

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

December 6, 2021

IN RE:)	
)	
APPLICATION OF CATHECT)	
COMMUNICATIONS, INC. FOR A)	DOCKET NO.
CERTIFICATE OF CONVENIENCE AND)	20-00138
NECESSITY TO PROVIDE COMPETING)	
TELECOMUNICATION SERVICES)	

**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 October 19, 2021 to consider the *Application of Cathect Communications, Inc. for a Certificate of Convenience and Necessity to Provide Competing Telecommunication Services* (the “*Application*”) filed by Cathect Communications, Inc. (“Cathect,” “Applicant,” or “Company”) on December 14 2020. In its *Application*, Cathect seeks a Certificate of Public Convenience and Necessity (“CCN”) for authority to provide intrastate telecommunications services within the State of Tennessee.

I. LEGAL STANDARD

Cathect’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.

II. 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 October 8, 2021, setting the case for Hearing on October 19, 2021.¹ No persons sought intervention prior to or during the Hearing. Ms. Ishrat Jahan, CEO of Cathect, appeared at the Hearing and provided testimony.²

¹ This matter was previously noticed on September 20, 2021 for a hearing to be held on September 29, 2021. However, the hearing date was rescheduled at the request of the Applicant.

² Ms. Jahan provided testimony telephonically pursuant to *Order Granting Motion to Allow Witness to Participate*

Ms. Jahan participated in the Hearing, adopting as her own and summarizing the Pre-Filed Testimony of Faraz Mobeen, who was the CEO of Cathect at the time of the filing of the *Application*. Ms. Jahan testified that the Company will comply with all applicable laws, and TPUC rules, policies and orders, and stated that it is in the public interest to grant the *Application*. She also provided a summary of the Company's financial, technical, and managerial qualifications and provided responses to the questions of the Hearing Officer.

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 Cathect's *Application* based upon the findings of fact and conclusions of law stated herein.

III. FINDINGS AND CONCLUSIONS

A. CATHECT'S QUALIFICATIONS

1. Cathect is an incorporated entity, incorporated in the state of Georgia on April 3, 2020 and authorized to conduct business in the State of Tennessee on August 25, 2020.
2. The Company's principal office is located at 2160 Lexington Lane, Cummings, Georgia 30040. The Company's telephone number is (678) 666-0075.
3. The *Application* and information in the record indicate that Cathect has the requisite technical and managerial ability to provide competitive local and intrastate telecommunications services within the State of Tennessee. Specifically, Cathect's management team possesses extensive business, technical, operational and regulatory experience in the telecommunications industry.
4. Cathect has the necessary capital and financial ability to provide the services it proposes to offer.

Telephonically at Hearing entered by the Hearing Officer on October 18, 2021 in response to the Company's *Motion to Allow Witness to Participate Telephonically at Hearing*, filed by Cathect on October 8, 2021.

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

B. PROPOSED SERVICES

Cathect seeks authority to resell local and long-distance service, initially focusing on business customers. Cathect proposes to serve the residential market as the company grows. In the future, Cathect will invest in its own facilities. The Company is currently certificated in Nevada and Texas. Cathect seeks statewide authority in order to offer consumers increased carrier choices, competitive pricing, and increased reliability.

C. PERMITTING COMPETITION TO SERVE THE PUBLIC CONVENIENCE AND NECESSITY

Cathect'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. The Company's proposed services would also assist in ensuring that persons are able to obtain competitive pricing, increased accountability through reliable and responsive customer service, and advanced technological innovation.

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


Cathect 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 Cathect Communications, Inc. for a Certificate of Convenience and Necessity to Provide Competing Telecommunication Services* filed by Cathect Communications, Inc. 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.



Aaron J. Conklin, Hearing Officer