

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

October 11, 2019

IN RE:)	
)	
APPLICATION OF FOURSIGHT)	
COMMUNICATIONS, LLC FOR A)	
CERTIFICATE OF PUBLIC)	DOCKET NO.
CONVENIENCE)	19-00063
AND NECESSITY TO PROVIDE)	
INTRASTATE TELECOMMUNICATIONS)	
SERVICES STATEWIDE)	

**INITIAL ORDER GRANTING CERTIFICATE OF
PUBLIC CONVENIENCE AND NECESSITY**

This matter came before the Hearing Officer of the Tennessee Public Utility Commission (the “Commission” or “TPUC”) at a Hearing held on September 26, 2019 to consider the *Application Of Foursight Communications, LLC For a Certificate of Public Convenience and Necessity To Provide Intrastate Telecommunications Services Statewide* (the “Application”) filed by Foursight Communications, LLC (“Foursight Communications” or “Company”) on July 29, 2019. In its *Application*, Foursight seeks a Certificate of Public Convenience and Necessity (“CCN”) for authority to provide intrastate telecommunications services within the State of Tennessee.

LEGAL STANDARD

Foursight’s *Application* was made pursuant to and considered in light of the criteria for granting a CCN as set forth in Tenn. Code Ann. § 65-4-201 which provides, in pertinent part:

- (a) No public utility shall establish or begin the construction of, or operate any line, plant, or system, or route in or into a municipality or other territory already receiving a like service from another public utility, or establish service therein, without first having obtained from the commission, after written application and hearing, a certificate that the present or future public convenience and necessity

require or will require such construction, establishment, and operation, and no person or corporation not at the time a public utility shall commence the construction of any plant, line, system, or route to be operated as a public utility, or the operation of which would constitute the same, or the owner or operator thereof, a public utility as defined by law, without having first obtained, in like manner, a similar certificate

* * *

(c) After notice to the incumbent local exchange telephone company and other interested parties and following a hearing, the authority shall grant a certificate of convenience and necessity to a competing telecommunications service provider if after examining the evidence presented, the authority finds:

(1) The applicant has demonstrated that it will adhere to all applicable commission policies, rules and orders; and

(2) The applicant possesses sufficient managerial, financial, and technical abilities to provide the applied for services.

* * *

Furthermore, pursuant to Tenn. Code Ann. § 65-5-112, a competing telecommunications provider is required to file with the Commission a small and minority-owned telecommunications business participation plan which provides a plan containing the provider's plan for purchasing goods and services from small and minority-owned telecommunications businesses and information on programs that might provide technical assistance to such businesses.

HEARING ON THE MERITS

Pursuant to Tenn. Code Ann. § 65-4-204, public notice of the Hearing in this matter was issued by the Hearing Officer on September 16, 2019. No persons sought intervention prior to or during the Hearing. Mr. Jonathan West appeared at the Hearing and provided testimony. Mr. West is the President of the Company as well as the CEO of Twin Lakes Communications, which is one of the four cooperatives that are members of the Company.

Mr. West participated in the Hearing, subject to the questioning of the Hearing Officer, and adopted his pre-filed testimony. He had no corrections or amendments to his pre-filed testimony. During the Hearing, Mr. West testified that the Company will comply with all Commission policies, rules and orders, as well as applicable statutes concerning telemarketing and facsimile marketing. He also testified that the contact information for the Company's officers is the same as is provided for the Company's principal business address.

The Hearing Officer opened the floor for public comment, but no member of the public came forward to comment. Upon conclusion of the presentation of its proof, the Hearing Officer granted Foursight's *Application* based upon the following findings of fact and conclusions of law:

I. FOURSIGHT'S QUALIFICATIONS

1. Foursight is a limited liability company organized under the laws of the State of Tennessee on March 19, 2018.

2. The complete street address of the Company's registered agent, Lee G. Richardson, is 408 S. Main Street, Gainesboro, TN 38562. The complete street address of the principal office of Foursight is 334 S. Jefferson Avenue, P.O. Box 2748, Cookeville, TN 38502. The Company's telephone number is (931) 400-0004.

3. The *Application* and information in the record indicate that Foursight has the requisite technical and managerial ability to provide competitive local and intrastate telecommunications services within the State of Tennessee. Specifically, Foursight's management team possesses extensive business, technical, operational and regulatory experience in the telecommunications industry.

4. Foursight has the necessary capital and financial ability to provide the services it proposes to offer.

5. Foursight has represented that it will adhere to all applicable statutes, policies, rules and orders of the Commission.

II. PROPOSED SERVICES

Foursight intends to provide a full range of telecommunications services via VoIP and other platforms. Services include dedicated and switched access services, private line services, local dial tone, 911 and E911 emergency services, enhanced services and all services required by Commission Rules. If appropriate and necessary, Foursight may supplement its services by leasing the facilities of third party carriers and/or by reselling services.

III. PERMITTING COMPETITION TO SERVE THE PUBLIC CONVENIENCE AND NECESSITY

Foursight's *Application* and its proposed services would inure to the benefit of the present and future public convenience by permitting competition in the telecommunications services markets in the State and fostering the development of an efficient, technologically advanced statewide system of telecommunications services.

IV. SMALL AND MINORITY-OWNED TELECOMMUNICATIONS BUSINESS PARTICIPATION PLAN AND BUSINESS ASSISTANCE PROGRAM

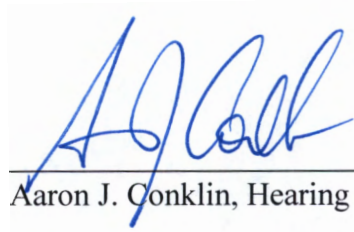
Foursight has filed a satisfactory small and minority-owned telecommunications business participation plan, pursuant to Tenn. Code Ann. § 65-5-112 and the Commission's Rules.

IT IS THEREFORE ORDERED THAT:

1. The *Application Of Foursight Communications, LLC For a Certificate of Public Convenience and Necessity To Provide Intrastate Telecommunications Services Statewide* filed by Foursight Communications, LLC, is approved.

2. Any party aggrieved by the Hearing Officer's decision in this matter may file a petition for reconsideration within fifteen days from the date of this Order.

3. This Initial Order shall become a Final Order of the Tennessee Public Utility Commission, if no petition for reconsideration or appeal of this Order is filed prior to the expiration of the fifteen-day appeal period.

A handwritten signature in blue ink, appearing to read "AJ Conklin", is written over a horizontal line.

Aaron J. Conklin, Hearing Officer