

July 6, 2021

Via email: tpuc.docketroom@tn.gov
and Federal Express

Chairman, Tennessee Regulatory Authority
c/o Sharla Dillon, Dockets and Records Manager
502 Deaderick Street, 4th Floor
Nashville, Tennessee 37243

21-00079

RECEIVED
JUL 08 2021
TN PUBLIC UTILITY COMMISSION
DOCKET OFFICE

Re: Aurora Cable TV Company d/b/a Benton County Cable System ("Benton County Cable"); Application for Tennessee Certificate of Franchise Authority

Dear Ms. Dillon:

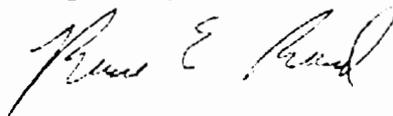
On behalf of Benton County Cable, we submit for filing the following:

- An original and four copies of the application; and
- A \$500 check for the initial filing fee.

We enclose an additional copy of this letter and the application, and kindly ask that you date-stamp and return them in the enclosed postage-paid envelope.

Please contact us with any questions.

Respectfully,



Bruce E. Beard

Enclosures

cc: Sara White Hall

**BEFORE THE TENNESSEE REGULATORY AUTHORITY
Nashville, Tennessee**

In re: *Application of Aurora Cable TV Company d/b/a Benton County Cable System
for a State-Issued Certificate of Franchise Authority*

Docket No. 21-00079

AFFIDAVIT OF SARA WHITE HALL

I, Sara White Hall, state as follows:

A. Identification of Affiant and Application Fee

1. Affiant is an Officer.

My name is Sara White Hall and I am President of Aurora Cable TV Company d/b/a Benton County Cable System (“Benton County Cable”). Consistent with Section 7-59-305(c) of the Competitive Cable and Video Services Act, Tenn. Code Ann. § 7-59-301 *et seq.* (Act), I am an officer authorized to make this affidavit on behalf of Benton County Cable.

2. Application Fee as Required by Section 7-59-305(b)(1) of the Act.

Benton County Cable submits an application fee of \$500 based on the population of the service areas listed on Exhibit A, as reflected in the most recent decennial census.

B. Required Information and Affirmations

1. Compliance with Laws Consistent with Section 7-59-305(c)(1).

Benton County Cable agrees to comply with all applicable federal and state laws and regulations to the extent that the state laws and regulations are not in conflict with or superseded by the Act or other applicable law and will timely file with the FCC all forms required by the FCC in advance of offering video services or cable services.

2. Description of Service Areas as Required by Section 7-59-305(c)(2).

Benton County Cable attaches as Exhibit A its written description of the areas it will serve under the state-issued certificate of franchise authority.

3. Intent to Serve Consistent with Section 7-59-305(c)(3).

Benton County Cable currently provides, and will continue to provide after the issuance of a state-issued certificate of franchise authority, cable service for purchase in the areas identified on Exhibit A.

4. Indemnity as Required by Section 7-59-305(c)(4).

Benton County Cable agrees to indemnify and hold harmless, in accordance with Section 7-59-318 of the Act, the indemnitees set forth in Section 7-59-305(c)(4).

5. Contact Information as Required by Section 7-59-305(c)(5).

Benton County Cable's principal place of business is 205 W Main Street, Camden, TN 38320. Benton County Cable's phone number is (731) 584-7100. Sara White Hall, President, is Benton County Cable's principal executive officer and represents Benton County Cable before the Tennessee Regulatory Authority.

6. Managerial, Financial, and Technical Qualifications Consistent with Sections 7-59-305(c)(6), (d)(3).

Pursuant to Section 7-59-305(d)(3), Benton County Cable is deemed by operation of law to have the managerial, financial, and technical qualifications to provide cable service because it is an "incumbent cable service provider." Benton County Cable is an incumbent cable service provider because it provided cable service in a municipality or unincorporated area of a county on July 1, 2008 under a franchise. Benton County Cable does not seek a new service area in this application. Accordingly, no review of Benton County Cable's managerial, financial, and technical qualifications is required or permitted under the Act.

7. Description of Customer Complaint Process as Required by Section 7-59-305(c)(7).

Customers with questions or complaints regarding service, or with billing questions or adjustments, may call Benton County Cable at (731) 584-7100. Customers may also visit Benton County Cable's offices in Camden at 205 W Main Street, Camden, TN 38320. Benton County Cable makes reasonable efforts to respond to service calls in a timely manner. Customers who are dissatisfied with Benton County Cable's resolution may contact the Tennessee Regulatory Authority.

8. Franchise Fee Notice to Local Governments as Required by Section 7-59-305(c)(8).

Simultaneously with this application, Benton County Cable has provided notice to each affected local government of its right to receive a franchise fee. Benton County Cable will comply with any applicable local ordinance or resolution requiring notice to other entities with facilities in the rights of way.

9. Compliance with Legal Requirements Consistent with Section 7-59-305(c)(9).

Benton County Cable agrees to comply with the requirements of the Act, including the applicable nondiscrimination and service deployment requirements of Section 7-59-311. Under Section 7-59-311(a)(2), Benton County Cable certifies that it will deploy its cable system to all households in the proposed service area set forth on Exhibit A. Benton County Cable acknowledges the provisions of Section 7-59-312 relative to enforcement of nondiscrimination and deployment requirements.

10. Ten-Day Notice to Local Governments as Required by Section 7-59-305(c)(10).

Benton County Cable will provide notice to an affected local governing authority ten days before providing service in its jurisdiction.

11. Compliance with Minority-Owned Business Plan Consistent with Section 7-59-305(c)(10).

Benton County Cable agrees to comply with its Minority-Owned Business Participation Plan attached as Exhibit B.

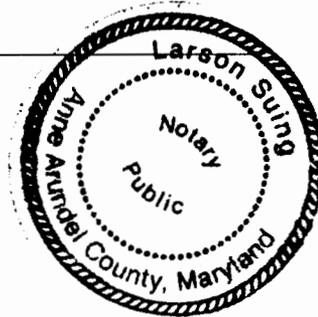
This concludes my affidavit.



Sara White Hall
President

State of Maryland
County of Anne Arundel
Subscribed and sworn before me this 1 day of July, 2021.


Notary Public



Notary Seal:

**Exhibit A
Service Areas**

Town of Big Sandy TN
Portions of Unincorporated Areas of Benton County, TN
City of New Johnsonville, TN
Portions of Unincorporated Areas Humphreys County, TN

The areas Benton County Cable will serve under the state-issued certificate of franchise authority are highlighted on the map below.

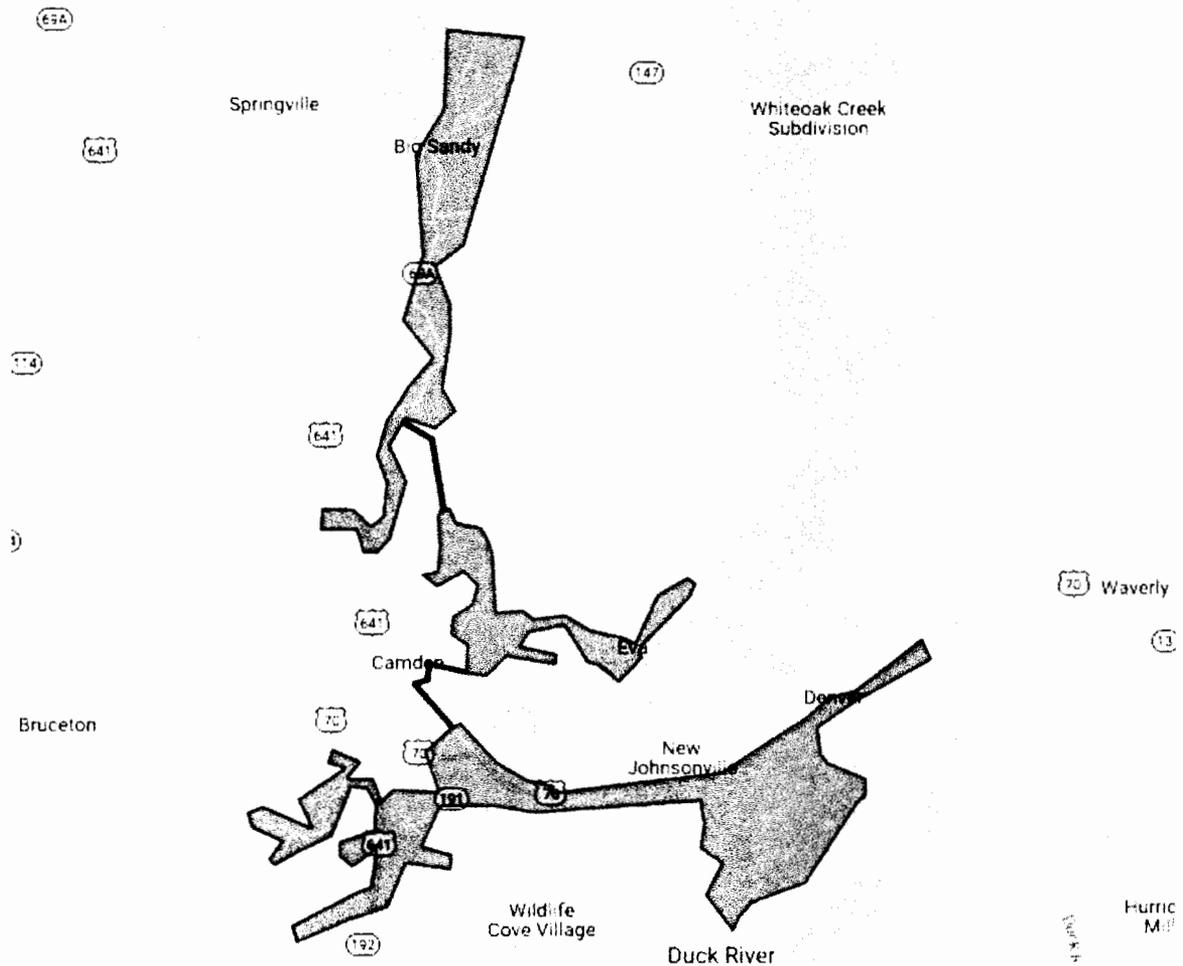


Exhibit B
Benton County Cable Company (“Benton County Cable”)
Minority-Owned Business Participation Plan

Pursuant to Section 7-59-313 of the Competitive Cable and Video Services Act, this Minority-Owned Business Participation Plan (“Plan”) sets forth Benton County Cable’s plan to actively solicit bids from, and let contracts to, minority-owned businesses when establishing, providing, or expanding cable services and related support facilities.

- 1) **Minority-Owned Business.** “Minority-Owned Business” means a business that is solely owned, or at least 51% of the assets or outstanding stock of which is owned, by an individual who personally manages and controls the daily operations of the business and who is impeded from normal entry into the economic mainstream because of:
 - (a) Past practices of discrimination based on race, religion, ethnic background, or sex, including, but not limited to, women;
 - (b) A disability as defined in T.C.A. § 4-26-102, including, but not limited to, disabled veterans; or
 - (c) Past practices of racial discrimination against African-Americans.

- 2) **Benton County Cable Supplier Diversity Policy Statement.** It is the policy of Benton County Cable to promote the purchase of goods and services from Minority-Owned Businesses. Maximum practicable opportunity shall be given to Minority-Owned Businesses to participate as suppliers of material and services to Benton County Cable. Benton County Cable also encourages subcontracting opportunities for Minority-Owned Businesses.

- 3) **Benton County Cable’s Promotion of Opportunities for Minority-Owned Businesses.** Benton County Cable’s management, procurement, and human resources personnel work to identify goods and services that may be supplied by Minority-Owned Businesses. When possible, Benton County Cable seeks proposals, and makes purchases, from qualified Minority-Owned Businesses. Benton County Cable also seeks to foster relationships within Minority-Owned Business communities.

- 4) **Information on Programs to Provide Technical Assistance to Minority-Owned Businesses.** Benton County Cable provides information for Minority-Owned Businesses upon request.

- 5) **Statement of Intent to Follow this Plan.** Under the plan, Benton County Cable shall: (i) endeavor to maximize participation of Minority-Owned Businesses and (ii) aim to achieve a level of Minority-Owned Business participation representative of the population of the demographics of the state of Tennessee.

By January 31 of each year, Benton County Cable will prepare and submit an annual report to the TRA concerning Benton County Cable’s Minority-Owned Business Participation Plan and compliance with the Plan.