

November 25, 2024

**BY OVERNIGHT COURIER**

Tennessee Public Utilities Commission  
Utilities Division  
502 Deaderick Street  
4<sup>th</sup> Floor  
Nashville, TN 37243

Received in TPUC Docket  
Room on December 5, 2024

24-00080

Dear Sir/Madam:

Enclosed herewith is an application on behalf of HWTN LLC for a state-issued certificate of franchise to provide cable/video service within the service areas described therein. Also enclosed is a check in the amount of \$500 for the filing fee.

A copy of this application is being sent simultaneously to the municipal authorities set forth on Exhibit B to the application.

Please direct any questions regarding this application to the undersigned.

Very truly yours,

/s/Arthur H. Harding

Arthur H. Harding

Enclosure

cc: John Hutton



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

IN RE: )  
 )  
APPLICATION OF HWTN LLC )  
d/b/a HOTWIRE, FOR A STATE-ISSUED )  
CERTIFICATE OF FRANCHISE AUTHORITY )

Docket No. 24-00080

**AFFIDAVIT OF JONATHAN BULLOCK**

I, Jonathan Bullock, in accordance with the requirements of the Tennessee Competitive Cable and Video Services Act, Tenn. Code Ann. § 7-59-301 et seq. (the "Act"), state as follows:

I am an officer of Hotwire Communications, Ltd. where my title is Chief Strategy Officer and which is the sole member of Applicant HWTN LLC. As such, I am authorized to make this affidavit on behalf Applicant.

**1. Name of Applicant**

HWTN LLC d/b/a Hotwire (hereinafter referred to as "Applicant" or "Hotwire").

**2. Application Fee for Service Area Population of up to and including 50,000 (Section 305(b)(1) of the Act)**

An application fee of \$500.00 is submitted with this application consistent with Section 305(b)(1) of the Act and based on the population of the service area as reflected in the most recent decennial census applied for in this application. Such service area is described in the attached Exhibit A.

**3. Compliance with Applicable Laws (Section 305(c)(1) of the Act)**

Applicant agrees to comply with all applicable federal and state laws and regulations to the extent that such state laws and regulations are not in conflict with or superseded by the provisions of this part or other applicable law and will timely file with the FCC all forms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. Applicant will comply with all applicable FCC requirements involving the distribution and notification of emergency messages over the emergency alert system consistent with the enforcement of the rules, and any waivers to the rules, as determined by the FCC.

**4. Description of Municipalities and Unincorporated Areas to be Served (Section 305(c)(2) of the Act)**

Applicant proposes to construct broadband facilities to serve new residential developments located in the cities of Nashville, Columbia, Murfreesboro, Fairview and Lewisburg, TN, which are expected to include approximately 1,631 residential units in the aggregate. See Exhibit A.

**5. Intent to Begin to Offer Cable or Broadband Internet Service (Section 305(c)(3) of the Act)**

Applicant states that it intends to begin to offer video service or cable service for purchase and/or to provide new broadband Internet service in accordance with Tenn. Code Ann. §7-59-311(d) to the proposed Service Area within twenty-four (24) months of the issuance of Applicant's State-issued certificate of franchise authority.

**6. Indemnification (Section 305(c)(4) of the Act)**

Applicant agrees to indemnify and hold harmless, in accordance with Section 318 of the Act, the State, municipality, county and any employee or representative of the State, municipality or county, as well as any political subdivision of the State and any employee or representative of the political subdivision, individually and collectively, referred to in Section 318 of the Act as the "indemnatee."

**7. Applicant Contact Information (Section 305(c)(5) of the Act)**

- a. Applicant's principal place of business is located at 2100 West Cypress Creek Road, Fort Lauderdale, Florida 33309



- b. Contact telephone number is 888 336 4466.
- c. The principal executive officers of the Applicant are as follows:  
  
Kristin Johnson, CEO  
Jonthan Bullock, Chief Strategy Officer
- d. The following persons are authorized to represent the Applicant before the Tennessee Regulatory Authority:
  - i. Jonathan Bullock, Chief Strategy Officer
  - ii. Arthur Harding, legal counsel, LermanSenter PLLC

**8. Applicant Has the Managerial, Financial, and Technical Qualifications to Provide Cable Service (Sections 305(c)(6) and 305(d)(J) of the Act)**

Applicant has the managerial, financial and technical qualifications to provide cable or video service as required by Tenn. Code Ann. § 7-59-305(c)(6) and (d)(2). Applicant has been providing video services to customers in Florida, North Carolina, South Carolina, Georgia, Texas, California, Arizona and Nevada for over 23 years, primarily pursuant to state-issued franchises granted by the applicable states. Based on its success and experience of providing these services, the Applicant has the managerial, financial and technical qualifications to provide cable and video services in the proposed Service Area.

**9. Customer Service Complaint Handling Process (Section 305(c)(7) of the Act)**

Policies on addressing customer service issues, billing adjustments and communications with government officials regarding customer complaints are as follows:

Applicant follows the Customer Service guidelines set forth by the FCC. Customers who have questions or complaints regarding their cable or video service, or questions or disputes concerning their bills, may contact Applicant at 2100 West Cypress Creek Road, Fort Lauderdale, Florida 33309. Network facilities are monitored 24 hours per day by a staffed Network Operation Center. Local Field Service Technicians are available to address service

related issues Monday through Friday during normal business hours, and also on call after hours and weekends for outages or emergencies. Applicant will address customer questions or complaints in a timely manner. Should a customer believe that his/her request was not properly handled, he/she may contact the Tennessee Regulatory Authority.

Local or toll-free telephone number at which a customer may contact applicant: (800) 355-5668. Written customer complaints may be sent to:

Hotwire Communications  
2100 West Cypress Creek Road  
Fort Lauderdale, FL 33309

**10. Notice to Affected Local Governing Authority (Section 305(c)(8) of the Act)**

Notice has been provided to the affected local governing authorities at the addresses set forth in Exhibit B of their right to receive a franchise fee consistent with the Act. Notice will also be provided to other entities with facilities in the rights-of-way consistent with any non-discriminatory and generally applicable local ordinances or resolutions requiring such notice.

**11. Non-Discrimination and Service Deployment Requirements (Section 305(c)(9) of the Act)**

Applicant agrees to comply with the requirements of the Act, expressly including the applicable non-discrimination and service deployment requirements of Section 311 of the Act. Specifically, Applicant certifies that it intends to deploy its cable or video system to all households in its proposed service area, without discrimination, within forty-two (42) months after receipt of its state-issued certificate of franchise authority. In addition, the Applicant acknowledges the provisions of Section 312 of the Act relative to enforcement of non-discrimination and deployment requirements.

**12. Notice to Local Governing Authority Prior to Providing Service (Section 305(c)(10) of the Act)**




Following issuance of the State-issued certificate of franchise authority, Applicant will provide notice to the affected local governing authorities at least ten (10) days prior to providing service in their jurisdictions.

**13. Minority Owned Business Participation Plan (Section 305(c)(II) of the Act)**

Exhibit C to this Application is Applicant's Minority Owned Business Participation Plan and Applicant agrees to comply with the provisions of the Plan in accordance with Section 313 of the Act. Applicant's Minority Owned Business Participation Plan is incorporated by reference into this Affidavit.

I swear or affirm that all of the statements and representations made in this application are true and correct.



Jonathan Bullock  
Chief Strategy Officer

STATE OF FLORIDA

COUNTY OF BROWARD

Subscribed and sworn to before me this 20<sup>th</sup> day of November 2024



Notary Public

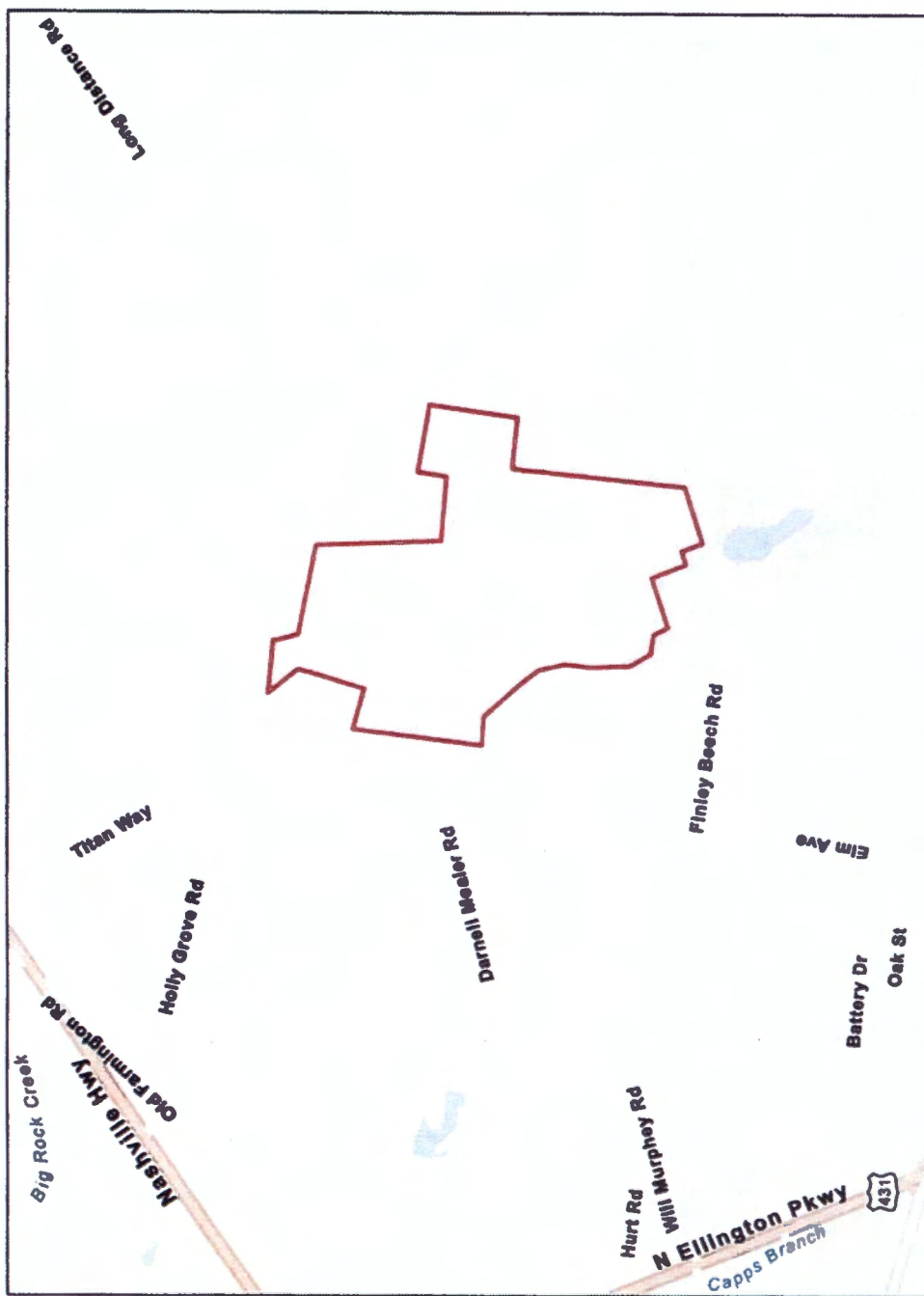
My Commission Expires: 4/12/2027



**EXHIBIT A**

<b>PROPERTY NAME</b>	<b>ADDRESS</b>	<b>CITY</b>	<b>UNITS</b>
Spring Valley Estates	1409 Holly Grove Road Lewisburg, TN 37091	Lewisburg	391
Honey Farms	Honey Farms Way & Highway 31 Columbia, TN 38401	Columbia	174
Farmhouse Downs	635 Lyons Farm Parkway Murfreesboro, TN 37127	Murfreesboro	391
Bowie Meadows	7109 Waynes Lane Fairview, TN 37062	Fairview	173
Society Nashville	915 Division Street Nashville, TN 37203	Nashville	502

# Hotwire - Spring Valley Estates

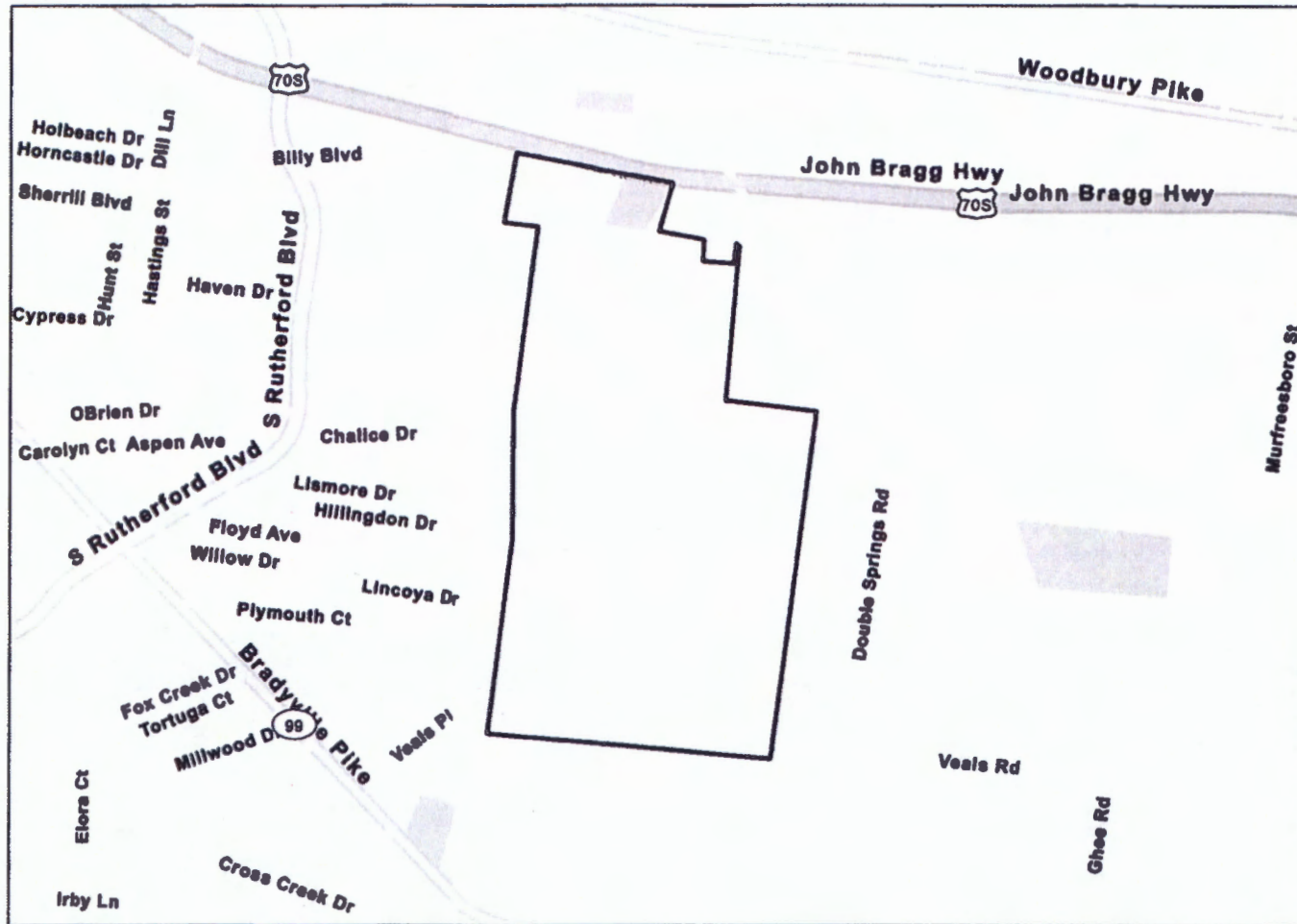




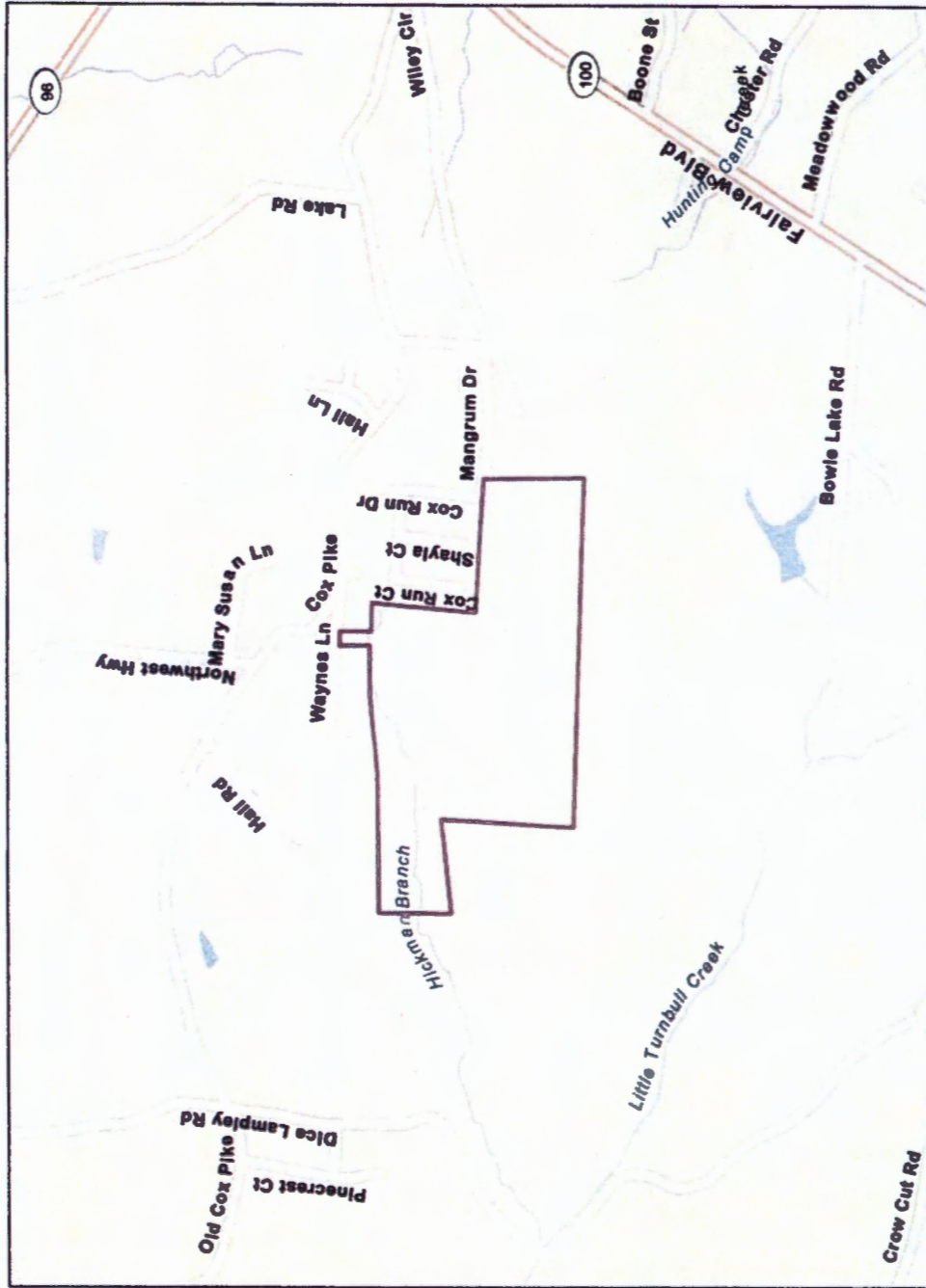
# Hotwire - Honey Farms



# Hotwire - Farm House Downs



Hotwire - Bowie Meadows





# Hotwire - Society Nashville



**EXHIBIT B**

City of Nashville  
Cable Franchise Administrator  
Information Technology Services  
P.O. Box 196300  
Nashville, TN 37219

City of Columbia  
Thad Jablonski  
Assistant City Manager  
700 N. Garden Street  
Columbia, TN 38401

City of Murfreesboro  
Tommy Campbell, Chair  
Cable Television Commission  
111 W. Vine Street  
Murfreesboro, TN 37130

City of Fairview  
Tom Daugherty  
City Manager  
7100 City Center Circle  
P.O. Box 69  
Fairview, TN 37062

City of Lewisburg  
Bam Haislip  
City Manager  
131 East Church Street  
Lewisburg, TN 37091

**EXHIBIT C**

**HWTN LLC**

**SMALL AND MINORITY-OWNED TELECOMMUNICATIONS  
BUSINESS PARTICIPATION PLAN**



**HWTN LLC**

**SMALL AND MINORITY-OWNED TELECOMMUNICATIONS BUSINESS  
BUSINESS PARTICIPATION PLAN**

**TABLE OF CONTENTS**

- 1.0 PURPOSE
- 2.0 DEFINITIONS
- 3.0 PLAN RESPONSIBILITY
- 4.0 PLAN PERIOD
- 5.0 PLAN ADMINISTRATION
- 6.0 PLAN TO ENSURE EQUITABLE OPPORTUNITY
- 7.0 PLAN REPORTING

## **SMALL AND MINORITY -OWNED TELECOMMUNICATIONS BUSINESS PARTICIPATION PLAN**

### **1.0 PLAN**

- 1.1 This Small and Minority-Owned Telecommunications Business Participation Plan ("Plan") is submitted by HWTN LLC dba Hotwire ("Company"), as required by TCA § 65-5-112.
- 1.2 The Administration of this Plan is the responsibility of the Company. It is the policy of the Company to provide an opportunity for Small and Minority-Owned Businesses to compete for subcontracts awarded by the Company on a fair and equitable basis with certified suppliers and contractors.
- 1.3 This Plan is a statement of objectives and is not intended to create any legal obligation on behalf of the Company or any person or organization.

### **2.0 DEFINITIONS**

- 2.1 Minority Business: For the purpose of this Plan, "Minority-Owned Business" means a business which is solely owned, or at least fifty-one percent (51%) of the assets or outstanding stock of which is owned, by an individual who personally manages and controls the daily operations of such business, and who is impeded from non-entry into the economic mainstream as defined in TCA § 65-5-112.

### **3.0 PLAN RESPONSIBILITY AND POLICY STATEMENT**

- 3.1 It is the policy of the Company to afford Minority-Owned Businesses an opportunity to participate in the performance of contracts in accordance with TCA § 65-5-112.
- 3.2 As a purchaser of goods and services, it is the Company's responsibility to:
  - (a) Identify and maintain a pool of qualified suppliers.
  - (b) Provide opportunities for Small and Minority-Owned Businesses to bid in those solicitations for products or services which they are capable of providing, and which meet RUS (Rural Utility Service) standards.

### **4.0 PLAN PERIOD OF EFFECTIVENESS**

- 4.1 The Company is committed to providing affirmative access to contracting opportunities for Small and Minority-Owned Businesses. The Company is proactive and will move toward inclusion of such firms in the supplier base. This plan represents an ongoing commitment by the Company, and has no fixed time period for effectiveness.

### **5.0 PLAN ADMINISTRATION**



5.1 Company's Plan Administrator is:

Jonathan Bullock, Chief Strategy Officer  
2100 West Cypress Creek Road  
Fort Lauderdale, FL 33309  
(215) 980-9748

5.2 The Administrator manages the Plan as described below.

5.3 The Administrator's specific job duties, as they relate to this Plan are as follows:

- (a) Develops and maintains policies and procedures to ensure that Small and Minority-Owned Businesses have an equitable opportunity to be awarded contracts.
- (b) Establishes and maintains policies and procedures to ensure that Small and Minority-Owned Businesses have an equitable opportunity to be awarded contracts.
- (c) Ensures inclusion of Small and Minority-Owned Businesses in those solicitations for products or services which they are capable of providing.
- (d) Maintains Small and Minority-Owned Business related correspondence and record keeping.
- (e) Coordinates activities during the conduct of any compliance review by the Tennessee state agencies.
- (f) Attends or arranges for attendance by appropriate members of management at Small and Minority Business Enterprise Seminars, Trade Fairs, and Conventions.

**6.0 PLAN TO ASSURE EQUITABLE OPPORTUNITY**

6.1 The Administrator shall ensure that appropriate source listings and services are properly utilized in support of the Plan. Sources/listings include, but are not limited to the following:

- (a) The Company-approved Master Supplier list.
- (b) Information received from the Small Business Administration Procurement Automated Source System (PASS).
- (c) Information sources received from the TN Department of Economic Development's Office of Minority Business Enterprise and Small Business Office.
- (d) Information received from the local Chamber of Commerce.



**6.2 Outreach efforts will be made as follows:**

- (a) The Administrator shall cultivate and maintain relationships with Small Business trade associations and business development organizations in an effort to locate and qualify capable Small and Minority-Owned Businesses for participation in contracting opportunities.
- (b) The Administrator shall ensure that the Company assists Small and Minority-Owned Businesses by arranging solicitations, time for the preparation of bids, quantities, specifications, and delivery schedules so as to facilitate the participation by such concerns.
- (c) The Administrator shall ensure that the Company provides adequate and timely consideration of the potentialities of Small and Minority-Owned Businesses in "make or buy" decisions.
- (d) Appropriate members of management will attend seminars and trade fairs in order to develop sources.

**7.0 PLAN REPORTING**

**7.1** The Company will submit such periodic reports and cooperate in those studies or surveys as may be required to determine the extent of compliance with this Plan.

**7.2** The Company will maintain, if required, the following types of records:

- (a) Source lists, guides, and other data that identify Small and Minority-Owned Businesses.
- (b) Lists of organizations contacted in an attempt to locate sources that are Small and Minority-Owned Businesses.
- (c) Records of any outreach efforts to contact trade associations, business development organizations, and conferences and trade fairs attended.
- (d) The Company's Supplier Master List identifies Small and Minority-Owned Businesses. The Supplier List shall be utilized in identifying potential contractors. A Summary Sheet shall be maintained in each supplier's file and shall be reviewed and evaluated by the Plan Administrator.