

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

IN RE:)	
)	
SHOW CAUSE PROCEEDING AGAINST)	
S&B TENNESSEE ENTERPRISES INC. FKA)	
MONSTER BROADBAND INC. FOR)	DOCKET NO. 25-00055
VIOLATION OF TENN. CODE ANN. §§ 65-4-)	
301 ET SEQ. FOR FAILING TO FILE AN)	
ANNUAL REPORT AND NONPAYMENT OF)	
INSPECTION FEES)	

PETITION TO CONVENE A SHOW CAUSE PROCEEDING

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, 65-4-120 and Commission Rule 1220-04-08-.09 and requests that the Administrative Judge delegated authority by the Commission issue an Order requiring S&B Tennessee Enterprises Inc. (“S&B TN” or “Company”), formerly known as Monster Broadband Inc. to appear before the Commission to show cause why the Commission should not cancel the Certificate of Public Convenience and Necessity (“CCN”) for noncompliance with statutory requirements.

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.”¹ 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.² In addition, upon finding that a public utility 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

¹ Tenn. Code Ann. § 65-1-113 (2022).

² Tenn. Code Ann. § 65-2-106 (2022).

....”³ Commission Rule 1220-04-08-.09(3) states that a telecommunications services provider that violates state law or Commission rule may be subject to civil penalties or the revocation of the provider’s CCN.⁴ The Rule establishes a procedure that requires notice to the provider of alleged violations, an opportunity for the provider to respond within 30 days, and the issuance of a Show Cause Order if such response is unsatisfactory.⁵

Tenn. Code Ann. § 65-4-301(a) requires public utilities to pay an annual fee for the inspection, control and supervision of its business, service, and rates on or before April 1, each year. In accordance with Tenn. Code Ann. § 65-4-303, the annual inspection fee is based upon the intrastate revenues for the previous year. Further, the section establishes the minimum inspection fee for telecommunications service companies at \$100.⁶ Tenn. Code Ann. § 65-4-308 provides for a penalty of 10% per month, or fraction thereof, for inspection fees not received by April 1.

RELEVANT FACTS

1. S&B TN is a corporation established in the state of Tennessee. The Company’s principal office and mailing address are located at 927 Galloway Ln., Winchester, TN 37398-9009.⁷

2. S&B TN was issued a Certificate of Public Convenience and Necessity (“CCN”) to provide competing local telecommunications services throughout the state of Tennessee in this Docket.⁸

³ Tenn. Code Ann. § 65-4-120 (2022).

⁴ Tenn. Comp. R. & Regs. 1220-04-08-.09(3).

⁵ *Id.*

⁶ Tenn. Code Ann. § 65-4-303(c)(2)(d) (2022).

⁷ S&B TN was originally incorporated as Monster Broadband Inc. The Company filed Articles of Amendment in February 2023 changing the name of the Company to S&B Tennessee Enterprises Inc. The Commission has no docket wherein the Company provided notice of its name change to the Commission. *See* Secretary of State Business Details, attached as Exhibit 1.

⁸ *Initial Order Granting CCN* (February 2, 2018).

3. PB Tennessee Asset Entity, LLC (“PB Tennessee”) is the holder of a CCN to provide competing local telecommunications services throughout the state of Tennessee in Docket No. 19-00054.⁹

4. John LaBar, Esq., counsel for S&B TN, represented to Party Staff that PB Tennessee, then doing business as Point Broadband Fiber, acquired the telecommunications assets and customers of S&B TN.¹⁰ S&B TN believed that the transaction included the transfer of the Company’s CCN to PB Tennessee. In addition, S&B TN does not provide, and does not intend to provide telecommunications services within the state of Tennessee.

5. Conversely, Counsel for PB Tennessee represented to Party Staff that it already has a CCN and did not acquire, and did not intend to acquire, S&B TN’s CCN.

6. Party Staff previously requested S&B TN to file a request to relinquish its CCN. However, S&B TN has not filed a request to relinquish its CCN.

7. S&B TN last paid its annual inspection fee in July 2023. The Company failed to submit the annual inspection fee required from public utilities operating within the state that was due on April 1, 2024 and April 1, 2025.

8. Commission Staff sent a reminder letters concerning payment of the annual inspection fee to S&B TN on May 9, 2024, June 11, 2024, July 17, 2024, and April 10, 2025. The July 17, 2024 letter was sent certified, return receipt requested. The return receipt was signed by “T Moore” on July 22, 2024. A copy of the Commission Staff letters and the return receipt are attached as Exhibit 3.

⁹ *In re: Application of Point Broadband Fiber Holding, LLC for a Certificate to Provide Competing Local and Intrastate Telecommunications Services in the State of Tennessee*, Docket No. 19-00054, *Amended Initial Order Granting Certificate of Public Convenience and Necessity* (October 11, 2019). *See also In re: Application of Point Broadband Fiber Holding, LLC for a Certificate to Provide Competing Local and Intrastate Telecommunications Services in the State of Tennessee*, Docket No. 19-00054, *Notice of Proposed Pro Forma Assignment of Assets, Including Point Broadband Fiber Holding, LLC’s Certificate of Convenience and Necessity to PB Tennessee Asset Entity, LLC* (June 27, 2025).

¹⁰ *See* Point Broadband website announcement on acquisition of Monster Broadband, attached as Exhibit 2.

9. As of the date of this filing, S&B TN has neither responded to the Commission Staff's letters nor submitted the delinquent annual inspection fees.

ALLEGED VIOLATIONS OF STATE LAW

10. The facts alleged in paragraphs 1 through 9 constitute a violation of Tenn. Code Ann. § 65-4-301, which states, in relevant part:

Every public utility doing business in this state and subject to the control and jurisdiction of the commission to which this chapter applies, shall pay to the state on or before April 1 of each year, a fee for the inspection, control and supervision of the business, service and rates of such public utility.

11. The Commission has provided formal notice of alleged violation of Tenn. Code Ann. § 65-4-301 to the Company in accordance with Commission Rule 1220-04-08-.09 by the letters sent on May 9, 2024, June 11, 2024, July 17, 2024, and April 10, 2025. More than 30 days have passed since these letters were sent to S&B TN with no response.

PRAYER FOR RELIEF

Wherefore, Petitioner respectfully requests the Commission open a docket to consider this *Petition to Convene a Show Cause Proceeding* and issue an Order requiring S&B TN to appear before the Commission to show cause why it should not be found in violation of state law and why the Commission should not cancel the CCN issued to S&B TN.

Respectfully submitted,



Aaron J. Conklin, #018597
Counsel for Party Staff
502 Deaderick Street, 4th Floor
Nashville, TN 37243
(615) 770-6896
Aaron.conklin@tn.gov

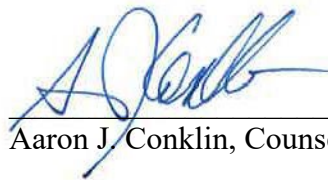
CERTIFICATE OF SERVICE

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

S&B Tennessee Enterprises, Inc.
f/k/a Monster Broadband, Inc.
c/o Charles S. Johnston, Registered Agent
927 Galloway Ln.
Winchester, TN 37398-9009

John R. LaBar, Esq.
LaBAR LAW PLLC
309 N Jackson St., Ste. 2A
Tullahoma, TN 37388
john@labarlaw.com

This the 30th day of July, 2025.



Aaron J. Conklin, Counsel for Party Staff

EXHIBIT 1

S&B TENNESSEE ENTERPRISES INC.

Entity Type: For-profit Corporation
Formed in: TENNESSEE
Term of Duration: Perpetual
Shares of Stock: 1,000

Status: Active
Control Number: 000601589
Initial Filing Date: 4/30/2009 8:23:00 AM
Fiscal Ending Month: December
AR Due Date: 04/01/2026

Registered Agent	Principal Office Address	Mailing Address
CHARLES S JOHNSTON 927 GALLOWAY LN WINCHESTER, TN 37398	927 GALLOWAY LN WINCHESTER, TN 37398-9009	927 GALLOWAY LN WINCHESTER, TN 37398-9009

AR Standing: Good	RA Standing: Good	Other Standing: Good	Revenue Standing: N/A
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History (25)			
Type	Date	Tracking Number	Change History
2024 Annual Report for S&B TENNESSEE ENTERPRISES INC	6/24/2025 12:37:31 PM	B2025462718	<ul style="list-style-type: none">Annual Report Due Date changed from: 4/1/2025 to: 4/1/2026Annual Report Status changed from: Delinquent to: Good
Notice of Determination for S&B TENNESSEE ENTERPRISES INC	6/10/2025 6:46:35 AM	B2025380897	<ul style="list-style-type: none">Delinquent Annual Report
System Amendment for S&B TENNESSEE ENTERPRISES INC	4/10/2024 1:44:42 AM		
2023 Annual Report for S&B TENNESSEE ENTERPRISES INC	4/4/2024 3:52:00 PM	B1530-7897	
2022 Annual Report for S&B TENNESSEE ENTERPRISES INC	4/5/2023 2:38:00 PM	B1368-6225	
System Amendment for S&B TENNESSEE ENTERPRISES INC	4/5/2023 1:43:16 AM		
Articles of Amendment for S&B TENNESSEE ENTERPRISES INC	2/23/2023 4:01:00 PM	B1337-7893	<ul style="list-style-type: none">Business Name changed from: MONSTER BROADBAND, INC. to: S& TENNESSEE ENTERPRISES INC.Principal Address 1 changed from: 1105 DINAH SHORE BLVD to: 927 GALLOWAY LNPrincipal Postal Code changed from: 37398-1105 to: 37398-9009

2021 Annual Report for S&B TENNESSEE ENTERPRISES INC	3/31/2022 3:04:00 PM	B1183-8255	
2020 Annual Report for S&B TENNESSEE ENTERPRISES INC	3/31/2021 1:15:00 PM	B1010-2799	
2019 Annual Report for S&B TENNESSEE ENTERPRISES INC	3/9/2020 9:37:33 AM	B0831-4022	
2018 Annual Report for S&B TENNESSEE ENTERPRISES INC	1/18/2019 1:50:18 PM	B0642-2804	
2017 Annual Report for S&B TENNESSEE ENTERPRISES INC	2/7/2018 12:54:31 PM	B0492-5353	
2016 Annual Report for S&B TENNESSEE ENTERPRISES INC	2/2/2017 1:25:34 PM	B0343-1330	
2015 Annual Report for S&B TENNESSEE ENTERPRISES INC	3/4/2016 2:04:46 PM	B0207-8520	
2014 Annual Report for S&B TENNESSEE ENTERPRISES INC	1/12/2015 8:28:21 AM	B0035-8853	
2013 Annual Report for S&B TENNESSEE ENTERPRISES INC	1/23/2014 1:51:13 PM	A0209-2972	
2012 Annual Report for S&B TENNESSEE ENTERPRISES INC	2/1/2013 1:36:25 PM	A0152-2811	
Application for Reinstatement for S&B TENNESSEE ENTERPRISES INC.	8/15/2012 2:35:00 PM	7085-2153	<ul style="list-style-type: none"> ○ Filing Status changed from: Inactive - Dissolved (Administrative) to: Active ○ Inactive Date changed from: 08/09/2012 to: No Value
2011 Annual Report for S&B TENNESSEE ENTERPRISES INC	8/15/2012 2:34:00 PM	7085-2151	<ul style="list-style-type: none"> ○ Principal Postal Code changed from: 37398 to: 37398-1105 ○ Principal County changed from: No value to: FRANKLIN COUNTY
Dissolution/Revocation - Administrative for S&B TENNESSEE ENTERPRISES INC	8/9/2012 3:00:36 AM	A0139-1921	<ul style="list-style-type: none"> ○ Filing Status changed from: Active to: Inactive - Dissolved (Administrative) ○ Inactive Date changed from: No Value to: 08/09/2012
Notice of Determination for S&B TENNESSEE ENTERPRISES INC	6/2/2012 3:00:37 AM	A0127-0623	
System Amendment for S&B TENNESSEE ENTERPRISES INC	4/17/2012 3:01:01 AM		
2010 Annual Report for S&B TENNESSEE ENTERPRISES INC	1/28/2011 9:38:00 AM	6822-2539	<ul style="list-style-type: none"> ○ Principal Address 1 changed from: 927 GALLOWAY LANE to: 1105 Dinah Shore Blvd

2009 Annual Report for S&B TENNESSEE ENTERPRISES INC	2/5/2010 7:50:19 PM	A0004-2867	
Initial Filing for S&B TENNESSEE ENTERPRISES INC.	4/30/2009 12:03:32 AM	6530-0960	

EXHIBIT 2



EXCITING NEWS!

Monster Broadband is now Point Broadband!

We officially welcome Monster Broadband to the Point Broadband family! Monster Broadband built a strong foundation for Internet services in middle Tennessee and Northeast Texas. Joining with Point Broadband gives Monster additional resources needed to better serve existing customers and expand its fiber network further into underserved areas in the region. Headquartered in Alabama, Point Broadband has a history of providing innovative communication solutions to its customers. We are focused on delivering superior, fiber-based Internet with best-in-class customer service, in addition to being actively engaged in the communities we serve.

[Check Availability and Pricing](#)



Point Broadband Bot



Hey there! How can we help?

A Message From Monster Co-Founders



Payment Made Easy

Taking care of your bill is a hassle-free experience.

[Pay Bill](#)

Let's Find Deals and Services Available in Your Area.

With Point Broadband, speed and consistency become your internet connection's defining traits. Our fiber-based home and business network solutions will help you Live Life on Point. We serve communities in various parts of the United States, so [check our availability](#) to find a reliable ISP near you. Need more information? [Contact us online](#) today!

**Live
life on
point.**

[Check Availability](#)

[Locations](#) [New Areas](#) [Careers](#) [Legal & Regulatory](#)

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EXHIBIT 3

TENNESSEE PUBLIC UTILITY COMMISSION



502 Deaderick Street, 4th Floor
Nashville, TN 37243-0001

****URGENT****

May 9, 2024

Company ID: 129193
Monster Broadband, Inc.
1105 Dinah Shore Blvd.
Winchester, TN 37398-0000

ATTENTION: Regulatory Manager

The **2023 Statement of Gross Earnings and Computation of Inspection Fee (UD16) form with the applicable fee due April 1, 2024** has not been received by the Tennessee Public Utility Commission. In addition to the annual fee, a **penalty of 10% per month***, or fraction thereof, pursuant to TCA §65-4-308, will be assessed from **April 1, 2024** through the date payment is received.

Please note: **For example, if the payment is postmarked by May 31, 2024, the total penalty is 20% of the fee that is due. If postmarked June 30, 2024, the total penalty is 30% of the fee that was due on April 1, 2024 and so on.** It is imperative we receive your completed form, payment and late/penalty fee* immediately.

Should you have further questions, please contact Dori Simpson via email at dori.simpson@tn.gov.

Sincerely,

A handwritten signature in black ink that reads "Samantha Lamon".

Samantha Lamon
Chief Financial Officer

A handwritten signature in blue ink that reads "Dori Simpson".

Dori Simpson
Fiscal Office

TENNESSEE PUBLIC UTILITY COMMISSION



502 Deaderick Street, 4th Floor
Nashville, TN 37243-0001

*** SECOND NOTICE **

June 11, 2024

Company ID: 129193
Monster Broadband, Inc.
1105 Dinah Shore Blvd.
Winchester, TN 37398-0000

ATTENTION: Regulatory Manager

An initial delinquent notice was mailed to the address on file with our agency May 9, 2024. To avoid further legal action regarding your delinquency, please submit the completed form, fees and penalties immediately.

The **2023 Statement of Gross Earnings and Computation of Inspection Fee (UD16) form with the applicable fee due April 1, 2024** has not been received by the Tennessee Public Utility Commission. In addition to the annual fee, a **penalty of 10% per month***, or fraction thereof, pursuant to TCA §65-4-308, will be assessed from **April 1, 2024** through the date payment is received.

Please note: **For example, if the payment is postmarked by June 30, 2024, the total penalty is 30% of the fee that is due. If postmarked by July 30, 2024, the total penalty is 40% of the fee that was due on April 1, 2024 and so on.** As of this date it is three months delinquent. If you feel you have paid this fee, please reach out to us for clarification.

Should you have further questions, please contact Dori Simpson via email at dori.simpson@tn.gov .

Sincerely,

A handwritten signature in black ink that reads "Samantha Lamon".

Samantha Lamon
Chief Financial Officer

A handwritten signature in blue ink that reads "Dori Simpson".

Dori Simpson
Fiscal Office

TENNESSEE PUBLIC UTILITY COMMISSION



502 Deaderick Street, 4th Floor
Nashville, TN 37243-0001

July 17, 2024

**SENT VIA CERTIFIED MAIL NUMBER: 7006 2150 0005 8041 3840
AND BY UNITED STATES FIRST CLASS POSTAGE MAIL
RETURN RECEIPT REQUESTED**

Company ID: 129193
Monster Broadband, Inc.
1105 Dinah Shore Blvd.
Winchester, TN 37398-0000

ATTENTION: Regulatory Manager

The **2023 Statement of Gross Earnings and Computation of Inspection Fee (UD16) form with the applicable fee due April 1, 2024** has not been received by the Tennessee Public Utility Commission. In addition to the annual fee, a **penalty of 10% per month***, or fraction thereof, pursuant to TCA §65-4-308, will be assessed from **April 1, 2024** through the date payment is received. It is imperative we receive your payment immediately. Please include the completed UD inspection fee form, applicable fee, and penalty/late fee* (includes April through the month the payment is postmarked).

Failure to pay this fee by August 30, 2024 will result in cancellation of your authority to operate in Tennessee and will be set to the Tennessee Public Utility Commission's Conference agenda for cancellation due to nonpayment of inspections fees as listed in the TCA above.

If this company is no longer providing telecommunication services in Tennessee and desires to have its authority cancelled, please forward a written request to that effect to my attention.

Should you have further questions, you can be contact Dori Simpson at 615-770-6867 or via email dori.simpson@tn.gov.

Sincerely,

A handwritten signature in black ink that reads "Samantha Lamon".

Samantha Lamon
Chief Financial Officer

A handwritten signature in blue ink that reads "Dori Simpson".

Dori Simpson
Fiscal Office

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Monster Broadband, Inc.
105 Dinah Shore Blvd.
Winchester, TN 37398-0000



2. Article Number

(Transfer from service label)

7006 2150 0005 8041 3840

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

x Moore

- ☐ Agent
☐ Addressee

B. Received by (Printed Name)

T Moore

C. Date of Delivery

7-22-24

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

- ☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

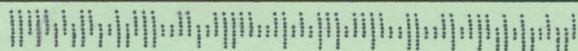
UNITED STATES POSTAL SERVICE
CHATTANOOGA TN 373

22 JUL 2024 PM 1 L

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

Tennessee Public Utility Commission
Fiscal Office, 4th Floor
502 Deaderick Street
Nashville, TN 37243



TENNESSEE PUBLIC UTILITY COMMISSION



502 Deaderick Street, 4th Floor
Nashville, TN 37243-0001

*** URGENT ***

April 10, 2025

Company ID: 129193
Monster Broadband, Inc.
1105 Dinah Shore Blvd.
Winchester, TN 37398-0000

ATTENTION: Regulatory Manager

The **2024 Statement of Gross Earnings and Computation of Inspection Fee (UD16) form with the applicable fee due April 1, 2025** has not been received by the Tennessee Public Utility Commission. In addition to the annual fee, a **penalty of 10% per month***, or fraction thereof, pursuant to TCA §65-4-308, will be assessed from **April 1, 2025**, through the date payment is received.

Please note: **For example, if the payment is postmarked by April 30, 2025, the total penalty is 10% of the fee that is due. If postmarked May 31, 2025, the total penalty is 20% of the fee that was due on April 1, 2025 and so on.** It is imperative we receive your completed form, payment and late/penalty fee* immediately.

If you have mailed in your form and fee, please disregard this notice.

Should you have further questions, please contact us at TPUC.fiscaloffice@tn.gov .

Sincerely,

A handwritten signature in cursive script that reads "Samantha Lay".

Samantha Lay
Chief Financial Officer