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September 22, 2017

Chairman, Tennessee Public Utility Commission
c/o Sharla Dillon, Dockets and Records Manager
502 Deaderick Street, 4th Floor
Nashville, Tennessee 37243

DOCKET NO.

17-00110

Re: Spirit Broadband, LLC
Application for State Issued Certificate of Franchise Authority

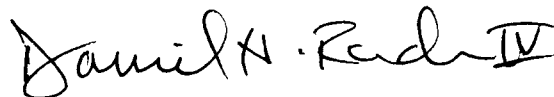
Dear Ms. Dillon:

Thank you for speaking with me this afternoon. Enclosed, please find an original plus four copies of Spirit Broadband, LLC's Application for a State Issued Certificate of Franchise Authority along with all attached exhibits. Additionally, I have enclosed an extra copy that I would request be stamped "filed" and returned to my office in the enclosed prepaid envelope. I have also enclosed a check in the amount of \$1,000 for the filing fee.

If anything else is required on my end, as it relates to this Application, please let me know so that I can respond accordingly.

Yours very truly,

MOORE, RADER,
FITZPATRICK & YORK, P.C.



Daniel H. Rader IV

DHRIV/smc
Enclosures

BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION
NASHVILLE, TENNESSEE

In Re: Application of Spirit Broadband, LLC for a State-Issued Certificate of Franchise Authority

Docket No. _____

AFFIDAVIT OF VINCENT KING

**STATE OF TENNESSEE
COUNTY OF CUMBERLAND**

I, **Vincent King**, am the **CEO** of **Spirit Broadband, LLC**, and in accordance with the requirements of Section 7-59-305(c) of the Tennessee Competitive Cable and Video Services Act, Tenn. Code Ann. 7-59-301, et seq. (the "Act"), states as follows:

1. Name of Applicant:

I, **Vincent King**, do hereby attest to being the **CEO** of **Spirit Broadband, LLC**, and furthermore am authorized to make this Affidavit on behalf of **Spirit Broadband, LLC** (hereinafter referred to in this Application as "Applicant").

2. Application Fee for Service Area over 50,000, up to and including 100,000, as set forth in Section 305(b)(1)(B) of the Act:

Application fee of \$1000.00 is submitted with this Application consistent with Section 305(b)(1) of the Act and based on the service area listed on Exhibit A, as reflected in the most recent decennial census.

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 such 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.

4. Description of Municipalities and Unincorporated Areas to be Serviced (Section 305(c)(2) of the Act):

Applicant currently provides, and will continue to provide after the issuance of a state-issued certificate of franchise authority, cable service for purchase in the areas identified on Exhibit A.

5. Provision of cable service to service areas (Section 305(c)(3) of the Act):

Applicant intends to begin to offer cable service for purchase as described in Section 4, within twenty-four (24) months of the date of the issuance of a 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 “indemnities.”

7. Applicant Contract Information (Section 305(c)(5) of the Act):

Application of Applicant for a State-Issued Certificate of Franchise Authority

- a. Applicant’s principal place of business is located at: **302 Wood Lawn Road, Crossville, Tennessee 38555.**
- b. Contact telephone number is **(615) 815-1599.**
- c. The principal executive officers of the Applicant are as follows: **Vincent King, CEO** and **Tricia Hasbrouck, CFO.**
- d. The following persons are authorized to represent the Applicant before the Tennessee Public Utility Commission:
 - i. **Vincent King – CEO of Spirit Broadband, LLC**
 - ii. **Tricia Hasbrouck – CFO of Spirit Broadband, LLC**
 - iii. **Daniel H. Rader IV – Attorney – Moore, Rader, Fitzpatrick & York, P.C.**

8. Applicant meets the requirements of having the managerial, Financial and Technical Qualifications to Provide Cable Service (Sections 305(c)(6) and 305(d)(3) of the Act).

Pursuant to Section 7-59-305(d)(3), Applicant is deemed by operation of law to have the managerial, financial, and technical qualifications to provide cable service because it is an “incumbent cable service provider.” Applicant is an incumbent cable service provider because it provided cable service in a municipality or unincorporated area of a county on July 1, 2008 under a franchise. Applicant does not seek a new service area in this application. Accordingly, no review of Applicants managerial, financial, and technical qualifications is required or permitted under the Act.

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:

We have professional, courteous and knowledgeable customer and technical service representatives who are available to assist you. Whether you need assistance with cable TV or internet services, we are here to help. We pride ourselves on taking excellent care of our customers. We are committed to addressing your needs the first time, and believe that by focusing on providing a quality service and product, we can address your technical issues before they even happen 24/7. You will find that we strive for constant uptime across all our services, and we proactively monitor our connections to ensure you are always connected. For customer service issues, customers may call Applicant at **(877) 368-2110**.

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

Notice has been provided to the affected local governing authorities as identified in Exhibit B of their right to receive a franchise fee consistent with the Act. Pursuant to T.C.A. § 7-59-304(b)(2), Applicant elects to continue to provide service in the Crab Orchard Community and Pleasant Hill Community under the unexpired Franchise Agreements applicable to those communities. 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 Affected Local Government Entities (Section 305(c)(10) of the Act):

Following issuance of the State-Issued Certificate of Franchise Authority, Applicant will provide any notice to any affected local governing authority ten (10) days prior to providing service in that jurisdiction.

13 Minority-Owned Business Plan (Section 305(c)(11) of the Act):

Applicant agrees to comply with its Minority-Owned Business Plan which is attached as Exhibit C.

FURTHER AFFIANT SAYETH NOT.

Vincent King, CEO
Vincent King, CEO

State of Tennessee
County of Putnam

Sworn to and subscribed before me this 22nd day of Sept., 2017.

Shelly Clark
Notary Public

My commission expires: 7-1-19

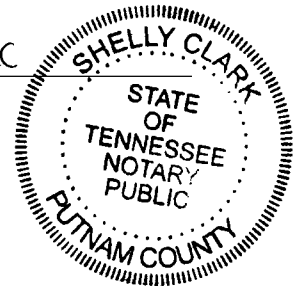




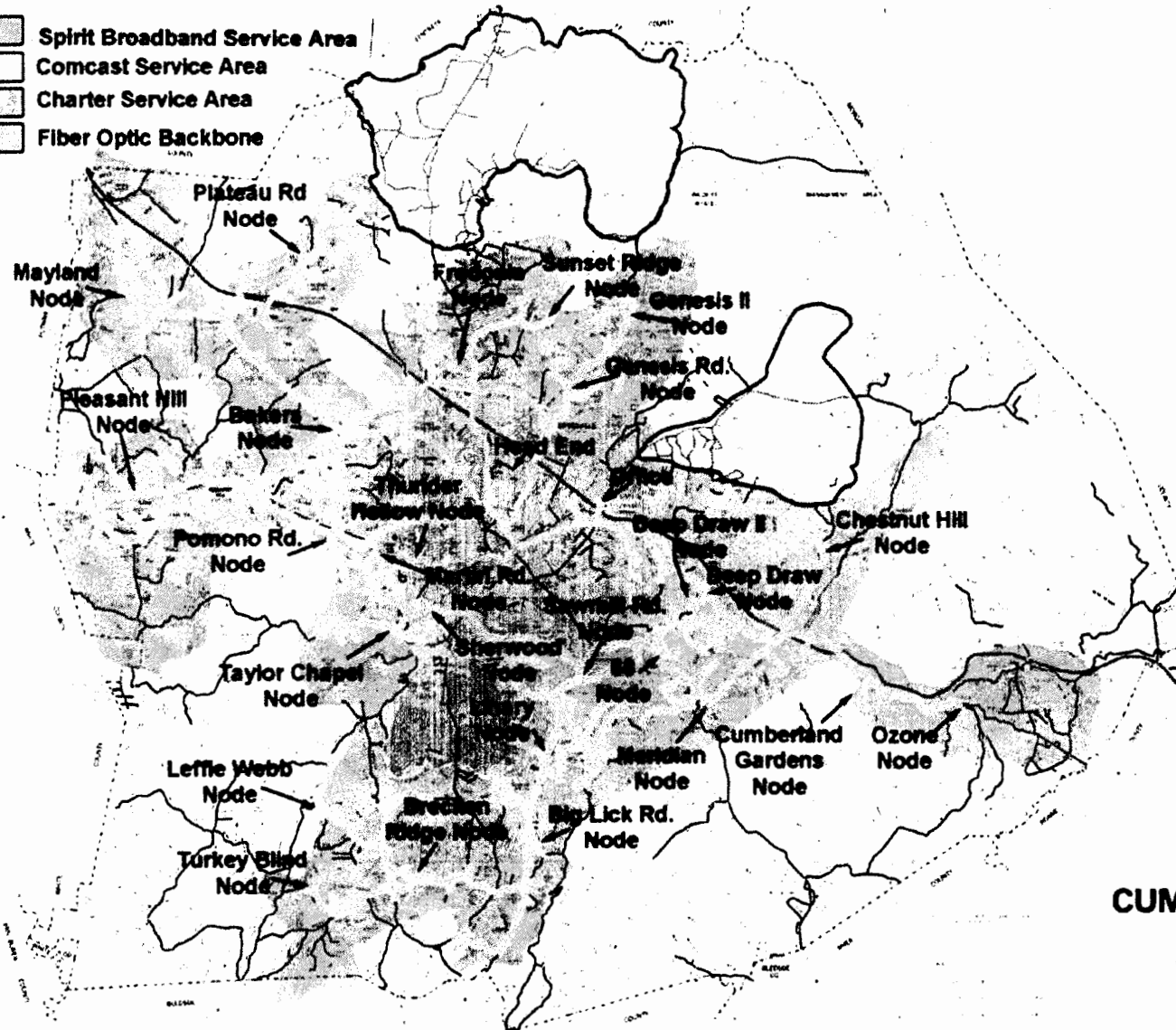


Exhibit A

SPiRiT BROADBAND **Fiber Trunk and Distribution**

-  Spirit Broadband Service Area
-  Comcast Service Area
-  Charter Service Area
-  Fiber Optic Backbone



GENERAL HIGHWAY MAP
CUMBERLAND COUNTY
 TENNESSEE

REPRODUCED BY THE
 TENNESSEE DEPARTMENT OF TRANSPORTATION
 PLANNING DIVISION
 AS CORRECTED ON 08/19/03
 U.S. DEPARTMENT OF TRANSPORTATION
 FEDERAL HIGHWAY ADMINISTRATION

2003

CUMBERLAND COUNTY

Exhibit B

Spirit Broadband, LLC
8279 Horton Hwy
College Grove, TN 37046

September 22, 2017

The Honorable James Mayberry
Mayor
392 North Main Street
Crossville, TN 38555

Re: Notice of Spirit Broadband, LLC's Application for a State-Issued Certificate of Franchise Authority

Dear Mayor Mayberry:

Spirit Broadband, LLC, in accordance with the Competitive Cable and Video Services Act, Tennessee Code Annotated Section 7-59-305, hereby provides the town of Crossville with a copy of its Application for a State-Issued Certificate of Franchise Authority.

Additionally, in accordance with Tennessee Code Annotated Section 7-59-305(8), notice is being provided to the town of Crossville of its right to receive franchise fees consistent with the Act.

Should you have any questions, please contact me at (615) 815-1599 or email me at vince@spiritbb.com

Sincerely,

A handwritten signature in black ink, appearing to read "Vincent King", is written over a horizontal line.

Vincent King
CEO, Spirit Broadband, LLC

Spirit Broadband, LLC
8279 Horton Hwy
College Grove, TN 37046

September 22, 2017

The Honorable Kenneth Carey, Jr.
Cumberland County Executive
2 N. Main St. #203
Crossville TN 38555

Re: Notice of Spirit Broadband, LLC's Application for a State-Issued Certificate of Franchise Authority

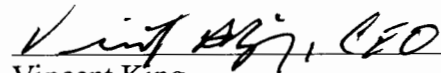
Dear Mr. Carey:

Spirit Broadband, LLC, in accordance with the Competitive Cable and Video Services Act, Tennessee Code Annotated Section 7-59-305, hereby provides Cumberland County with a copy of its Application for a State-Issued Certificate of Franchise Authority.

Additionally, in accordance with Tennessee Code Annotated Section 7-59-305(8), notice is being provided to Cumberland County of its right to receive franchise fees consistent with the Act.

Should you have any questions, please contact me at (615) 815-1599 or email me at vince@spiritbb.com.

Sincerely,



Vincent King
CEO, Spirit Broadband, LLC

Exhibit C

EXHIBIT C
SPIRIT BROADBAND, LLC
MINORITY-OWNED BUSINESS PARTICIPATION PLAN

Pursuant to Section 7-59-313 of the Competitive Cable and Video Services Act, this Minority-Owned Business Participation Plan (Plan) sets forth Spirit Broadband, LLC's (hereinafter referred to "SBB") plan to actively solicit bids from, and let contracts to, minority-owned businesses when establishing, providing, or expanding cable services and related support facilities.

- 1) **Minority-Owned Business.** "Minority-Owned Business" means a business that is solely owned, or at least 51% of the assets or outstanding stock of which is owned, by an individual who personally manages and controls the daily operations of the 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 to, 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) **SBB Supplier Diversity Policy Statement.** It is the policy of SBB to promote the purchase of goods and services from Minority-Owned Businesses. Maximum practicable opportunity shall be given to Minority-Owned Businesses to participate as suppliers of material and services to SBB. SBB also encourages subcontracting opportunities for Minority-Owned Businesses.
- 3) **SBB's Promotion of Opportunities for Minority-Owned Businesses.** SBB's Management, procurement, and human resources personnel work to identify goods and services that may be supplied by Minority-Owned Businesses. When possible, SBB seeks proposals, and makes purchases, from qualified Minority-Owned Businesses. SBB also seeks to foster relationships within Minority-Owned Business communities.
- 4) **Information on Programs to Provide Technical Assistance to Minority-Owned Businesses.** SBB provides information form Minority-Owned Businesses upon request.
- 5) **Statement of Intent to Follow this Plan.** Under the plan, SBB shall: (i) endeavor to maximize participation of Minority-Owned Businesses and (ii) aim to achieve a level of Minority-Owned Business participation representative of the population of the demographics of the state of Tennessee.

By January 31 of each year, SBB will prepare and submit an annual report to the TRA concerning SBB's Minority-Owned Business Participation Plan and compliance with the Plan.