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August 30, 2021

Tennessee Public Utility Commission
Attn: Docket Room (21-00088)
502 Deaderick Street, 4th Floor
Nashville, Tennessee 37243

Re: Telepak Networks, Inc. Application

To Whom It may Concern:

This law firm serves as counsel for the Town of Collierville ("Town"). The Town is in receipt of a recent letter (see attached) from the Tennessee Public Utility Commission ("Commission") regarding an application filed by Telepak for a State-issued Certificate of Franchise Authority. This letter shall serve as the Town's response.

The Town currently has a franchise agreement with Comcast, which requires it to provide the Town with public, educational, and governmental ("PEG") channels and support payments. (This agreement was originally entered into between the Town and Time Warner Communications in 1996, and was assumed by Comcast in 2006.) In addition, AT&T operates in the Town pursuant to a State-issued Certificate of Franchise Authority.

To answer the specific questions contained in the Commission's recent letter:

1. Comcast, the "incumbent" cable service provider with the most subscribers in the Town, has activated two (2) PEG channels at this time.
2. Three (3) PEG channels are authorized to be activated under the Comcast franchise.
3. Comcast pays up to \$.35 per subscriber per month for capital support for PEG access equipment and facilities.

Should the Commission need further information, please feel free to contact me at the direct number listed above.

Sincerely,

BURCH, PORTER & JOHNSON, PLLC


David E. Goodman, Jr.

August 30, 2021

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Enclosure

cc: James Lewellen, Town Administrator
Nathan A. Bicks, Esq.



TENNESSEE PUBLIC UTILITY COMMISSION

**Andrew Jackson Building
502 Deaderick Street 4th Floor
Nashville, Tennessee 37243-0505**

August 12, 2021

Town of Collierville
ATTN: Mayor Stan Joyner, Jr.
500 Poplar View Parkway,
Collierville, TN 38017

**RE: NOTICE of TPUC Receipt of Application for or Amendment to Certificate of Franchise Authority and
OFFICIAL REQUEST for Information**

Dear Mayor Joyner:

On August 6, 2021, Telepak Networks, Inc ("Telepak") filed with the Tennessee Public Utility Commission ("Commission" or "Department") an application for a State-Issued Certificate of Franchise Authority to provide cable and/or broadband service in an area that includes your city. By this time, you should have already received notice from Telepak of its intention to serve your area. You may access this and other related filings on the TPUC's website at <http://www.tn.gov/tra/dockets/2100088.htm>. The Department is required to send this notice so that you may act to preserve your Public, Educational and Governmental ("PEG") channels and PEG access support payments under Tenn. Code Ann. § 7-59-309.¹

If an incumbent cable TV provider currently serves your municipality,² and that provider's franchise requires that it provide PEG channels or access payments, then you may be able to receive the same number of PEG channels and equivalent support payments from Telepak. But, in order to claim these benefits, you must provide the TPUC with information about the PEG channels negotiated under your incumbent provider's franchise *within ten (10) days* from the date you received notice from Telepak that it intended to provide cable or video service to your municipality, specifically:

- (1) The number of PEG channels that have been activated by the incumbent;
- (2) The number of PEG channels that are authorized to be activated under the incumbent franchise; and,
- (3) The amount of any fee or other payment for PEG access support required under the incumbent franchise.³

Please send the above information to:

**Tennessee Public Utility Commission
ATTN: Docket Room (21-00088)
502 Deaderick Street 4th Floor
Nashville, TN 37243**

If you have already forwarded this information to the Commission upon receipt of the notice from the applicant or state-issued franchise service provider in accordance with Tenn. Code Ann. § 7-59-309(a), please disregard this request. Should you have any questions or concerns regarding this matter, please feel free to contact me at (615) 770-6889 or at the address listed above. Thank you for your cooperation and prompt attention in this matter.

Sincerest Regards,

John Hutton
Telecommunications Consultant

¹ See Tenn. Code Ann. § 7-59-314(b)(1).

² This means the franchised cable service provider with the most subscribers in your municipality on January 1, 2008, whether or not the local franchise agreement had expired on July 1, 2008 (Tenn. Code Ann. § 7-59-309(a)(1)).

³ See Tenn. Code Ann. § 7-59-309(a)(1).