

**IN THE TENNESSEE PUBLIC UTILITY COMMISSION  
AT NASHVILLE TENNESSEE**

<b>IN RE:</b>	)	
	)	
<b>COMPLAINT AND PETITION AGAINST</b>	)	
<b>GODADDY.COM, LLC FOR ALLEGED</b>	)	
<b>VIOLATIONS OF THE STATUTES AND</b>	)	<b>DOCKET NO. 24-<u>00057</u></b>
<b>RULES REGULATING SMALL AND</b>	)	
<b>MINORITY-OWNED</b>	)	
<b>TELECOMMUNICATIONS BUSINESS</b>	)	
<b>PARTICIPATION PLANS</b>	)	

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**COMPLAINT AND PETITION TO CONVENE A SHOW CAUSE PROCEEDING**

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Comes now the Tennessee Public Utility Commission (“TPUC” or “Commission”) Staff as a party (“Party Staff” or “Petitioner”) in accordance with Tenn. Code Ann. §§ 65-2-106 and 65-4-120 and requests that the Administrative Judge delegated authority by the Commission issue an Order requiring GoDaddy.com, LLC (“GoDaddy” or “Company”) to appear before the Commission to show cause why the Commission should not impose civil penalties and sanctions against the Company for failing to submit the annual update to the small and minority-owned telecommunications business participation plan (“SMBP Plan”) as required by Tenn. Code Ann. § 65-5-112.

**JURISDICTION**

The Commission has a duty to ensure that “all laws of this state over which they have jurisdiction are enforced and obeyed, that violations thereof are promptly prosecuted, and all penalties due the state are collected.”<sup>1</sup> Further, the Commission is specifically authorized to issue an order requiring a respondent to appear and show cause why the Commission should not take action as may be indicated in the show cause order.<sup>2</sup> In addition, upon finding that a public utility

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<sup>1</sup> Tenn. Code Ann. § 65-1-113 (2022).

<sup>2</sup> Tenn. Code Ann. § 65-2-106 (2022).

has violated or failed to comply with regulatory requirements, the Commission is authorized to impose a civil penalty of up to “fifty dollars (\$50.00) for each day of any such violation or failure ....”<sup>3</sup>

### **RELEVANT FACTS**

1. GoDaddy is a limited liability company established in the state of Delaware and duly authorized to conduct business in the state of Tennessee. The Company’s principal office and mailing address are located at 2155 East GoDaddy Way, Tempe, AZ 85284.

2. GoDaddy was issued a Certificate of Public Convenience and Necessity (“CCN”) to provide resold telecommunications services throughout the state of Tennessee in Docket No. 16-00095.<sup>4</sup>

3. GoDaddy was required to file an SMBP Plan with the Commission with its application for a CCN. In addition, GoDaddy is required to update the SMBP Plan filed with the Commission annually, on or before April 30th.

4. GoDaddy did not submit the annual update of its SMBP Plan for 2024, which was due April 30, 2024.

5. Commission Staff sent a reminder letter to GoDaddy on April 1, 2024. In addition, Commission Staff sent a follow up email to the Company on May 17, 2024. Commission Staff left a voicemail for a Company representative on June 26, 2024. Finally, Commission Staff mailed a follow up letter and its Registered Agent requesting the Company file its annual SMBP Plan update on July 3, 2024.

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<sup>3</sup> Tenn. Code Ann. § 65-4-120 (2022).

<sup>4</sup> *In re: Petition of GoDaddy.Com for Authority to Provide Resold Interexchange Telecommunications Services in Tennessee*, Docket No. 16-00095, *Order Granting Authority to Resell Interexchange Telecommunications Services in Tennessee* (December 29, 2016).

6. As of the date of this filing, GoDaddy has neither responded to the Commission Staff's contacts nor filed its 2024 SMBP Plan annual update.

**ALLEGED VIOLATIONS OF STATE LAW**

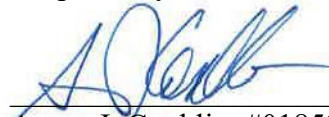
7. The facts alleged in paragraphs 1 through 6 constitute a violation of Tenn. Code Ann. § 65-5-112, which states, in relevant part:

Each telecommunications service provider shall file with the commission a small and minority-owned telecommunications business participation plan within sixty (60) days of June 6, 1995. Competing telecommunications service providers shall file such plan with the commission with their application for a certificate. Such plan shall contain such entity's plan for purchasing goods and services from small and minority telecommunications businesses and information on programs, if any, to provide technical assistance to such businesses. All providers shall update plans filed with the commission annually.

**PRAYER FOR RELIEF**

Wherefore, Petitioner respectfully requests the Commission open a docket to consider this *Complaint and Petition to Convene a Show Cause Proceeding* and issue an Order requiring GoDaddy to appear before the Commission to show cause why it should not be found in violation of state law the Commission should not impose civil penalties and sanctions to the maximum extent allowed by law.

Respectfully submitted,



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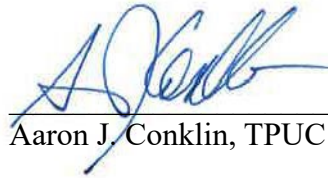
**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was serve via U.S. Mail or electronic mail upon:

GoDaddy.com, LLC  
2155 East GoDaddy Way  
Tempe, AZ 85284

GoDaddy.com, LLC  
c/o Corporation Service Company, Registered Agent  
2908 Poston Ave.  
Nashville, TN 37203

This the 27th day of August, 2024.

A handwritten signature in blue ink, appearing to read 'A. Conklin', is written over a horizontal line.

Aaron J. Conklin, TPUC Senior Counsel