deployed with over 5,000 route miles in the Southeast with 116 POP locations located in 6 states including super POP sites in Chicago and Atlanta. William currently serves as Vice Chairman of the Board of Directors of Adolfson & Peterson Construction, one of the hundred largest general contractors in the US. William graduated cum laude from Wake Forest University, with a degree in Mathematical Economics. William currently lives in Brentwood, TN with his wife and four young children.

**UNITED COMMUNICATIONS**

120 Taylor Street | Chapel Hill, TN 37034

1.800.779.2227 | [www.united.net](http://www.united.net)



**Kristin Jackson, Chief Financial Officer**

Mrs. Jackson has been with United since 2016, joining the team after spending seven years in public accounting at a large regional accounting firm, Jackson Thornton. While at Jackson Thornton, Mrs. Jackson managed financial statement and compliance audits of telecom and electric utility private companies and cooperatives across much of the Southeast. Mrs. Jackson is a Certified Public Accountant in the State of Tennessee and State of Alabama. Mrs. Jackson holds a master's degree in Accounting from Auburn University, and a bachelor's degree in Accounting from the University of Alabama in Huntsville. Kristin is President of the Tennessee Telecommunications Accounting Association and a member of the Tennessee Society of Certified Public Accountants. Kristin resides in Murfreesboro, TN with her husband and three young children.

**Josh Lynch, Chief Customer Officer**

Mr. Lynch has been with United since 2017, when the company he founded, Athena Broadband, was acquired by United. Under the leadership of Mr. Lynch, Athena quickly became a successful ISP with a focus on providing service to under-served areas and providing businesses with a customer-focused alternative to their current providers. Athena provided fixed wireless, VoIP, & FTTH and found great success with enterprise level accounts by building both a reliable network and solid relationships with customers. Prior to founding Athena, Mr. Lynch founded and operated a satellite TV and Internet reseller which performed sales and installations across the US for health care providers, businesses, and lodging institutions. Mr. Lynch graduated Magna Cum Laude from Lee University in Cleveland, TN with a degree in Business Administration and resides in Lewisburg with his wife and 2 young children where he serves on the Board of Directors for the Shelbyville-Bedford County Chamber of Commerce and the Boys and Girls Club of Bedford County.

UNITED COMMUNICATIONS

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**Jaimy Cooper, Director of Network Operations**

Mr. Cooper has been with United since 2005 and is responsible all core network operations, focused on building a consistent and reliable network capable of delivering faster internet speeds, digital IPTV, cloud-based phone services, and enterprise Ethernet services, enabling the company to achieve revenue growth targets and improve customer satisfaction. Previously, Mr. Cooper worked for Spirit Telecom in South Carolina, where he gained relevant experience as a network engineer supporting numerous independent telephone companies achieve network optimization to support multiple services such as IPTV, Internet, and VoIP. Jaimy currently holds CICA, CICE, and BAIS certifications. Mr. Cooper served 8 years in the US Marine Corps, achieving the rank of Corporal and participating in Operation Desert Shield (Iraq) and Operation Restore Hope (Somalia).

**John Rowland, Director of Wireless Operations**

Mr. Rowland has been with United since 2017, when the company he co-founded, Athena Broadband, was acquired by United. Prior to co-founding Athena, John was Director of Operations for EnterSource. EnterSource provides entertainment and networking solutions for hotel, hospital, business, and residential customers throughout the US, specializing in solutions for the medical industry. It is also a key system operator for DIRECTV's MDU channel and has a full line of offerings for residential service. EnterSource is an authorized retailer for Dish Network, DIRECTV, HughesNet, Charter, Comcast and Athena Broadband. John currently serves as a curriculum advisor to the Tennessee College of Applied Technology – Shelbyville. John lives in Murfreesboro with his wife and two children.

**Scott Niehaus, Director of Engineering & Construction**

Mr. Niehaus has been with United since 2012, where he is responsible for all engineering and construction operations in the field, focused on aggressively expanding United's FTTP network at an industry-leading cost per passing and safety record, enabling the company to pass as many new premises each year with its annual capital budget. Mr. Niehaus was appointed by TN Governor Haslam to serve on the Underground Utility Damage Enforcement Board in 2015. Prior to joining United, Scott worked in the consulting engineering field for Osmose Communications (formerly TelPlexus, Inc.) for ten years, serving on over 45 engineering projects in the Southeast, assisting rural carriers deploy point-to-point transmission fiber, fiber-to-the-remote, and fiber-to-the-home networks. Prior to his telecommunications experience, Scott started his career in the civil engineering field, gaining practical experience working on civil site design, landfill design, wastewater treatment plant design, and erosion and sediment control measures.

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120 Taylor Street | Chapel Hill, TN 37034

1.800.779.2227 | [www.united.net](http://www.united.net)



**Kimberly Goodwin, Director of Sales & Marketing**

Mrs. Goodwin joined the United team in March 2019 and is responsible for helping local businesses achieve new levels of success with trusted communications solutions. Kimberly's previous experience includes roles such as Manager of Business Sales at Comcast and Regional Manager at Charter. Kimberly has also achieved various accolades including Top National Producing Manager at Comcast's President's Club and two-time Platinum Club Award recipient at Charter. Kimberly previously served as an Ambassador of the Tullahoma Chamber of Commerce where she earned an award for Ambassador of the Year. She has also served as a Board of Director of the Tullahoma Chamber of Commerce and Gattis Leadership, a multi-county leadership program and extension of Tennessee's Three Star Program which focuses on economic growth. Kimberly and her husband reside just south of Murfreesboro in Coffee County where they are members of Rutledge Falls Baptist Church.

**Kim Hitchcock, Director of Human Resources**

Mrs. Hitchcock began working with United in January 2019. Kim strategically plans and implements systems and process to maximize talent resources from hire to retire. Her responsibilities also include strategic initiatives such as leadership and organizational development and succession planning. Kim has over eight years in Human Resource roles including Training and Education Manager, Senior HR Leader, and Owner/Consultant of an HR and Leadership Development consulting company. She received her Bachelor of Science degree in Business Education from Middle Tennessee State University and holds an MBA from Tennessee Technological University. She has her PHR certification and is a certified Behavior and Motivator Analyst with TTI Success Insights. Kim has been certified as a Master Trainer with NCCER and she is a member of SHRM, National Association of Professional Women, and the Association for Talent Development.

**BIOGRAPHIES OF KEY BOARD MEMBERS****Gene Johnson, Chairman:**

Mr. Johnson is the retired founder, Chairman and Chief Executive Officer of FairPoint Communications, Inc., a company that began with one small operation serving rural Kansas and grew to the 6<sup>th</sup> largest telecommunications company in the country, focused on serving rural America. Mr. Johnson co-founded FairPoint in 1990 and was chief executive officer from January 2002 until his retirement in June, 2009. Mr. Johnson previously owned a cable television construction company and later became head of the mergers & acquisitions group of Cable Investments, Inc., where he executed on a broad array of transaction in the cable television industry. A former captain in the U.S. Army, Mr. Johnson started his career as a certified public accountant. Mr. Johnson is a past chairman of the board of trustees for UNC Charlotte and currently serves on the statewide board of Higher Education Works. Additionally, Mr. Johnson holds an honorary doctorate for public service from UNC Charlotte.

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**EXHIBIT C**  
**NOTICE OF RIGHT TO RECEIVE FRANCHISE FEE**

<b>First Name</b>	<b>Last Name</b>	<b>Title</b>	<b>Address 1</b>	<b>Address 2</b>	<b>City</b>	<b>State</b>	<b>ZIP Code</b>
Jim	Bingham	Mayor	City of Lewisburg	131 East Church Street	Lewisburg	TN	37091
Jason	Cole	Mayor	City of La Vergne	5093 Murfreesboro Rd	La Vergne	TN	37086
Mary Esther	Reed	Mayor	Town of Smyrna	315 South Lowry St	Smyrna	TN	37167
Corey	Napier	Mayor	Town of Thompson's Station	PO Box 100	Thompson's Station	TN	37179
Mike	Keny	County Mayor	Marshall County	1108 Courthouse Annex	Lewisburg	TN	37091
Andy	Ogles	County Mayor	Maury County	41 Public Square	Columbia	TN	38401
Bill	Ketron	Mayor	Rutherford County	County Courthouse, One Public Square, Room 101	Murfreesboro	TN	37130
Rogers	Anderson	County Mayor	Williamson County	1320 West Main Street, Suite 125	Franklin	TN	37064

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**EXHIBIT D**

UNITED COMMUNICATIONS

TENNESSEE REGULATORY AUTHORITY  
APPLICATION FOR CERTIFICATE TO PROVIDE  
COMPETING LOCAL TELECOMMUNICATIONS SERVICES

**SMALL AND MINORITY-OWNED**  
**TELECOMMUNICATIONS BUSINESS**  
**PARTICIPATION PLAN**



# SMALL & MINORITY OWNED BUSINESS PARTICIPATION PLAN

Updated: June 2015



SMALL AND MINORITY-OWNED BUSINESS  
PARTICIPATION PLAN

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- 2.0 DEFINITIONS
- 3.0 POLICY STATEMENT AND ADMINISTRATION
- 4.0 RECORDS AND COMPLIANCE REPORTS

## 1.0 PURPOSE

- 1.1 United is committed to promoting and maintaining the purchase of goods and services from qualified small and minority-owned businesses, as defined herein. As a locally operated small business, we recognize the challenges of building and growing a small business and want to do our part to support other businesses serving our industry.
- 1.2 United is committed to meeting the obligations required by Section 16 of the Tennessee Telecommunications Act of 1995, codified as T.C.A. § 65-5-112. The purpose of §65-5-112 is to provide opportunities for small and minority-owned businesses to provide goods and services to Telecommunications service providers. United is committed to the goals of § 65-5-112 and to taking steps to support the participation of small and minority-owned Telecommunications businesses in the Telecommunications industry. United will endeavor to provide opportunities for small and minority-owned Telecommunications businesses to compete for contracts and subcontracts for goods and services. As part of its procurement process, United will make efforts to identify and inform minority-owned and small businesses that are qualified and capable of providing goods and services to United of such opportunities. Moreover, United will seek to increase awareness of such opportunities so that qualified companies not otherwise identified will have sufficient information to participate in the procurement process.
- 1.3 United is committed to meeting the obligations required by Public Chapter 932 of 2008, known as the Competitive Cable and Video Services Act (the "Act"), codified as T.C.A. § 7-59-318. Pursuant to T.C.A. § 7-59-313, as amended, United maintains a minority-owned business participation plan. The purpose of T.C.A. § 7-59-313 is to provide opportunities for minority-owned businesses to provide goods and services to video and cable service providers. United is committed to the goals of § 7-59-313 and to taking steps to support the participation of minority-owned businesses in the Telecommunications industry. United 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, United will make efforts to identify and inform minority-owned and small businesses that are qualified and capable of providing goods and services to United of such opportunities. Moreover, United will seek to increase awareness of such opportunities so that qualified companies not otherwise identified will have sufficient information to participate in the procurement process.
- 1.4 The Administration of this Plan is the responsibility of United. It is the policy of United to provide an opportunity for small and minority-owned businesses, as defined herein, to compete for subcontracts awarded by United on a fair and equitable basis with qualified suppliers and contractors.
- 1.5 This plan is a state of objectives and is not intended to create any legal obligations of United or any other person.

## 2.0 DEFINITIONS

- 2.1 **"United"** – For the purpose of this Plan, United shall include United Telephone Company, its wholly-owned subsidiary, United Communications, Inc. (formerly UTC Video Concepts, LLC) and UTC Long Distance, LLC.
- 2.2 **"Minority Owned Business"** – (as defined in T.C.A. § 65-5-112) "Minority-Owned Business" shall mean a business which is solely owned, or at least fifty-one percent (51%) of the 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 four million dollars (\$4,000,000).

– (as defined in T.C.A. § 7-59-313) “Minority-Owned Business” additionally shall mean a business which is solely owned, or at least fifty-one percent (51%) of the 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:

- A. Past practices of discrimination based on race, religion, ethnic background, or sex, including, but not limited, women;
- B. A disability as defined in T.C.A. § 4-26-102, including, but not limited to, disabled veterans; or
- C. Past practices of racial discrimination against African-Americans.

- 2.3 **“Small Business”** – (as defined in T.C.A. § 65-5-112) For the purpose of this Plan, “Small Business” means a business with annual gross receipts of less than four million dollars (\$4,000,000).

### 3.0 POLICY STATEMENT & ADMINISTRATION

- 3.1 It is the policy of United to afford Small Businesses and Minority-Owned Businesses and opportunity to participate in the performance of contracts in accordance with T.C.A. § 65-5-112 and T.C.A. § 7-59-313.
- 3.2 United’s Plan will be overseen and administered by the individual named below, which may change from time-to time, hereinafter referred to as the Administrator, who will be responsible for carrying out and promoting United’s full efforts to provide equal opportunities for Small Business and Minority-Owned Businesses.
- 3.3 The Administrator of the Plan will be:

Mrs. Lisa Hedgepeth  
Purchasing Agent  
120 Taylor Street  
P. O. Box 38  
Chapel Hill, Tennessee 37034  
Telephone: 931.364.4329; Fax: 931.364.7202

- 3.4 The Administrator’s specific job duties, as they relate to this Plan are as follows:
  - A. Maintaining an updated plan in full compliance with T.C.A. § 65-5-112 and T.C.A. § 7-59-313 and the rules and orders of the Tennessee Regulatory Authority.
  - B. Establishing and developing policies and procedures for the successful implementation of the Plan.
  - C. Preparing and submitting such forms as may be required by the Tennessee Regulatory Authority, including the filing of required annual updates.
  - D. Serving as the primary liaison to and cooperate with the Tennessee Regulatory Authority, other agencies of the State of Tennessee, and



Small Businesses and Minority-Owned Businesses to locate and use qualified businesses as defined in T.C.A. § 65-5-112 and T.C.A. § 7-59-313.

- E. Searching for and developing opportunities to use Small Businesses and Minority-Owned Businesses and encouraging such businesses to participate in and bid on contracts and subcontracts.
- F. Providing records and reports and cooperate in any authorized surveys as required by the Tennessee Regulatory Authority.
- G. Establishing a record-keeping system to track qualified Small Businesses and Minority-Owned Businesses and efforts to use such businesses.
- H. Providing information and educational activities to persons within United and training such persons to seek out, encourage, and promote the use of Small Businesses 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 Business and Minority-Owned Business are primarily spelled out in the Administrator's duties above. Additional efforts will include offering technical assistance, where appropriate and feasible, to Small Businesses and Minority-Owned Businesses.

#### **4.0 RECORDS AND COMPLIANCE REPORTS**

- 4.1 United will maintain records of qualified Small Businesses and Minority-Owned Businesses and efforts to use such goods and services of such businesses. In addition, United will maintain records of educational and training activities conducted or attended and of the internal procurement procedures adopted to support this plan.
- 4.2 United will submit records and reports required by the Tennessee Regulatory Authority concerning the Plan. United will cooperate fully with any surveys and studies required by the Tennessee Regulatory Authority.