

BUTLER | SNOW

September 16, 2020

VIA ELECTRONIC FILING

Hon. Kenneth C. Hill, Chairman
c/o Ectory Lawless, Docket Room Manager
Tennessee Public Utility Commission
502 Deaderick Street, 4th Floor
Nashville, TN 37243
TPUC.DocketRoom@tn.gov

RE: *Application of Highland Communications, LLC for a Certificate of Public Convenience and Necessity to Provide Intrastate Telecommunications Services Statewide*, TPUC Docket No. 20-00111

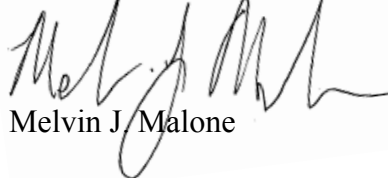
Dear Chairman Morrison:

Attached for filing please find the *Application of Highland Communications, LLC for a Certificate of Public Convenience and Necessity to Provide Intrastate Telecommunications Services Statewide* (the "Application"). Also enclosed is a check in the amount of \$25.00 for the required filing fee. Please note that Exhibits D, E, and F to the Application are being submitted **UNDER SEAL** as **CONFIDENTIAL** and **PROPRIETARY**. Accordingly, these **CONFIDENTIAL** Exhibits should not be included in the public docket. Both a public version and a nonpublic, **CONFIDENTIAL** version of Exhibits D, E, and F are attached.

As requested, one (1) hard copy will follow. If you have any questions or require additional information, please let us know.

Very truly yours,

BUTLER SNOW LLP



Melvin J. Malone

mcb
Enclosures

*The Pinnacle at Symphony Place
150 3rd Avenue South, Suite 1600
Nashville, TN 37201*

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BUTLER SNOW LLP

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

**APPLICATION OF HIGHLAND
COMMUNICATIONS, LLC FOR A
CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY TO
PROVIDE INTRASTATE
TELECOMMUNICATIONS SERVICES
STATEWIDE**)
)
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DOCKET NO. 20-00111

**APPLICATION OF HIGHLAND COMMUNICATIONS, LLC FOR A CERTIFICATE
OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE INTRASTATE
TELECOMMUNICATIONS SERVICES STATEWIDE**

Highland Communications, LLC (“HCC”), by and through its undersigned counsel, and pursuant to Tenn. Code Ann. §§ 65-4-201 through 65-4-204 and Chapter 1220-4-8 of the Rules and Regulations of the Tennessee Public Utility Commission (“TPUC” or “Commission”), as applicable, hereby submits this *Application of HCC for a Certificate of Public Convenience and Necessity to Provide Intrastate Telecommunications Services Statewide* (the “*Application*”).

HCC is a telecommunications company that was formed on or about September 30, 2010. HCC maintains its principle place of business in Wartburg, Tennessee. HCC intends to provide a full array of telecommunication services on a statewide basis as business conditions warrant. As set forth herein, and as demonstrated by HCC’s longstanding experience as telecommunications providers, HCC has the managerial, financial, and technical fitness to provide the applied-for services in the State of Tennessee. As highlighted below, the granting of this *Application* will provide significant benefits to Tennessee consumers and thereby serve the public interest. In order to serve the public interest in a timely manner, HCC requests expedited consideration and approval of this *Application*.

In support of its *Application*, HCC submits the following:

I. DESCRIPTION OF THE APPLICANT

a. Legal Name and Address of Applicant: Applicant's legal name is Highland Communications, LLC. HCC maintains its principal place of business at:

119 Hillcrest Street
P.O. Box 1278
Wartburg, TN 37887

b. Contact Person: Correspondence or communications pertaining to this Application should be directed to:

Melvin J. Malone
Butler Snow LLP
The Pinnacle at Symphony Place
150 Third Avenue South, Suite 1600
Nashville, TN 37201
Office: (615) 651-6700
Email: melvin.malone@butlersnow.com

c. Corporate Liaison: Questions concerning the ongoing operations of HCC should be directed to:

Mark Patterson
Highland Communications, LLC
Manager
119 Hillcrest Street
P.O. Box 1278
Wartburg, TN 37887

Telephone: (423) 628-2121
Email: pattersonm@highland.net

d. Corporate Information: HCC is a limited liability company ("LLC") formed in the State of Tennessee on September 30, 2010. *See Exhibit A*, which includes a copy of HCC's Articles of Incorporation. The biographies of the principal officers and other key technical staff are in **Exhibit B**. An organizational chart of HCC's corporate structure is provided in **Exhibit C**.

HCC's operating agreement is attached as **CONFIDENTIAL Exhibit D**, submitted **UNDER SEAL** as **CONFIDENTIAL AND PROPRIETARY**.

II. QUALIFICATIONS

HCC has the requisite managerial, technical and financial capabilities to provide intrastate telecommunications services statewide. HCC has been a functioning telecommunications provider since 2010. In 2010, Highland Communications Corporation ("HCCorp."), a c-corporation, went through series of transactions, approved in Docket No. 10-00169, which ultimately resulted in the formation of HCC. In 1997, HCCorp. was granted a Certificate of Convenience and Necessity as an operator service provider and/or reseller of telecommunications services on an intrastate basis in Docket No. 97-00230. HCCorp. was a then wholly owned subsidiary of Highland Telephone Cooperative, Inc. ("HTC"). HTC is now the single member of HCC; thus, providing significant historical expertise in telecommunications. On February 3, 2009, in Docket No. 09-00016, HTC, on behalf of itself and its wholly-owned subsidiaries, including HCC, was issued state franchise certificate authority. This certificate of authority was renewed in the same docket on March 11, 2019.

a. Financial Qualifications: HCC submits **UNDER SEAL** as **CONFIDENTIAL AND PROPRIETARY** the audited financial statements of HCC for fiscal year 2018 and 2019. *See* **CONFIDENTIAL Exhibit E**. Attached as **CONFIDENTIAL Exhibit F** submitted **UNDER SEAL** as **CONFIDENTIAL AND PROPRIETARY** are HCC's forecasted financials. Steve Armes will serve as the Chief Financial Officer of HCC. As demonstrated in **Exhibit B**, Mr. Armes is well-qualified for this role.

In accordance with Tenn. Code Ann. § 65-4-125(j), HCC is exempt from providing a letter of credit, as HCC owns and operates equipment facilities in Tennessee with a value of more than five million dollars (\$5,000,000).

As demonstrated in the preceding paragraphs, HCC has the financial qualifications to serve as a competing local exchange company.

b. Managerial Ability: As demonstrated in **Exhibit B**, HCC is managed by an experienced team, including Mark Patterson, the general manager of HCC, who has over forty years' experience in the telecommunications industry and is a past-president of the Tennessee Telecommunications Association.

c. Technical Qualifications: HCC's technical operations will be led by John Alcock, an experienced telecommunications engineer. *See Exhibit B.*

III. PROPOSED SERVICES

a. HCC intends to offer a full range of telecommunications services to Campbell County, and parts of Morgan County and Anderson County.

b. HCC desires to provide telecommunications services throughout the State of Tennessee in order to offer consumers increased carrier choices, competitive pricing, increased reliability, responsiveness, and innovation.

HCC understands the importance of effective customer service for local service customers. Upon obtaining the requested certification, HCC will maintain a toll-free customer service number, which will be printed on the customers' monthly billing statements. This number will also be available after-hours. Additionally, customers may write to HCC at its main office address or contact customer service through an online portal.

c. To the extent that any rural incumbent LEC possesses an exemption or suspension under Section 251(f) of the Federal Communications Act (the "Act") that applies to HCC, HCC does not seek interconnection under Section 251(c) at this time, nor does HCC seek at this time to challenge any such exemption from any of the other obligations specified in Section 251(c) of the Act.

IV. REGULATORY MATTERS

a. The Applicant is familiar with and will adhere to all applicable Commission policies, rules, and orders governing the provision of local exchange telecommunications services in the State of Tennessee.

b. The Applicant's Small and Minority-Owned Telecommunications Business Participation Plan is attached hereto as **Exhibit G**.

c. A certificate of service stating that notice of this *Application* has been served on all twenty-one (21) incumbent local exchange telephone companies in Tennessee is attached hereto. *See Exhibit H*.

d. HCC has provided pre-filed sworn testimony in support of its Application in **Exhibit I**.

e. Attached as **Exhibit J** for entry by the Commission in this matter is a proposed Protective Order, which is necessary to facilitate the production of various information related to this *Application*.

f. Subsequent to the approval of its *Application*, HCC will file any necessary tariffs prior to providing the proposed service covered by this *Application*.

g. HCC is aware of its obligation to comply with the requirements of county-wide calling, as set forth in Tenn. Code Ann. § 65-21-114. HCC does not currently collect deposits from first time customers. To the extent that HCC requires a deposit for the establishment of service, the same shall be implemented in compliance with the Commission's rules and regulations and as properly provided in and consistent with tariffs.

V. PUBLIC INTEREST

a. The grant of this *Application* will further the public interest by expanding the availability of telecommunications services throughout the State of Tennessee. Specifically,

Tennessee consumers will benefit directly through the use of the competitive local services to be offered by HCC. HCC will provide more choices for consumers. Further, the public will benefit indirectly because the competitive presence of HCC will increase the incentives for telecommunications providers to operate more efficiently, offer more innovative services, reduce prices, improve the quality and coverage of their services, and increase investment in broadband infrastructure.

b. The granting of this *Application* would be consistent with the public policy of the State of Tennessee, as set forth at Tenn. Code Ann. § 65-4-123, “to foster the development of an efficient, technologically advanced statewide system of telecommunications services by permitting competition in all telecommunications services market[.]”

CONCLUSION

For the foregoing reasons, Highland Communications, LLC respectfully requests the Commission to grant its Certificate of Public Convenience and Necessity on an expedited basis and authorize it to provide telecommunications services, as requested herein, throughout the State of Tennessee.

Respectfully submitted,

BUTLER SNOW LLP

By: 

Melvin Malone

Madison Coburn Keyes

The Pinnacle at Symphony Place

150 Third Avenue South, Suite 1600

Nashville, TN 37201

(615) 651-6700 (Office Telephone)

melvin.malone@butlersnow.com

madison.keyes@butlersnow.com

EXHIBIT A



STATE OF TENNESSEE
Tre Hargett, Secretary of State
Division of Business Services
312 Rosa L. Parks Avenue
6th Floor, William R. Snodgrass Tower
Nashville, TN 37243

Highland Communications LLC
119 Hillcrest Street
Wartburg, TN 37887 USA

September 30, 2010

Filing Acknowledgment

Please review the filing information below and notify our office immediately of any discrepancies.

Control # :	641316	Formation Locale:	Morgan County
Filing Type:	Limited Liability Company - Domestic	Date Formed:	10/01/2010
Filing Date:	09/30/2010 11:10 AM	Fiscal Year Close	12
Delayed Effective Date:	10/01/2010 4:30 PM	Annual Rpt Due:	04/01/2011
Status:	Active	Image # :	6777-0014
Duration Term:	Perpetual		
Managed By:	Member Managed		

Document Receipt

Receipt # : 258760	Filing Fee:	\$300.00
Payment-Account - MILLER & MARTIN PLLC, Nashville, TN		\$300.00

Registered Agent Address
ERNEST A PETROFF
3 COURTHOUSE SQ
HUNTSVILLE, TN 37756 USA

Congratulations on the successful filing of your **Articles of Organization** for **Highland Communications LLC** in the State of Tennessee which is effective on the date shown above. You must also file this document in the office of the Register of Deeds in the county where the entity has its principal office if such principal office is in Tennessee.

You must file an Annual Report with this office on or before the Annual Report Due Date noted above and maintain a Registered Office and Registered Agent. Failure to do so will subject the business to Administrative Dissolution/Revocation.

Tre Hargett, Secretary of State
Business Services Division

Processed By: Cynthia Dunn

EXHIBIT A

ARTICLES OF ORGANIZATION FOR HIGHLAND COMMUNICATIONS LLC

In accordance with the provisions of Section 48-249-202 of the Tennessee Revised Limited Liability Company Act (the "Revised Act"), the undersigned organizer files the following Articles of Organization for the purpose of organizing a limited liability company.

1. Name. The name of the limited liability company is Highland Communications LLC.
2. Registered Office Address and Registered Agent. The street address of the registered office of the limited liability company is 3 Courthouse Square, Huntsville, Scott County, Tennessee 37756, and its registered agent at such office is Ernest A. Petroff.
3. Principal Executive Office Address. The address of the principal executive office of the limited liability company is 119 Hillcrest Street, Wartburg, Morgan County, Tennessee 37887.
4. Management. The limited liability company will be member-managed.
5. Effective Date. These Articles of Organization shall be effective October 1, 2010.
6. No Family LLC. Section 48-249-503(b)(2) shall not apply to the limited liability company.


Ernest A. Petroff, Organizer

Date: September 30, 2010

RECEIVED
STATE OF TENNESSEE
2010 SEP 30 AM 11:10
TRE HARGETT
SECRETARY OF STATE

EXHIBIT B

HCC Principal Officers and Key Technical Staff

Mark Patterson

CEO and General Manager

Mark Patterson is the CEO and General Manager of Highland Telephone Cooperative (“HTC”), which is the independent local exchange carrier that provides telecommunication services for Morgan and Scott Counties in Tennessee and McCreary County in Kentucky. He also services as CEO of Highland Holdings Corp. and its subsidiaries, which provide broadband and video in the HTC service area. He is Chairman of the Board of Iris Networks, a Statewide fiberoptic network owned by eight Tennessee ILEC’s. He also serves on the board and is past president of the Tennessee Telecommunications Association. Mark has over 35 years’ experience in the telecommunications industry. He is a graduate of the University of Tennessee with a Bachelor of Science degree in Business.

Jared Carson, PE

Chief Operations Officer/Assistant General Manager

Jared holds a Bachelor of Science degree in Electrical Engineering from Tennessee Technological University and has been a licensed Professional Engineer (PE) in the state of Tennessee for over 20 years. He is Chief Operations Officer and Assistant General Manager of Highland Telephone Cooperative (HTC) and its subsidiaries, Highland Communications and Highland Media. HTC serves a three-county region in Tennessee and Kentucky, providing Fiber-to-the-Home (FTTH) broadband, phone, and video services, available to 100% of its customer base. HTC has been operating fully FTTH for the past 5 years. Jared has responsibility for all operations related to these services. He has over 34 years of experience in the Telecommunications operations and engineering field, having started with BellSouth in 1986. His experience is in a wide range of areas within the field, including digital switching/routing/translations, Network monitoring and control, Special Service circuits, Metro E/MEF services, Power and Grounding, Outside plant engineering and design, FTTH design, implantation, and operation, including outside plant, as well as central office electronics.

Steve Armes, CPA

Chief Financial Officer

Steve Armes is the Chief Financial Officer of Highland Telephone Cooperative (HTC), a locally owned telecommunications provider of Morgan and Scott counties in Tennessee and McCreary county in Kentucky. He graduated from Tennessee Technological University, with a BSBA Accounting degree and has been a licensed Certified Public Accountant (CPA) in Tennessee for 19 years. He has 17 years of experience within the telecommunications industry. His range of responsibilities include compliance/oversight of accounting and customer service functions, of inventory management, of cash/investments management, of employee retirement and insurance benefit analyses, as well as the compliance/oversight of the \$66.5 million grant Stimulus project that was completed in 2015. With the completion of this project, HTC provides a complete fiber-to-the-home network to all customers within the service area.

Deanna Hutcherson
Operations Manager

Deanna is Operations Manager of Highland Communications, LLC. Highland Communications is a wholly owned subsidiary of Highland Telephone and was formed to offer long distance and internet services to Morgan and Scott counties of Tennessee and McCreary County Kentucky. As Operations Manager, Deanna plans, directs and coordinates the operations of the company's two locations which are in Wartburg and Oneida Tennessee. Her daily tasks involve supervising day-to-day activities of the company's workforce as well as delegating tasks to staff members. Deanna's administrative reach remains broad and covers multiple areas in the company's finances, sales and purchasing.

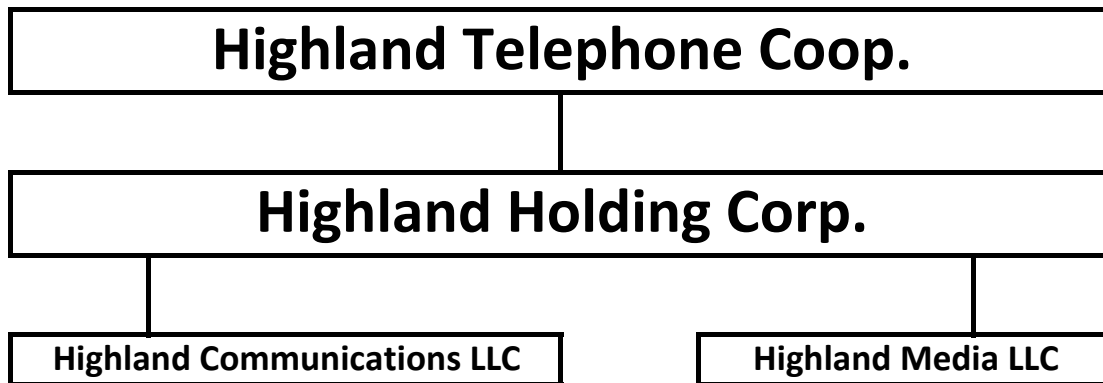
Deanna first joined Highland Communications' parent company, Highland Telephone Cooperative in 1983 where she served as cashier and toll clerk. She then joined Highland Communications when it was formed in 1996 working in customer service. Deanna progressively took on roles of increasing responsibility and in 1998 she transitioned to the accounting division. She held the expanding responsibility of the company's billing and accounting services for 20 years. In September 2018 Deanna was named Operations Manager of Highland Communications, LLC.

John Alcock
Lead IP Engineer

John Alcock has 25 years of experience in telecommunications in all three major utilities: Cable, Electrical, and Telephone. As a network engineer for a small cable operator, John launched the first high speed cable modem service in rural Georgia markets. As a network engineer for EPB Chattanooga, he was on the team to bring the first residential gig service to Tennessee. For the last 4 years, John has worked for Highland Telephone. In that time, he launched 1-gig service, as well as the area's first 10-gig service. In addition, he created the infrastructure for the successful launch of hosted pbx.

EXHIBIT C

CORPORATE STRUCTURE



PUBLIC EXHIBIT D

**Highland Communications, LLC
Operating Agreement**

PUBLIC EXHIBIT E

Highland Communications, LLC
Audited Financial Statements

PUBLIC EXHIBIT F

**Highland Communications, LLC
Forecasted Financials**

EXHIBIT G

Highland Communications LLC Business Participation Plan Small and Minority-Owned Telecommunications

Purpose:

The purpose of this plan is to assure that Highland Communications LLC complies with Tennessee Code Annotated 65-5-212 by affording fair opportunities for small and minority-owned telecommunication businesses to provide goods and services to Highland Communications LLC as the need arises.

Term:

The term of this plan is five (5) years. The plan will be reviewed and updated on an annual basis.

Administration:

This plan will be administered and monitored by G.M. Patterson, General Manager of Highland Communications LLC. He will determine when goods and services need to be outsourced. Also, he will oversee how and from whom bids will be solicited for goods and services.

Purpose:

Highland Communications LLC is a long distance reseller, who at this time does not outsource any goods or services. If the need to outsource any goods or services does arise Highland Communications LLC will contact Mr. John Garnett of the Department of Economic and Community Development's Office of Minority Business Enterprise and Small Business Office for list of qualified businesses.

Bids may be solicited by the US Postal Service or by telephone. Qualified businesses interested in contacting Highland Communications LLC for outsource opportunities can contact Highland Communications LLC at:

Highland Communications LLC.
119 Hillcrest Street
P.O. Box 1278
Wartburg, TN 37887
Phone: 423-346-4000
Fax: 423-346-4010
Email: wendy@highlandtel.net

If bids are solicited, replies will be kept on file for two (2) years that will enable Highland Communications LLC to review the effectiveness of its plan.

EXHIBIT H

Certificate of Service

I hereby certify that notice of this Application was served via U.S. Mail on all twenty-one (21) incumbent local exchange telephone companies in Tennessee, listed below.

Ardmore Telephone Company, Inc.
100 WK&T Technology Drive
Mayfield, KY 42066

Ben Lomand Connect
P.O. Box 670
311 North Chancery Street
McMinnville, TN 37111

BTC Fiber
P.O. Box 609
338 Cumberland Avenue
Pikeville, TN 37367

Concord Telephone Exchange, Inc.
10025 Investment Drive, Suite 200
Knoxville, TN 37932

DTC Communications
111 High Street
P.O. Box 247
Alexandria, TN 37012-0247

Highland Telephone Cooperative, Inc.
P.O. Box 119
7840 Morgan County Hwy.
Sunbright, TN 37872-0119

Humphreys County Telephone Company
10025 Investment Drive, Suite 200
Knoxville, TN 37932

Loretto Telecom
136 S Main Street
Loretto, TN 38469

North Central Telephone Cooperative, Inc.
P.O. Box 70
872 Highway 52 By-pass East
Lafayette, TN 37083

Ritter Communications
4880 Navy Road
Millington, TN 38053

Scott County Telephone Cooperative
P.O. Box 487
Gate City, VA 24251-0487

SkyLine Membership Corporation
P.O. Box 759
West Jefferson, NC 28694-0759

TDS Telecom – Knoxville Office
10025 Investment Drive, Suite 200
Knoxville, TN 37932-0995

TEC/Bradford
224 East Main Street
P.O. Box 10
Bradford, TN 38316

TDS Telecom - Erin
P.O. Box 310
4587 West Main Street
Erin, TN 37061

TEC/Friendship Division
563 Main Street
P.O. Box 7
Friendship, TN 38034

Tellico Telephone Company
10025 Investment Drive, Suite 200
Knoxville, TN 37932

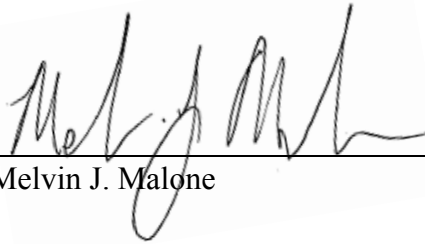
Tennessee Telephone Company
10025 Investment Drive, Suite 200
Knoxville, TN 37932

Twin Lakes Telephone Cooperative
Corporation
P.O. Box 67
200 Telephone Lane
Gainesboro, TN 38562-0067

United Communications
120 Taylor Street
Box 38
Chapel Hill, TN 37034

West Kentucky and Tennessee
Telecommunications Cooperative
100 WKT Technology Drive
Mayfield, KY 42006-9084

This the 16th day of September, 2020.



Melvin J. Malone

EXHIBIT I

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

APPLICATION OF HIGHLAND)	
COMMUNICATIONS, LLC FOR A)	
CERTIFICATE OF PUBLIC)	
CONVENIENCE AND NECESSITY TO)	DOCKET NO. <u>20-00111</u>
PROVIDE INTRASTATE)	
TELECOMMUNICATIONS SERVICES)	
STATEWIDE)	

PRE-FILED TESTIMONY

OF MARK PATTERSON ON BEHALF OF

HIGHLAND COMMUNICATIONS LLC

1 **Q. PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.**

2 **A.** My name is Mark Patterson, and my business address is 119 Hillcrest Street, P.O. Box
3 1278, Wartburg, TN 37887.

4 **Q. BY WHOM ARE YOU EMPLOYED AND IN WHAT CAPACITY?**

5 **A.** I serve as the CEO and General Manager of Highland Telephone Cooperative (“HTC”). I
6 also serve as CEO of HCC.

7 **Q. PLEASE DESCRIBE YOUR EDUCATIONAL BACKGROUND AND BUSINESS**
8 **EXPERIENCE.**

9 **A.** I have a Bachelor of Science degree in Business from the University of Tennessee. In
10 addition to being CEO of HTC and HCC, I serve on the Board of Iris Networks, a
11 Statewide fiberoptic network owned by eight Tennessee ILEC’s. I am also currently on
12 the board, and past president of the Tennessee Telecommunications Association. I have
13 over 35 years’ experience in the telecommunications industry.

14 **Q. FOR WHOM ARE YOU TESTIFYING IN THIS PROCEEDING?**

15 **A.** I am testifying on behalf of Highland Communications, LLC.

16 **Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?**

17 **A.** The purpose of my testimony is to support of the *Application of Highland*
18 *Communications, LLC for a Certificate of Public Convenience and Necessity to Provide*
19 *Intrastate Telecommunications Services Statewide* (the “*Application*”).

20 **Q. PLEASE DESCRIBE THE CORPORATE STRUCTURE OF HCC.**

21 **A.** A copy of HCC’s Articles of Incorporation is attached as **Exhibit A** to the *Application*.
22 Additionally, an organizational chart of HCC’s corporate structure is provided in **Exhibit**
23 **C** to the *Application*.

1 **Q. PLEASE DESCRIBE HCC’s OPERATIONS IN THE STATE OF TENNESSEE.**

2 **A.** In 2010, Highland Communications Corporation (“HCCorp.”), a c-corporation, went
3 through several transactions, approved in Docket No. 10-00169, which resulted in the
4 formation of HCC. In Docket No. 97-00230, HCCorp. was granted a Certificate of
5 Convenience and Necessity as an operator service provider and/or reseller of
6 telecommunications services on an intrastate basis. HCCorp. was a then wholly owned
7 subsidiary of Highland Telephone Cooperative, Inc. (“HTC”). HTC is now the single
8 member of HCC. On February 3, 2009, in Docket No. 09-00016, HTC, on behalf of itself
9 and its wholly-owned subsidiaries, including HCC, was issued state franchise certificate
10 authority. This certificate of authority was renewed on March 11, 2019.

11 **Q. DOES HCC INTEND TO PROVIDE SERVICES IN ANY STATES OTHER**
12 **THAN TENNESSEE?**

13 **A.** HCC provides telecommunication services in the Kentucky.

14 **Q. WHAT IS HCC SEEKING IN ITS APPLICATION IN THIS DOCKET?**

15 **A.** HCC is seeking a Certificate of Convenience and Necessity to provide
16 telecommunications services to Campbell County, and parts of Morgan County and
17 Anderson County.

18 **Q. DOES HCC MEET THE STATUTORY REQUIREMENTS SET FORTH IN**
19 **TENN. CODE ANN. § 65-4-201(c)?**

20 **A.** Yes. As set forth in the Application, HCC has the managerial, financial and technical
21 abilities required under Tennessee law. The *Application* evidences that HCC has gained
22 valuable experience as telecommunications providers over the many decades of
23 exceptional services through HCC and its related entities. As supported by **Exhibit B** to
24 the *Application*, HCC is managerially and technically qualified to provide

1 telecommunications services statewide. As shown in this Exhibit, HCC's principal
2 corporate offices, board members and staff have substantial managerial and technical
3 experience in the relevant areas, including utility operations, utility customer service and
4 utility marketing. This experience provides HCC with the foundation necessary to
5 provide the proposed telecommunications services and to serve Tennessee's
6 telecommunications consumers. Therefore, HCC is managerially and technically
7 qualified to offer the proposed services.

8 Moreover, HCC is financially qualified to provide the proposed telecommunications
9 services statewide. Attached as **PROPRIETARY AND CONFIDENTIAL UNDER**
10 **SEAL Exhibit E** to the *Application* is the audited financial statements of HCC for 2018
11 and 2019, which confirms that HCC is financially qualified to provide
12 telecommunications services statewide.

13 **Q. WILL HC COMPLY WITH THE TPUC'S POLICIES, RULES, AND ORDERS?**

14 **A.** Yes. And, subsequent to the approval of its *Application*, HC will file any necessary tariffs
15 or tariff revisions prior to offering its services. Further, a certificate of service stating that
16 notice of this *Application* has been served on all seventeen (17) incumbent local
17 exchange telephone companies in Tennessee is evidenced by the Certificate of Service
18 attached to the *Application* as **Exhibit H**. HCC's Small and Minority-Owned
19 Telecommunications Business Participation Plan is provided as **Exhibit G** of the
20 *Application*.

21 **Q. WILL HCC COMPLY WITH STATE LAW IN RELATION TO ITS REQUEST**
22 **FOR AUTHORITY?**

23 **A.** Yes.

1 **Q. WILL THE GRANTING OF THE APPLICATION SERVE THE PUBLIC**
2 **INTEREST?**

3 **A.** The grant of this Application will further the public interest by expanding the availability
4 of telecommunications services throughout the State of Tennessee. Specifically,
5 Tennessee consumers will benefit directly through the use of the competitive local
6 services to be offered by HCC. HCC will provide more choices for consumers. Further,
7 the public will benefit indirectly because the competitive presence of HCC will increase
8 the incentives for telecommunications providers to operate more efficiently, offer more
9 innovative services, reduce prices, improve the quality and coverage of their services, and
10 increase investment in broadband infrastructure.

11 The granting of this Application would be consistent with the public policy of the
12 State of Tennessee, as set forth at Tenn. Code Ann. § 65-4-123, “to foster the
13 development of an efficient, technologically advanced statewide system of
14 telecommunications services by permitting competition in all telecommunications
15 services market[.]”

16 **Q. IS THE *APPLICATION* TRUE AND CORRECT TO THE BEST OF YOUR**
17 **KNOWLEDGE, INFORMATION AND BELIEF?**

18 **A.** Yes.

19 **Q. DOES THIS CONCLUDE YOUR PRE-FILED TESTIMONY?**

20 **A.** Yes, it does. Thank you.

EXHIBIT J

BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION NASHVILLE, TENNESSEE

APPLICATION OF HIGHLAND)
COMMUNICATIONS, LLC FOR A)
CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY TO)
PROVIDE INTRASTATE)
TELECOMMUNICATIONS SERVICES)
STATEWIDE)

DOCKET NO. 20- 00111

PROTECTIVE ORDER

To expedite the flow of filings, discovery, exhibits and other materials, and to facilitate the prompt resolution of disputes regarding confidentiality of the material, adequately protect material entitled to be kept confidential and to ensure that protection is afforded only to material so entitled, the Hearing Officer, as appointed by the Tennessee Public Utilities Commission (“TPUC”), hereby orders the following:

1. For the purpose of this Protective Order (the “Order”), proprietary or confidential information, hereinafter referred to as “CONFIDENTIAL INFORMATION” shall mean documents and information in whatever form which the producing party, in good faith, deems to contain or constitute trade secrets, confidential commercial information, confidential research, development, financial statements, confidential data of third parties, or other commercially sensitive information, and which has been specifically designated by the producing party. A “Producing Party” is defined as the party creating the confidential information as well as the party having actual physical possession of information produced pursuant to this Order. All summaries, notes, extracts, compilations or other direct or indirect reproduction from or of any

protected materials shall be entitled to protection under this Order. Documents containing CONFIDENTIAL INFORMATION shall be specifically marked as “CONFIDENTIAL” on the cover and each page of the document. Any document so designated shall be handled in accordance with this Order. The provisions of any document containing CONFIDENTIAL INFORMATION may be challenged under Paragraph 12 of this Order.

2. Any individual or company subject to this Order, including producing parties or persons reviewing CONFIDENTIAL INFORMATION, shall act in good faith in discharging their obligations hereunder. Parties permitted to intervene in this matter after the date of entry of this Protective Order shall be subject to the terms and conditions of this Protective Order and will be allowed access to CONFIDENTIAL INFORMATION under the conditions prescribed herein.

3. CONFIDENTIAL INFORMATION shall be used only for the purposes of this proceeding, and shall be expressly limited and disclosed only to the following persons:

- (a) Counsel of record for the parties and other legal counsel for the parties in this case and associates, secretaries and paralegals actively engaged in assisting counsel of record in this proceeding;
- (b) TPUC Directors and members of the staff of the TPUC;
- (c) Officers, directors, or employees of the parties, including employees of intervenors and the Office of the Tennessee Attorney General; provided, however, that CONFIDENTIAL INFORMATION shall be shown only to those persons having a need to know;
- (d) Representatives of the parties who need to know because they are actively engaged in assisting counsel of record in preparing for this proceeding; and
- (e) Outside consultants and expert witnesses (and their Staff) employed or retained by the parties or their counsel, who need access to CONFIDENTIAL INFORMATION solely for evaluation, testing, testimony, preparation for trial or other services related to this docket, provided that to the extent that any party seeks to disclose CONFIDENTIAL INFORMATION to any outside consultant or expert witness, the party shall give five (5) days written notice to the Producing Party of intention to disclose CONFIDENTIAL INFORMATION. During such notice period, the Producing Party may move to prevent or limit

disclosure for cause, in which case no disclosure shall be made until the TPUC or the Hearing Officer rules on the motion. Any such motion shall be filed within three (3) days after service of the notice. Any response shall be filed within three (3) days after service of the Motion. A Pre-Hearing Conference may be called to confer with the parties on the Motions to Limit Disclosure. All service shall be by hand delivery, facsimile or email. All filings by email in this docket shall be followed up by delivering a hard copy of the filing to the Docket Manager of the TPUC.

4. Notwithstanding the provisions in Paragraph 3 above, under no circumstances shall any CONFIDENTIAL INFORMATION be disclosed to or discussed with anyone associated with the marketing of products, goods, or services that may be in competition with the products, goods or services of the Producing Party. Counsel for the parties are expressly prohibited from disclosing CONFIDENTIAL INFORMATION produced by another party to their respective clients, except for in-house counsel and persons who need to know in order to assist counsel of record with preparation of this case.

5. (a) Prior to disclosure of CONFIDENTIAL INFORMATION to any employee or associate counsel for a party, the counsel representing the party who is to receive the CONFIDENTIAL INFORMATION shall provide a copy of this Order to the recipient employee or associate counsel, who shall be bound by the terms of this Order. Prior to disclosure of CONFIDENTIAL INFORMATION to any outside consultant or expert witness employed or retained by a party, counsel shall provide a copy of this Order to such outside consultant or expert witness, who shall sign the Nondisclosure Statement in the form of that attached to this Order attesting that he or she has read a copy of this Order, that he or she understands and agrees to be bound by the terms of this Order, and that he or she understands that unauthorized disclosure of documents labeled "CONFIDENTIAL" constitutes a violation of this Order. The Nondisclosure Statement shall be signed in the presence of and be notarized by a notary public. Counsel of record for each party shall provide the Producing Party a copy of each such

Nondisclosure Statement and shall keep the Nondisclosure Statements executed by the parties' experts or consultants on file in their respective offices.

(b) Disclosure of CONFIDENTIAL INFORMATION other than as provided for in this Protective Order shall not be made to any person or entity except with the express written consent of the Producing Party or upon further order of the TPUC or of any court of competent jurisdiction.

6. If any party or non-party subject to this Order inadvertently fails to designate documents as CONFIDENTIAL in accordance with the provisions of this Order when producing the documents this failure shall not constitute a waiver of confidentiality, provided the party or non-party who has produced the document shall notify the recipient of the document in writing within five (5) days of discovery of such inadvertent failure to designate the document as CONFIDENTIAL. At that time, the recipients will immediately treat the subject document as CONFIDENTIAL. In no event shall the TPUC, or any party to this Order, be liable for any claims or damages resulting from the disclosure of a document provided while not so labeled as "CONFIDENTIAL." An inadvertent failure to designate a document as CONFIDENTIAL, shall not, in any way, affect the TPUC's determination as to whether the document is entitled to CONFIDENTIAL status.

7. If any party or non-party subject to this Order inadvertently fails to designate documents as CONFIDENTIAL in accordance with the provisions of this Order when producing such documents and the failure is not discovered in time to provide a five (5) day notification to the recipient of the confidential nature of the documents referenced in the paragraph above, the failure shall not constitute a waiver of confidentiality and a party by written motion or by oral motion at a Pre-Hearing Conference or at the Hearing on the Merits may request designation of

the documents as CONFIDENTIAL, and if the motion is granted by the Hearing Officer or the Commission, the recipients shall immediately treat the subject documents as CONFIDENTIAL. The Tennessee Public Utilities Commission or the Hearing Officer may also, at his or her discretion, either before or during the Pre-Hearing Conference or Hearing on the Merits of the case, allow information to be designated CONFIDENTIAL and treated as such in accordance with the terms of this Order.

8. Any papers filed in this proceeding that contain, quote, paraphrase, compile or otherwise disclose documents covered by the terms of this Order, or any information contained therein, shall be filed and maintained in the TPUC Docket Room in sealed envelopes marked CONFIDENTIAL and labeled to reflect the style of this proceeding, the docket number, the contents of the envelope sufficient to identify its subject matter and this Protective Order. The envelopes shall be maintained in a locked filing cabinet. The envelopes shall not be opened or their contents reviewed by anyone except upon order of the TPUC or the Hearing Officer after due notice to counsel of record. The filing party shall also include with the filing a public version of the papers with any CONFIDENTIAL INFORMATION redacted. The public version shall reflect the style of the proceeding, the docket number, the contents of the envelope sufficient to identify its subject matter and shall reference this Protective Order. Notwithstanding the foregoing, the Directors and the Staff of the TPUC may review any paper filed as CONFIDENTIAL without obtaining an order of the TPUC or the Hearing Officer provided the Directors and Staff maintain the confidentiality of the paper in accordance with the terms of this Order.

9. Documents, information and testimony designated as CONFIDENTIAL or PROTECTED SECURITY MATERIALS (as defined in Paragraph 20) in accordance with this

Order, may be used in testimony at the Hearing of this proceeding and offered into evidence or used in any hearing related to this action in a manner that protects the confidentiality of the information, subject to the Tennessee Rules of Evidence and to such future orders as the TPUC or the Hearing Officer may enter. Any party intending to use documents, information, or testimony designated CONFIDENTIAL or PROTECTED SECURITY MATERIALS shall inform the Producing Party and the TPUC or the Hearing Officer prior to the Hearing on the Merits of the case, of the proposed use; and shall advise the TPUC or the Hearing Officer and the Producing Party before use of the information during witness examinations so that appropriate measures can be taken by the TPUC or the Hearing Officer to protect the confidential nature of the information.

10. Except for documents filed in the TPUC Docket Room, all documents covered by the terms of this Order that are disclosed to the requesting party shall be maintained separately in files marked CONFIDENTIAL and labeled with reference to this Order at the offices of the requesting party's counsel of record, kept in a secure place and returned to the Producing Party pursuant to Paragraph 17 of this Order.

11. Nothing herein shall be construed as preventing any party from continuing to use and disclose any information (a) that is in the public domain, or (b) that subsequently becomes part of the public domain through no act of the party, or (c) that is disclosed to it by a third party, where said disclosure does not itself violate any contractual or legal obligation, or (d) that is independently developed by a party, or (e) that is known or used by it prior to this proceeding. The burden of establishing the existence of (a) through (e) shall be upon the party attempting to use or disclose the information.

12. Any party may contest the designation of any document or information as CONFIDENTIAL or PROTECTED SECURITY MATERIALS by filing a Motion with the TPUC or Hearing Officer as appropriate, for a ruling that the documents, information or testimony should not be so treated. Upon the filing of such a motion, the designating party shall bear the burden of supporting its designation of the documents or information at issue as CONFIDENTIAL INFORMATION. All documents, information and testimony designated as CONFIDENTIAL or PROTECTED SECURITY MATERIALS, however, shall be maintained as such until the TPUC or the Hearing Officer orders otherwise. A Motion to contest must be filed not later than fifteen (15) days prior to the Hearing on the Merits. Any Reply seeking to protect the status of CONFIDENTIAL INFORMATION or PROTECTED SECURITY MATERIALS must be received not later than ten (10) days prior to the Hearing on the Merits and shall be presented to the Commission at the Hearing on the Merits for a ruling.

13. Nothing in this Order shall prevent any party from asserting any objection to discovery other than an objection based upon grounds of confidentiality.

14. Non-party witnesses shall be entitled to invoke the provisions of this Order by designating information disclosed or documents produced for use in this action as CONFIDENTIAL, in which event the provisions of this Order shall govern the disclosure of information or documents provided by the non-party witness. A designation of information as CONFIDENTIAL by a non-party witness may be challenged under Paragraph 12 of this Order.

15. No person authorized under the terms herein to receive access to documents, information, or testimony designated as CONFIDENTIAL shall be granted access until such person has complied with the requirements set forth in Paragraph 5 of this Order.

16. Any person to whom disclosure or inspection is made in violation of this Order shall be bound by the terms of this Order.

17. Upon entry of a final order in this proceeding and conclusion of any appeals resulting from such an order, except as to the Attorney General and TPUC, all the filings, exhibits and other materials and information designated CONFIDENTIAL or PROTECTED SECURITY MATERIALS and all copies thereof shall be returned to counsel of the Producing Party within fifteen (15) days. Notwithstanding any provision herein to the contrary, the requirement of this paragraph shall become operative immediately upon any intervenor who withdraws or otherwise ceases to be a party to the case, even though the case itself may continue to be pending. Subject to the requirements of Paragraph 8 above, the TPUC shall retain copies of information designated as CONFIDENTIAL or PROTECTED SECURITY MATERIALS as may be necessary to maintain the record of this case intact. Counsel who received the filings, exhibits and other materials, designated as CONFIDENTIAL or PROTECTED SECURITY MATERIALS shall certify to counsel for the Producing Party that all the filings, exhibits and other materials, plus all copies or extracts, notes or memorandums from the filings, exhibits and other materials, and all copies of the extracts from the filings, exhibits and other materials thereof have been delivered to counsel for the Producing Party or destroyed and that with respect to any electronic copies of CONFIDENTIAL INFORMATION or PROTECTED SECURITY MATERIALS received or mentioned by the receiving party, all reasonable efforts have been undertaken to eliminate said information. If any electronic CONFIDENTIAL INFORMATION or PROTECTED SECURITY MATERIALS cannot be eliminated through the use of reasonable efforts, any such remaining materials shall be subject to the continuing restrictions contained in paragraph eighteen (18) of this Order.

18. After termination of this proceeding, the provisions of this Order relating to the confidential nature of CONFIDENTIAL INFORMATION or PROTECTED SECURITY MATERIALS, information and testimony shall continue to be binding upon parties herein and their officers, employers, employees, agents, and/or others unless this Order is vacated or modified or is supplanted by an order of the court or courts before which is pending a challenge to any order entered in this proceeding.

19. Nothing herein shall prevent entry of a subsequent order, upon an appropriate showing, requiring that any documents, information or testimony designated as CONFIDENTIAL shall receive protection other than that provided herein.

20. In addition to the other provisions of this Order, Highland Communications, LLC (“the Company”) may designate and label as “PROTECTED SECURITY MATERIALS” documents and information related to security measures undertaken to protect public health and safety. The Company shall provide access to PROTECTED SECURITY MATERIALS to TPUC Directors and members of the staff of the TPUC and further only to authorized representatives of the Intervenor in this docket.

21. The Company shall provide access to an authorized representative to PROTECTED SECURITY MATERIALS only after such authorized representative has executed a Nondisclosure Statement in the form of that attached to this Order and provided a copy to the Company. Except, with consent of the Company: (i) access shall be at the offices of the Company or its counsel of record and under supervision of the Company; (ii) PROTECTED SECURITY MATERIALS shall not be removed from the offices of the Company or its counsel; (iii) no copies shall be provided to an authorized representative except as provided herein. Authorized representatives may make notes or memoranda from a review of the PROTECTED

SECURITY MATERIALS and may remove such notes and memoranda. In all other respects such notes and memoranda shall remain PROTECTED SECURITY MATERIALS and subject to the provisions hereof. PROTECTED SECURITY MATERIALS shall be used only to assist TPUC staff or any other party to prepare for and to try this proceeding and shall not be used for any other purpose in this or any other jurisdiction.

22. Except as provided in this Order, the contents of PROTECTED SECURITY MATERIALS to which the TPUC staff or other party is given access, and any notes, memoranda, or any form or information or opinions regarding or derived from the PROTECTED SECURITY MATERIALS shall not be disclosed to anyone other than an authorized representative in accordance with the Order, except that an authorized representative may disclose his or her conclusions or findings solely within, and for the purposes of, this proceeding and in accordance with this Order. PROTECTED SECURITY MATERIALS shall not otherwise be published, disclosed or divulged except as expressly provided herein. The TPUC Directors, TPUC staff and any other party shall treat all notes memoranda or opinions regarding or derived from the PROTECTED SECURITY MATERIALS as confidential and shall keep them in a secure location with access limited to an authorized representative, and the contents of PROTECTED SECURITY MATERIALS and any information derived from them shall be considered highly confidential and shall not be deemed public records. The TPUC staff, any party, Hearing Officer, or the TPUC Directors may discuss any position or conclusion regarding security expenditures and testimony in briefs, orders, pleadings, or hearings in this proceeding without disclosing protected information to the public in accordance with this Order.

23. The Attorney General and his staff have authority to enter into Nondisclosure Agreements pursuant to Tenn. Code Ann. § 65-4-118 which are consistent with state and federal law, regulations and rules.

24. The Attorney General and his staff agree to keep CONFIDENTIAL INFORMATION in a secure place and will not permit them to be seen by any person who is not an employee of the State of Tennessee, the Office of Attorney General and Reporter, or a person who has not signed a Nondisclosure Agreement.

25. The Attorney General and his staff may make copies of CONFIDENTIAL INFORMATION or any portion thereof. To the extent permitted by state and federal law, regulations and rules, all notes utilizing supporting information shall be subject to the terms of this Order to the extent factual assertions are derived from the supporting information.

26. To the extent permitted by state law, the Attorney General will provide timely notice of filing or disclosure in the discharge of the duties of the Office of the Attorney General and Reporter, pursuant to Tenn. Code Ann. § 10-7-504(a)(5)(C) or any other law, regulation or rule, so that the Company may take action relating to disclosure.

27. CONFIDENTIAL INFORMATION is subject to this Protective Order, which is entered pursuant to the Tennessee Rules of Civil Procedure. If any person or entity subject to this Protective Order receives a request or subpoena seeking the disclosure or production of information labeled as “CONFIDENTIAL INFORMATION” by a party, such person or entity shall give prompt written notice to the TPUC Hearing Officer and the party within not more than five (5) days of receiving such a request, subpoena or order and: (i) shall respond to the request, subpoena or order, in writing, stating that the CONFIDENTIAL INFORMATION is protected pursuant to this Protective Order; and (ii) shall not disclose or produce such CONFIDENTIAL

INFORMATION unless and until subsequently ordered to do so by a court of competent jurisdiction. This Protective Order shall operate as an exception to the Tennessee Public Records Act, as set forth in the language of Tenn. Code Ann. § 10-7- 503(a) “. . . unless otherwise provided by state law.” (See, e.g., Ballard v. Herzke, 924 S.W.2d 652 (Tenn. 1996); Arnold v. City of Chattanooga, 19 S.W.3d 779 (Tenn. Ct. App. 1999) (holding that “state law” includes the Tennessee Rules of Civil Procedure)). Because this Protective Order is issued pursuant to the Tennessee Rules of Civil Procedure, this Order creates an exception to any obligations of the Attorney General, including attorneys and members of theirs, as to the Public Records Act and other open records statutes as to CONFIDENTIAL INFORMATION. In the event that any court of competent jurisdiction determines in the course of a lawsuit brought as a result of a person’s or entity’s fulfillment of the obligations contained in this paragraph that information designated as “CONFIDENTIAL INFORMATION” by a party is not CONFIDENTIAL INFORMATION as defined in paragraph 1 of this Protective Order, then the party designating the information as “CONFIDENTIAL INFORMATION” shall be responsible for all costs associated with or assessed in the lawsuit. This Protective Order acknowledges the role and responsibilities of the Attorney General and the Attorney General’s staff, as set forth in Title 8, Chapter 6 of the Tennessee Statutes, beyond the duties associated with the Consumer Advocate and Protection Division, as prescribed in Tenn. Code Ann. § 65-4-118. This Protective Order is not intended to conflict with the Attorney General’s role and responsibilities, especially the investigative functions, as set forth in Title 8, Chapter 6. For there to be compliance with this Protective Order, any CONFIDENTIAL INFORMATION shared outside of the Consumer Advocate and Protection Division must be provided the full and complete protection afforded other confidential or protected information in the control and custody of the Attorney General.

28. The designation of any information, documents or things in accordance with this Order as constituting or containing confidential or proprietary information the Attorney General's, or their respective staff's, treatment of such material as confidential or proprietary in compliance with this Order is not an admission or agreement by the Attorney General, or their respective staff, that the material constitutes or contains confidential commercial information or trade secret information and shall not be deemed to be either a waiver of the right to challenge such designation or an acceptance of such designation. The Company agrees to designate information, documents or things provided to the Attorney General as confidential commercial information or trade secret if it has a good faith basis for the claim. The Company will upon request of the Attorney General, or their respective staff, provide a written explanation of the details, including statutory authority, that support its confidential commercial information or trade secret claim within five (5) days of a written request. The Company also specifically agrees that it will not designate any documents as CONFIDENTIAL INFORMATION or label such documents as "CONFIDENTIAL" if the documents:

- (a) have been distributed to the public, consumers or others, provided that proprietary customer information provided by the Company to its customers or their marketers may be designated as CONFIDENTIAL INFORMATION; or
- (b) are not maintained by the Company as confidential commercial information or trade secrets or are not maintained by the Company as proprietary customer information.

29. Nothing in this Order shall prevent the Attorney General from using the CONFIDENTIAL INFORMATION received for investigative purposes in the discharge of the

duties of the Office of the Attorney General and Reporter. Additionally, nothing in this Order shall prevent the Attorney General from informing state officials and third parties of the fact of an investigation, as needed, to conduct the investigation. Without limiting the scope of this paragraph, nothing in this Order shall prevent the Attorney General from contacting consumers whose names were provided by the Company or from discussing with any consumer any materials that he or she allegedly received from the Company or confirming that a consumer actually received the materials, to the extent that the Attorney General or his staff does so in a manner that complies with the provisions of this Order.

30. The terms of the foregoing paragraphs 23 through 29 do not apply to PROTECTED SECURITY MATERIALS as set forth in paragraphs 20-22 of this Order. PROTECTED SECURITY MATERIALS shall be treated in accordance with paragraphs 20-22.

31. All information, documents and things designated as CONFIDENTIAL INFORMATION or PROTECTED SECURITY MATERIALS and produced in accordance with this Order may be disclosed in testimony or offered into evidence at any TPUC or court hearing, trial, motion or proceeding of this matter, subject to the provisions of this Order, including paragraph 9, and the applicable Rules of Evidence. The party who produced the information, documents and things designated as CONFIDENTIAL INFORMATION or PROTECTED SECURITY MATERIALS agrees to stipulate to the authentication of such information, documents and things in any such proceeding.

32. Nothing in this Order is intended to restrict or alter federal or state laws, regulations or rules.

33. Any person who has signed a Nondisclosure Statement or is otherwise bound by the terms of this Order shall continue to be bound by this Order and/or Nondisclosure Statement even if no longer employed or engaged by the TPUC or Intervenors.

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

**APPLICATION OF HIGHLAND)
COMMUNICATIONS, LLC FOR A)
CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY TO)
PROVIDE INTRASTATE)
TELECOMMUNICATIONS SERVICES)
STATEWIDE)**

DOCKET NO. 20- 00111

NONDISCLOSURE STATEMENT

I have reviewed the Protective Order entered in the above-captioned matter and agree to abide and be bound by its terms. I understand that unauthorized disclosure of information or documents labeled "CONFIDENTIAL" or "PROTECTED SECURITY MATERIALS" will be a violation of the Protective Order.

DATE

NAME

STATE OF _____)

COUNTY OF _____)

Personally appeared before me, _____, a Notary Public,
_____, with whom I am personally acquainted, who
acknowledged that he/she executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this _____ day of _____, 2020.

NOTARY PUBLIC

My Commission Expires: _____