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Law Office of Kristopher E. Twomey, P.C.  
Counsel to the Competition\*

17-00069



December 15, 2017

Docket Office  
Tennessee Public Utility Commission  
460 James Robertson Parkway  
Nashville, TN 37243-0505

Re: Application of Premier Satellite LLC for a Certificate to Provide Competing Local Telecommunications Services

Dear Sir/Madam:

Enclosed for filing are an original and four (4) copies, as well as a CD, of the Response to the first data request regarding the Application of Premier Satellite LLC for a Certificate to Provide Competing Local Exchange Services.

Please contact me should you have any questions or need additional information.

Respectfully submitted,

Kristopher E. Twomey  
Counsel to Premier Satellite LLC

## Response to Data Request

1. Please see attached as Exhibit 1, Tennessee Secretary of State Status. The original articles of organization cannot be found and have been ordered from the Secretary of State. They will be provided upon receipt.
2. Please see the financial statements attached as Exhibit 2, Financial Statements. They were filed confidentially with the original application.
3. Please see attached as Exhibit 3, Projected Financials.
4. Please see attached as Exhibit 4, Capital Expenditures Forecast.
5. Please see attached as Exhibit 5, Small And Minority-Owned Telecommunications Business Participation Plan.
6. The original surety bond will be submitted by Premier Satellite, LLC under separate cover.
7. There are no additional members of management. Below is biographical information for two technicians that support the operations of the company:

James Baughman is the Lead Field Technician and has been working in fiber deployment for more than sixteen years designing, building out, and maintaining fiber networks. He has worked with several companies, including NCA Communications in Memphis and Arkansas, DSSI who is based out of Florida, splicing fiber in Florida, Alabama, and Washington DC, as well as working for Electronic Security Specialist who dispatched him out to states such as Wyoming & Idaho to splice fiber.

Edward Enright is the Secondary Technician and has two years of experience working in network design, fiber build out, and Premier Satellite's wireless broadband internet network in Memphis.

8. No, there have been no complaints filed against Premier Satellite, LLC at the Federal Communications Commission. There was one complaint at the Better Business Bureau approximately five years ago. The company ceased providing Dish Network services in an apartment complex because the company became an exclusive DirecTV provider. The company apologized to the customer but was contractually unable to provide Dish Networks and told the customer to call Dish Networks directly for a new installation.

## Exhibit 1

Tennessee Secretary of State Status



**Tre Hargett**  
Secretary of State

**Division of Business Services**  
**Department of State**  
**State of Tennessee**  
312 Rosa L. Parks AVE, 6th FL  
Nashville, TN 37243-1102

## Filing Information

Name: **Premier Satellite LLC**

### General Information

<b>SOS Control #</b>	<b>000819712</b>	<b>Formation Locale:</b>	<b>TENNESSEE</b>
<b>Filing Type:</b>	Limited Liability Company - Domestic	<b>Date Formed:</b>	10/28/2015
	10/28/2015 12:34 PM	<b>Fiscal Year Close</b>	12
<b>Status:</b>	Active	<b>Member Count:</b>	1
<b>Duration Term:</b>	Perpetual		
<b>Managed By:</b>	Member Managed		

### Registered Agent Address

THOMAS STEVENS  
5701 CRIEVEWOOD DR  
BARTLETT, TN 38135-1005

### Principal Address

5701 CRIEVEWOOD DR  
BARTLETT, TN 38135-1005

The following document(s) was/were filed in this office on the date(s) indicated below:

<b>Date Filed</b>	<b>Filing Description</b>	<b>Image #</b>
06/27/2017	2016 Annual Report	B0396-9282
06/01/2017	Notice of Determination	B0402-9711
07/14/2016	2015 Annual Report	B0268-6017
06/01/2016	Notice of Determination	B0260-5513
10/28/2015	Initial Filing	B0160-9067

### Active Assumed Names (if any)

<b>Date</b>	<b>Expires</b>
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## Exhibit 2

### Financial Statements

# Premier Satellite & Internet

## PROFIT AND LOSS

January 1 - March 27, 2017

	TOTAL
<b>INCOME</b>	
Comissions	35,568.21
Installation/Repair Income	17,646.32
Internet Income	34,686.14
Sales	15,387.00
Sales of Product Income	1,602.15
Uncategorized Income	1.94
<b>Total Income</b>	<b>\$104,891.76</b>
<b>COST OF GOODS SOLD</b>	
Cost of Goods Sold	24,284.89
<b>Total Cost of Goods Sold</b>	<b>\$24,284.89</b>
<b>GROSS PROFIT</b>	<b>\$80,606.87</b>
<b>EXPENSES</b>	
Advertising & Marketing	865.42
Bank Charges	94.98
Car & Truck	1,821.49
Gas	1,648.63
<b>Total Car &amp; Truck</b>	<b>3,470.12</b>
Contractors	17,268.39
Insurance	832.36
Interest Paid	620.99
Legal & Professional Services	5,649.88
Meals & Entertainment	692.34
Office Supplies & Software	964.60
Other Business Expenses	4,013.12
Rent & Lease	3,150.00
Salaries & Wages	18,559.91
Taxes & Licenses	1,722.68
Unapplied Cash Bill Payment Expense	0.00
Utilities	2,148.31
<b>Total Expenses</b>	<b>\$60,053.10</b>
<b>NET OPERATING INCOME</b>	<b>\$20,553.77</b>
<b>NET INCOME</b>	<b>\$20,553.77</b>

# Premier Satellite & Internet

## BALANCE SHEET

As of March 27, 2017

	TOTAL
<b>ASSETS</b>	
Current Assets	
Bank Accounts	
Business Checking (5306)	6,450.88
Business Savings (2002)	5,315.44
<b>Total Bank Accounts</b>	<b>\$11,766.32</b>
Other Current Assets	
Prepaid Expenses	253.36
<b>Total Other Current Assets</b>	<b>\$253.36</b>
<b>Total Current Assets</b>	<b>\$12,019.68</b>
Fixed Assets	
Furniture & Fixtures	3,200.00
Machinery & Equipment	42,893.15
Other fixed assets	183,993.14
Vehicles	89,073.00
<b>Total Fixed Assets</b>	<b>\$319,159.29</b>
<b>TOTAL ASSETS</b>	<b>\$331,178.97</b>
<b>LIABILITIES AND EQUITY</b>	
Liabilities	
Current Liabilities	
Credit Cards	
Credit Card AmEx	2,300.47
<b>Total Credit Cards</b>	<b>\$2,300.47</b>
Other Current Liabilities	
Line of Credit	3,500.00
<b>Total Other Current Liabilities</b>	<b>\$3,500.00</b>
<b>Total Current Liabilities</b>	<b>\$5,800.47</b>
Long-Term Liabilities	
Vehicles Payable	78,177.25
<b>Total Long-Term Liabilities</b>	<b>\$78,177.25</b>
<b>Total Liabilities</b>	<b>\$83,977.72</b>
Equity	
Opening Balance Equity	59,690.61
Owner's Pay & Personal Expenses	-26,004.61
Retained Earnings	192,961.48
Net Income	20,553.77
<b>Total Equity</b>	<b>\$247,201.25</b>
<b>TOTAL LIABILITIES AND EQUITY</b>	<b>\$331,178.97</b>

Exhibit 3

Projected Financials



## SCORE

## NAME OF BUSINESS

[illegible]

## Exhibit 4

### Capital Expenditures Forecast

Currently, the applicant has 700 customers from its four fiber builds thus far. For its fifth fiber project, the first leg of that network will pass 800 doors and cost \$20,000 for the construction. Map is below:



The sixth project will be a simple build connecting eight apartment buildings in a complex to a centralized fiber hut. Map is below:



## Exhibit 5

### Small And Minority-Owned Telecommunications Business Participation Plan



**Premier Satellite Small and Minority-owned**  
**Telecommunications Business Participation Plan**

Pursuant to T.C.A. §65-5-212, as amended, Premier Satellite (“Premier Satellite”) submits this small and minority-owned Telecommunications business participation plan (the “Plan”) along with its Application for a Certificate of Public Convenience and Necessity to provide competing intrastate and local exchange services in Tennessee.

**I. PURPOSE**

The purpose of TCA §65-5-212 is to provide opportunities for small and minority-owned businesses to provide goods and services to telecommunications service providers. Premier Satellite is committed to the goals of §65-5-212 and to taking steps to support the participation of small and minority-owned telecommunications businesses in the telecommunications industry. Premier Satellite 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, Premier Satellite will make efforts to identify and inform minority-owned and small businesses that are qualified and capable of providing goods and services to Premier Satellite of such opportunities. Premier Satellite’s representatives have already contacted the Department of Economic and Community Development, the administrator of the small and minority-owned telecommunications assistance program, to obtain a list of qualified vendors. Moreover, Premier Satellite 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 TCA §65-5-212.

*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 or national origin and such business has annual gross receipts of less than four million dollars (\$4,000,000).

*Small Business.* Small Business shall mean a business with annual gross receipts of less than four million dollars (\$4,000,000).

### **III. ADMINISTRATION**

Premier Satellite'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 Premier Satellite's full efforts to provide equal opportunities for small and minority-owned businesses.

The Administrator of the Plan will be:

Thomas Stevens  
Premier Satellite  
5701 Crieveview Drive  
Bartlett, TN 38135-1005

The Administrator's responsibilities will include:

- (1) Maintaining an updated Plan in full compliance with §65-5-212 and the rules and orders of the Tennessee Regulatory Authority.
- (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 required annual updates.
- (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 §65-5-212.
- (5) Searching for and developing opportunities to use small and minority-owned businesses and encouraging such businesses to participate in and bid on contracts and subcontracts.

- (6) Providing records and reports and cooperate in any authorized surveys as required by the Tennessee Regulatory Authority.
- (7) Establishing a record-keeping system to track qualified small and minority-owned businesses and efforts to use such businesses.
- (8) Providing information and educational activities to persons within Premier Satellite 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**

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



submit records and reports required by the Tennessee Regulatory Authority concerning the Plan. Moreover, Premier Satellite will cooperate fully with any surveys and studies required by the Tennessee Regulatory Authority.

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Thomas Stevens

CEO, Premier Satellite

Dated: June 6, 2017