

TENNESSEE PUBLIC UTILITY COMMISSION



Requested by J.H- Filed in Docket
19-00067 on 12/28/2023

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September 8, 2023

Electronically Filed in TPUC Docket
Room on September 8, 2023 at 1:27 p.m.

To: Ectory Lawless, Docket Room Manager

From: Jerry Kettles, Director, Economic Analysis *JK*

RE: Docket No: 23-00034 – Notification Regarding the Transfer Of Point Broadband Fiber Holding, LLC To BP Broadband Aggregator, L.P.

The agency received a letter on May 18, 2023 that was assigned to TPUC Docket 23-00034. The letter describes a transaction where control of Point Broadband Fiber Holding, LLC (“Point”) is transferred to the BP Broadband Aggregator, L.P. (“BP Broadband”).

Point elected market regulation via a letter filed March 9, 2020 that was assigned to TPUC docket number 20-00043. T.C.A. § 65-5-109(n) provides a description of the regulatory requirements that apply to companies that elect Market Regulation. The transaction, as described, is governed by T.C.A. 65-4-113 which is not a regulatory requirement that applies to companies that have elected Market Regulation. As such, the transaction described in the correspondence dated May 18, 2023 does not require approval.¹ As no action is required by the agency, please close the above referenced docket.

¹ In Docket No. 19-00067, Point received a state-issued Certificate of Franchise Authority. Tenn. Code. Ann. §7-59-304(a)(5) describes the requirements to transfer a state-issued Certificate of Franchise Authority. Based upon the description of the transaction in the May 18, 2023 letter, it does not appear that a transfer, as described in Tenn. Code. Ann. §7-59-304(a)(5), occurs as a result of the transaction.