



TENNESSEE PUBLIC UTILITY COMMISSION
Andrew Jackson Building
502 Deaderick Street 4th Floor
Nashville, Tennessee 37243-0505



September 28, 2017

Cumberland County
ATTN: Mayor Kenneth Carey, Jr.
2 N. Main St. #203
Crossville, TN 38555

RE: **NOTICE** of TPUC Receipt of Application for Certificate of Franchise Authority and **OFFICIAL REQUEST** for Information

Dear Mayor Carey:

On September 26, 2017, Spirit Broadband, LLC ("Spirit") filed with the Tennessee Public Utility Commission ("TPUC" or "Department") an application for a State-Issued Certificate of Franchise Authority in an area that includes your County. By this time, you should have already received notice from Spirit of its intention to serve your area. You may access this and other related filings on the TPUC's website at <http://www.tn.gov/tra/dockets/1700110.htm>. The Department is required to send this notice so that you may act to preserve your Public, Educational and Governmental ("PEG") channels and PEG access support payments under Tenn. Code Ann. § 7-59-309.¹

If an incumbent cable TV provider currently serves your County,² and that provider's franchise requires that it provide PEG channels or access payments, then you may be able to receive the same number of PEG channels and equivalent support payments from Spirit. But, in order to claim these benefits, you must provide the TPUC with information about the PEG channels negotiated under your incumbent provider's franchise *within ten (10) days* from the date you received notice from TDS that it intended to provide cable or video service to your county, specifically:

- (1) The number of PEG channels that have been activated by the incumbent;
- (2) The number of PEG channels that are authorized to be activated under the incumbent franchise; and,
- (3) The amount of any fee or other payment for PEG access support required under the incumbent franchise.³

Please send the above information to:

Tennessee Public Utility Commission
ATTN: Docket Room (17-00110)
502 Deaderick Street 4th Floor
Nashville, TN 37243

If you have already forwarded this information to the TPUC upon receipt of the notice from the applicant or state-issued franchise service provider in accordance with Tenn. Code Ann. § 7-59-309(a), please disregard this request. Should you have any questions or concerns regarding this matter, please feel free to contact me at (615) 770-6889 or at the address listed above. Thank you for your cooperation and prompt attention in this matter.

Sincerest Regards,

John Hutton
Telecommunications Consultant

¹ See Tenn. Code Ann. § 7-59-314(b)(1).

² This means the franchised cable service provider with the most subscribers in your county on January 1, 2008, whether or not the local franchise agreement had expired on July 1, 2008 (Tenn. Code Ann. § 7-59-309(a)(1)).

³ See Tenn. Code Ann. § 7-59-309(a)(1).