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STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

ENDEAVOR COMMUNICATIONS, LLC APPLICATION FOR A CERTIFICATE OF FRANCHISE AUTHORITY TO PROVIDE VIDEO SERVICE IN THE STATE OF INDIANA	)))))	CAUSE NO. 43692-VSP 01 APPROVED: JUN 17 2009

BY THE COMMISSION:
David E. Veleta, Administrative Law Judge

On May 20, 2009, Endeavor Communications, LLC ("Applicant"), filed with the Indiana Utility Regulatory Commission ("Commission") an Application for a Certificate of Franchise Authority ("Application") to provide video service within the State of Indiana pursuant to Ind. Code § 8-1-34 *et seq.*

In addition, on June 8, 2009, Applicant supplemented its Application with additional information regarding the proposed designated service areas.

Based upon information contained in the Application and applicable law, the Commission makes the following findings:

1. **Commission Notice and Jurisdiction**. Notice of the Application was provided on the Commission's website in accordance with General Administrative Order 2006-5. The Applicant requests the issuance of a Certificate of Franchise Authority ("CFA") pursuant to Ind. Code § 8-1-34-17 and, therefore, the Commission has jurisdiction over the Applicant and the subject of this Cause.

2. **Commission Discussion and Findings**. The Applicant filed an application for a CFA on the application form prescribed by the Commission and provided information describing the video service that it is proposing to provide in designated service areas within the State of Indiana, attached hereto as Applicant's Exhibit 2.

Based upon the information provided by the Applicant in its Application, the Commission finds the Application to be complete and properly verified. Therefore, in accordance with Ind. Code § 8-1-34-17(a), the Commission finds that a CFA for video services within the designated service areas as identified in the Application should be issued to the Applicant. In addition, the Commission finds that the Applicant should be authorized to use and occupy public rights-of-way in the delivery of the requested video services, subject to state and local laws and regulations governing the use and occupancy of public rights-of-way and the police powers to enforce such laws and regulations. The granting of this CFA is subject to the Applicant's lawful provision and operation of video service.

Further, as a condition of receiving this CFA, the Commission finds the Applicant shall comply with all applicable legal requirements pertaining to the construction and operation of video services authorized by this CFA, including without limitation, the following:

a. Notice to the Commission of any changes involving the Applicant or this CFA pursuant to Ind. Code § 8-1-34-20(a);

b. Ten (10) days advance notice to any unit or unincorporated area included in the designated service area covered by this CFA in which the Applicant does not already provide video service, stating that the Applicant intends to provide video service in the unit's or unincorporated area's jurisdiction as required by Ind. Code § 8-1-34-20(b);

c. Advance notice to customers in the event of a change in rates and charges for video service in accordance with Ind. Code § 8-1-34-20(c)(1);

d. Advance notice to customers in the event the Applicant will cease to offer video service or any specific video programming that it currently offers in any of the Applicant's designated service areas in Indiana pursuant to Ind. Code § 8-1-34-20(c)(2);

e. Annual filing, by March 1 of each year, of a report indicating changes (e.g., deletions and additions) in video programming or other programming service during the previous calendar year and the service area(s) affected by such changes pursuant to Ind. Code § 8-1-34-20(a)(6);

f. Quarterly filing with the Commission of updated maps indicating, at the census block and census tract levels, the portion of authorized designated service areas in which the Applicant is actually offering video service or a statement indicating that no changes occurred during the quarter pursuant to Ind. Code § 8-1-34-20(a)(7);

g. Assure that access to video service is not denied to any group of potential residential video subscribers because of the income of the residents of the local area in which such group resides in accordance with Ind. Code § 8-1-34-28(b) and 47 USC § 541(a)(3);

h. Payment and performance of any rights, duties, and obligations owed to any private person as required by Ind. Code § 8-1-34-22(c);

i. Payment of all fees owed to units and unincorporated areas included within Applicant's service area as required by Ind. Code § 8-1-34-24; and

j. Compliance with any requirements that may be imposed by the Commission upon petition of a unit or an unincorporated area included in the Applicant's service area, or upon the Commission's own motion, regarding channels for public, educational and governmental programming ("PEG Channels") as set forth in Ind. Code §§ 8-1-34-25 through 8-1-34-27.

IT IS THEREFORE ORDERED BY THE INDIANA UTILITY REGULATORY COMMISSION that:

1. Subject to the Findings set forth in this Order, the Applicant, Endeavor Communications, LLC, is hereby granted a Certificate of Franchise Authority to provide the requested video services in the Applicant's designated service areas within the State of Indiana.

2. Pursuant to Ind. Code § 8-1-34-17(a)(2), Applicant is granted authority to use and occupy public rights-of-way, subject to state and local laws and regulations and the police powers of local units to enforce such local laws governing the use and occupancy of public rights-of-way.

3. The authority granted in Order paragraphs 1 and 2 above is subject to the Applicant's lawful provision and operation of the video service.

4. This Order shall be effective on and after the date of its approval.

HARDY, GOLC, AND ZIEGNER CONCUR; LANDIS ABSENT:

APPROVED: JUN 17 2009

I hereby certify that the above is a true and correct copy of the Order as approved.

Brenda A. Howe

Brenda A. Howe
Secretary to the Commission

43692

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EXHIBIT 2

REQUESTED DSAs BY COUNTY, COMMUNITY, AND ZIP CODE

DSA	County	Townships	Communities	ZIP Codes
1	Hendricks	Brown	Amo	46103
		Center	Avon	46123
		Clay	Brownsburg	46112
		Eel River	Clayton	46118
		Franklin	Coatesville	46121
		Guilford	Danville	46122
		Liberty	Jamestown	46147
		Lincoln	Lizton	46149
		Marion	North Sale	46165
		Middle	Pittsboro	46167
		Union	Plainfield	46168
		Washington	Stilesville	46180
2	Morgan	Adams	Brooklyn	46111
		Ashland	Eminence	46125
		Baker	Martinsville	46151
		Brown	Mooresville	46158
		Clay	Monrovia	46157
		Green	Morgantown	46160
		Gregg		
		Harrison		
		Jackson		
		Jefferson		
		Madison		
		Monroe		
		Ray		
		Washington		
3	Putnam	Clinton	Bainbridge	46105
		Cloverdale	Cloverdale	46120
		Floyd	Greencastle	46135
		Franklin	Putnamville	46170
		Greencastle	Reelsville	46171
		Jackson	Roachdale	46172
		Jefferson	Russellville	46175
		Madison		
		Marion		
		Monroe		
		Russell		
		Warren		
		Washington		