

**BASS BERRY + SIMS<sup>PLC</sup>**

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September 20, 2018

**VIA HAND DELIVERY & E-MAIL**

Chairman, Tennessee Public Utility Commission  
c/o Sharla Dillon, Dockets and Records Manager  
502 Deaderick Street, 4th Floor  
Nashville, Tennessee 37243  
tpuc.docketroom@tn.gov

**Re: In Re: Petition of 1Tennessee Broadband, TV and Telephone Cooperative,  
Inc. for Establishment of Territorial Boundaries, No. 18-00096**

Dear Chairman Morrison:

Our firm represents Gibson Electric Membership Corporation (“GEMC”) and Gibson Connect, LLC (“Gibson Connect”) regarding *In Re: Petition of 1Tennessee Broadband, TV and Telephone Cooperative, Inc. for Establishment of Territorial Boundaries*, No. 18-00096, which is pending before the Tennessee Public Utility Commission. This matter is currently included on the Amended Final Conference Agenda for the Commission’s conference set for September 21, 2018.

In advance of that conference, we wish to advise that GEMC and Gibson Connect intend to intervene for the purpose of opposing the Petition. Our clients will file an appropriate motion to that effect at the proper time. Our clients have serious questions about Petitioner’s attempt to “convert” to a telephone cooperative, as that effort appears to violate several provisions of Tennessee’s Telephone Cooperative Act – most notably the prohibition against telephone cooperatives operating in areas where “reasonably adequate telephone service” is already available. *See* Tenn. Code Ann. § 65-29-102. These concerns also impact any determination that the Commission may make regarding territorial boundaries in this matter. *See* Tenn. Code Ann. § 65-29-130(a)(1); Tenn. Att’y Gen. Op. No. 90-83 at 2 (noting that the TPUC should determine “whether a particular area already has ‘reasonably adequate telephone service’” in establishing a telephone cooperative’s territorial boundaries).

Representatives for GEMC and Gibson Connect plan to attend the Commission’s conference on September 21st. We look forward to participating in this process.

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Thank you for your attention in this matter. Please do not hesitate to contact us should you have any questions regarding the foregoing.

With kind regards, I remain,

Very truly yours,

A handwritten signature in blue ink, appearing to read "W. Brantley Phillips, Jr.", written in a cursive style.

W. Brantley Phillips, Jr.

WBP:mac

cc: Kelly Cashman-Grams  
Charles B. Welch, Jr.  
Mark W. Smith  
Dan Rodamaker