

**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)

PRE-FILED DIRECT TESTIMONY OF JERRY KETTLES

1 **Q. PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.**

2 **A.** My name is Jerry Kettles. My business address is 502 Deaderick Street, 4th Floor,
3 Nashville, Tennessee.

4 **Q. BY WHOM ARE YOU EMPLOYED AND IN WHAT CAPACITY?**

5 **A.** I am employed by the Tennessee Public Utility Commission. I am the Director of Economic
6 Analysis.

7 **Q. DO YOUR RESPONSIBILITIES AT THE TENNESSEE PUBLIC UTILITY**
8 **COMMISSION INCLUDE DUTIES RELATED TO MERGERS AND/OR ACQUISITIONS**
9 **OF TELECOMMUNICATIONS SERVICE PROVIDERS?**

10 **A.** Yes. I review notices that the Commission receives concerning telecommunications service
11 provider acquisitions and mergers for compliance with the legal requirements established in
12 Tennessee law for such transactions.

13 **Q. IN THE COURSE OF YOUR DUTIES RELATED TO MERGERS AND/OR**
14 **ACQUISITIONS OF TELECOMMUNICATIONS SERVICE PROVIDERS, HAVE YOU**
15 **BECOME AWARE OF A TRANSACTION INVOLVING S&B TENNESSEE**

**ENTERPRISES INC. (formerly known as Monster Broadband, Inc.) AND POINT
BROADBAND FIBER HOLDING, LLC?**

A. Yes. Though no filing was made with the Commission to make it aware of the transaction, I became aware of a transaction wherein Point Broadband Fiber Holding, LLC (“Point Broadband”) acquired the assets of S&B Tennessee Enterprises Inc. (“S&B TN”) through my participation in conversations with counsel for the parties. As part of that transaction, Point Fiber also acquired the use of the name, “Monster Broadband,” which prompted S&B TN to amend its Articles of Organization to change the Company’s name to its current name. A copy of the business details from the Secretary of State’s website referencing the amendment to the Articles of Organization is attached to my testimony as Exhibit 1.

**Q. DID THE TRANSACTION INCLUDE THE TRANSFER OF THE CCN ISSUED BY
THE COMMISSION TO S&B TN?**

A. There is no agreement among the Parties on this issue. S&B TN represents that it did indeed transfer its CCN to Point Broadband, while Point Broadband indicates that the transaction did not include the CCN, as Point Broadband already has a CCN to provide telecommunications services.

**Q. HAS S&B TN MADE ANY REPRESENTATIONS ABOUT ITS INTENTIONS TO
PROVIDE TELECOMMUNICATIONS SERVICES IN TENNESSEE?**

A. Yes. S&B TN has stated that it does not provide telecommunications services in Tennessee and does not intend to do so.

**Q: DOES S&B TN USE THE MONSTER BROADBAND NAME IN ANY OF ITS
BUSINESS CURRENTLY?**

A. To the best of my knowledge, S&B TN does not use the name Monster Broadband. In an article on Point Broadband’s website, the Co-Founders of S&B TN are depicted stating that

39 Monster Broadband has joined Point Broadband. A copy of the webpage is attached to my
40 testimony as Exhibit 2.

41 **Q. BASED UPON THE PARTICULAR CIRCUMSTANCES RELATED TO THIS**
42 **TRANSACTION, DO YOU HAVE AN OPINION ON HOW THE COMMISSION SHOULD**
43 **PROCEED WITH REGARD TO THE CCN ISSUED TO S&B TN?**

44 **A.** Yes. Because the Parties cannot agree on whether the CCN was transferred or not and S&B
45 TN has represented that does not need the CCN since it does not intend to provide
46 telecommunications services within the state of Tennessee, the Commission should cancel the
47 CCN issued to S&B TN.

48 **Q. DOES THIS CONCLUDE YOUR TESTIMONY?**

49 **A.** Yes

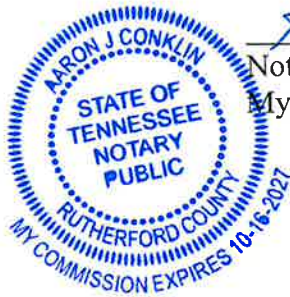
STATE OF TENNESSEE)
COUNTY OF DAVIDSION)

BEFORE ME, the undersigned authority, duly commissioned and qualified in and for the State and County aforesaid, personally came and appeared Jerry Kettles, being by me first duly sworn and deposed and said that:

He is appearing as a witness on behalf of the Tennessee Public Utility Commission before the Tennessee Public Utility Commission, and if present before the Commission and duly sworn, his testimony would be as set forth in his pre-filed testimony in this matter.

Jerry Kettles
Jerry Kettles

Sworn to and subscribed before me this 22 day of July, 2025.



Aaron J. Conklin
Notary Public
My Commission Expires: 10/16/2027