INSTRUCTIONS FOR THE APPLICATION FOR A CERTIFICATE OF FRANCHISE AUTHORITY AND FOR A NOTICE OF CHANGE

Pursuant to Indiana Code § 8-1-34-16, any person or entity seeking to provide video service in one or more Designated Service Areas (DSA) in Indiana after June 30, 2006, shall file an Application for a Certificate of Franchise Authority (Certificate) with the Indiana Utility Regulatory Commission (Commission). If, at a subsequent date, the applicant wishes to add additional DSA(s) the applicant must file an additional Application. As a condition of receiving a Certificate, the holder is also required to notify the Commission of changes involving the holder or the Certificate itself. To accomplish this notice, the holder shall file a Notice of Change to a Certificate of Franchise Authority with the Commission.

Pursuant to Indiana Code § 8-1-34-21, if a person or entity is providing video service under one or more existing local franchise agreements on June 30, 2006, that person or entity may elect to (A) continue one or more of its local franchise agreement(s) until the agreement(s) expire(s) and/or (B) terminate the local franchise agreement(s) within that DSA pursuant to Indiana Code § 8-1-34-21(c). If a video service provider chooses option (B), it must provide written notice of its election to terminate the applicable local franchise agreement(s) to the Commission and to the affected unit(s) by November 1, 2006. The written notice shall include the following: (1) the name(s) of the affected unit(s), (2) the expiration date(s) of the local franchise agreement(s) to be terminated, and (3) the date that the provider will file an application with the Commission, which, upon approval, will terminate the local franchise agreement(s).

An Application consists of: a completed Cover Page, complete responses to the questions on the application form, a completed and signed Affidavit and the application fee of $832.00. Applicant shall file an original and five (5) paper copies of its notarized application as well as an electronic copy of the filed document in PDF format. The Commission will assign a Cause Number to the application, which will include the designation of "VSP" ("video service provider") and an extension. That Cause Number will become the Certificate Number upon approval. Applications to add additional DSAs should reference the original Certificate Number and the chronological extension. The extension shall be a number that reflects the number of Applications filed by the applicant to date.

A Notice of Change (Notice) consists of complete responses to the questions on the form regarding the applicable change(s), as well as a copy of the Certificate of Authority from the Indiana Secretary of State in the case of a change in legal or assumed name. Applicant shall file an original and two (2) paper copies of its notarized Notice as well as an electronic copy of the filed document in PDF format. The Certificate Number on the Notice shall reflect the Certificate Number with the appropriate extension(s). The Commission will add a letter in alphabetical order representing the number of Notices filed with the Commission under that Certificate Number and extension. The Notice must be filed with the Commission at least ten (10) days prior to the effective date of the change. In the case of a DSA change that requires notice to the unit, the Notice must be filed with the Commission simultaneously with notice to the unit (i.e., ten [10] days prior to providing service in the unit). The notice of change required by statute regarding changes in video programming or other programming service shall be accomplished by the filing of an annual report due to the Commission on March 1st of each year, reflecting changes made during the previous year.

If the applicant believes that any of the required information may appropriately be treated confidentially pursuant to I.C. 5-14-3, the applicant should submit a petition along with its Application for such a finding by the Commission in accordance with 170 IAC 1-1.1-4. It should be noted that the Application will not be considered to be complete until the Commission receives the required information. The applicant's petition for a finding of confidentiality must be accompanied by the sworn statement of the applicant that describes the following: (1) the nature of the confidential information; (2) the reasons why the information should be treated as confidential information pursuant to I.C. 8-1-2-29 and I.C. 5-14-3; and (3) the efforts the applicant has made to maintain the confidentiality of the information.

The forms shall meet the following requirements:

- Applicant's name and Certificate Number (formatted as described above) should appear on the cover page and in the top right-hand corner of each page of subsequent Applications and Notice of Change forms.
- Responses to all questions must be provided and must be amended appropriately when changes occur.

_____
Applicant Name

_____
Certificate No.

The Application or Notice of Change should be submitted to:

Indiana Utility Regulatory Commission
Indiana Government Center South
302 West Washington Street, Suite E-306
Indianapolis, Indiana 46204

Notice of the receipt of an Application or Notice of Change will be posted to the Commission website at www.in.gov/iurc.

Questions should be directed to the Communications Division at (317) 232-5559.