



COMMONWEALTH OF MASSACHUSETTS  
OFFICE OF CONSUMER AFFAIRS AND BUSINESS REGULATION

**DEPARTMENT OF  
TELECOMMUNICATIONS & CABLE  
Competition Division**

FORM 100  
LICENSE APPLICATION

Applicant: \_\_\_\_\_

Authorized Officer (Signature): \_\_\_\_\_

Municipality: \_\_\_\_\_

Date Submitted to Municipality: \_\_\_\_\_

Type of Application:    \_\_\_\_\_ Initial License    \_\_\_\_\_ Renewal License

Nature of Application:    \_\_\_\_\_ Formal Proposal pursuant to 47 U.S.C. § 546(a)

                                  \_\_\_\_\_ Informal Proposal pursuant to 47 U.S.C. § 546(h)

Proposed License and/or Supporting Materials Attached:    \_\_\_ Yes    \_\_\_ No

## INSTRUCTIONS

### A. Introduction

Under Massachusetts law, an applicant seeking to provide cable services in a community must file a License Application with the Issuing Authority prior to issuance of an initial or renewal license. G.L. c. 166A, §§ 4, 13. The purpose of the License Application is to serve as the cable operator's proposal, providing the Issuing Authority with relevant information on which it may base its decision to issue an initial license or to renew or deny a renewal license.

An Issuing Authority may request additional relevant information from an applicant seeking an initial or renewal license in its municipality.

### B. Submission of License Application

The applicant must file two copies of the License Application with the Issuing Authority and one copy of the License Application with the Cable Television Division of the Massachusetts Department of Telecommunications and Energy.

When filing the License Application with the Issuing Authority, the applicant must include an application fee in the amount of \$100 made payable to the city or town. G.L. c. 166A, § 9.

#### 1. Initial License Application

Where a municipality seeks applicants for an initial license, the Issuing Authority must set a deadline for filing of the License Application. 207 C.M.R. § 3.03(1). Following a determination by the Issuing Authority of the specifications required for the cable system, the Issuing Authority must then set a deadline for amendments to the License Application. 207 C.M.R. § 3.03(3). Once the amendment deadline has passed, an applicant may not materially modify the License Application. Id. In addition, if an Issuing Authority subsequently grants a final license, the terms may not be changed from the License Application except under certain circumstances. See 207 C.M.R. § 3.04(2).

#### 2. Renewal License Application

Under the formal renewal process, the License Application (and any accompanying documentation) serves as the renewal proposal and is submitted by the current cable operator upon completion of ascertainment either on its own initiative or on request by the Issuing Authority. 47 U.S.C. § 546(b)(1).

When proceeding under informal negotiations, the License Application must be submitted prior to issuance of the License. G.L. c. 166A, §§ 4, 13.

C. Completion of License Application

Applicants must complete all applicable portions of the form. If any question is not applicable to an applicant's particular circumstances, the applicant shall so state and provide a brief explanation of its non-applicability.

D. Completion of Supplement to License Application

If an applicant does not have an annual report or audited financial statement for its most recently completed fiscal year, the applicant must complete the Supplement to the License Application.

E. Proposed License

An applicant may attach a proposed license and other supporting materials to this form. Any such proposed license or materials are to be considered a part of the License Application.

## IDENTIFICATION OF APPLICANT

1. Name, corporate address, and corporate telephone number of applicant.
2. Name, title, business address, business telephone number, and email address of applicant's Authorized Officer. Attach as Exhibit \_\_\_ evidence of Authorized Officer's authority.
3. Name, title, business address, business telephone number, and email address of individual to whom communications should be sent if different from Authorized Officer.

## GENERAL LICENSE INFORMATION

4. Indicate number of years for which initial or renewal license is requested.
5. Indicate proposed start date of initial or renewal license.
6. For initial license: State whether applicant currently holds licenses or has pending applications in any other Massachusetts municipality. If yes, provide detailed information as to the municipality and license status.
7. State whether applicant has been a party to any fully adjudicated license-related legal action (e.g., breach of license, denial of license) in any jurisdiction. If yes, provide detailed information on each such legal action, including the disposition.
8. State the amount of insurance applicant proposes to carry for the cable system in accordance with G.L. c. 166A, ' 5(c). State whether applicant proposes to carry insurance in addition to that required by the statute, and if so, the purpose and amount.
9. State the proposed amount of bonding that will be submitted in accordance with G.L. c. 166A, ' 5(k).
10. State whether applicant's proposed subscriber privacy policy complies with federal and state law and regulation. If not, explain.
11. Describe applicant's proposed procedures for handling customer service inquiries during the term of the license, including but not limited to subscriber complaints. For renewal license, applicant may attach as Exhibit \_\_\_ its most recent copy of Billing & Termination Filing and Subscriber Privacy Notice.

## RATES AND SERVICES

12. For initial license: List broadcast television signals applicant proposes to carry.

For renewal license: State whether applicant's proposed broadcast and cable offerings will differ significantly from offerings currently available in the municipality. Applicant may

also attach as Exhibit\_\_\_ current channel lineups for all service tiers, including broadcast and cable channels.

13. List separately those channels that are current must carry and those channels that are currently carried pursuant to retransmission consent. *Note: Channels that are must carry and retransmission consent may change throughout the license term beyond the cable operator's control.*
14. State whether applicant proposes to offer or continue to offer non-automated local origination programming. If yes, describe in detail the starting date that such programming will be available, the types of programming, the hours per week, the quantity of programming applicant expects to produce within the service area, how the programming will serve the specific needs of the municipality, and applicant's policy regarding making time available for discussion of controversial issues of public importance. Also, list the schedule of fees to access users for production costs and use of origination equipment.
15. State whether applicant plans to offer or continue to offer public, educational, and governmental access channel(s). If yes, provide the amount and type of financial support, the location of the facilities, the facilities and equipment available (including the cost of such equipment and facilities), the hours of operation, and whether there will be technical assistance available.
16. If applicant plans to offer or maintain an institutional network (I-Net), attach as Exhibit\_\_\_ a technical description of the system.

FOR INFORMATIONAL PURPOSES ONLY:

17. Provide a complete listing of all proposed subscriber fees, including those for both regulated and non-regulated cable services, installation, and equipment. For renewal licenses, applicant may attach as Exhibit\_\_\_ a current rate card.
18. State whether applicant proposes to offer or continue to offer any additional services in the municipality that are not subject to regulation as a cable service, and if so, provide description.

TECHNICAL INFORMATION

19. State whether the proposed service area is included in a regional cable system.  
  
If yes, list all of the other communities in the regional system served by the headend(s) that will be used for the proposed service area and the location of such headend(s).  
  
If no, state where the headend(s) will be located in the service area.
20. If the proposed service area is not the entire municipality, specify the nature of the area (e.g., neighborhood) and explain why the entire municipality will not be served.

21. Describe in detail any problems applicant foresees in extending service to all parts of the proposed service area.

22. Construction:

For initial license, indicate the time period in which applicant proposes to begin and complete full-scale construction.

OR

For renewal license, state whether applicant plans significant upgrade or rebuild activity during the renewal term, and if so, file as Exhibit\_\_\_ a description of the proposed changes and projected dates for the commencement and completion of construction.

23. Attach as Exhibit\_\_\_ a technical description of the system, including a strand or street map showing the extent of cable plant in the municipality.

24. Describe the equipment applicant proposes to offer or continue to offer at the subscriber terminal (e.g., remote control, analog converter, digital converter, high definition converter, digital video recorder).

25. State whether applicants proposed safety measures for the cable system comply with federal and state law and regulations.

26. State whether applicant's Emergency Alert System (EAS) complies with federal and state law and regulations.

#### OWNERSHIP AND FINANCIAL INFORMATION

27. If applicant is a publicly-traded corporation or subsidiary of a publicly-traded corporation, attach as Exhibit\_\_\_ a copy of the corporation's most recent annual report to stockholders. Otherwise, attach as Exhibit\_\_\_ an audited financial statement as of the most recent audit, showing applicant's financial position.

If the status and composition of any assets or liabilities on the audited financial statement is not clearly defined by the respective titles, attach as Exhibit\_\_\_ schedules that provide a definition of such terms.

If recent financial information, *i.e.*, an annual report or an audited financial statement, is not available, complete the Supplement to License Application.

28. Provide the following system information as of the last complete year for which the data is available:

a. Total Homes in Service Area (passed and not passed by cable system)

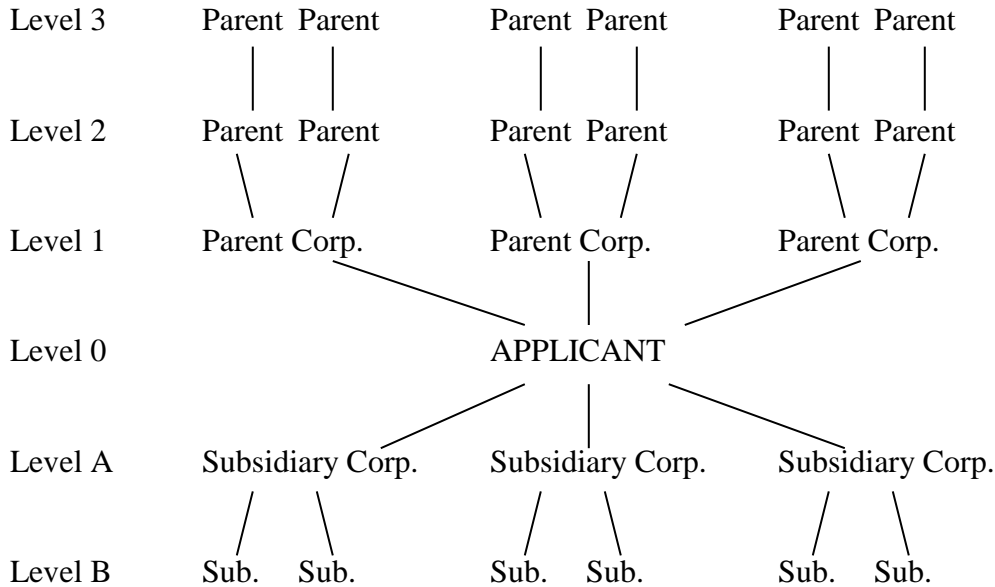
- b. Homes Passed by Cable System
- c. Cable Subscribers
- d. Aerial Miles Constructed
- e. Underground Miles Constructed
- f. Total Cable Subscriber Revenues in Service Area

29. Indicate appropriate business structure for applicant:

- Individually owned
- Corporation serving one community
- Corporation operating cable systems in more than one community, but these operations are not separate corporations
- Partnership
- Other (specify)

30. Complete a “corporate family tree” for each of the corporations or other business entities listed in the following levels. For example, if there is one corporation named in Level 0, two in Level 1, one in Level 2, one in Level 3, two in Level A, and none in Level B, seven sets of responses must be filed, one for each of the seven corporations or other business entities identified in the “corporate family tree.”

In simplified fashion, such a “tree” might look like this:



Level 0: Provide the name, city, and state of principal office.

Level 1: Provide the name, city, and state of principal office for any corporation or other business entity that owns 25% or more of the voting stock of the reporting cable system named in Level 0.

Level 2: Provide the name, city, and state of principal office for any corporation or other business entity that owns 25% or more of the voting stock of the entity or entities named in Level 1. In each case, indicate which entity in Level 1 is the subsidiary of the entity named in Level 2.

Level 3: Provide the name, city, and state of principal office for any corporation or other business entity that owns 25% or more of the voting stock of the entity or entities named in Level 2. In each case, indicate which entity in Level 2 is the subsidiary of the entity named in Level 3.

Level A: If applicant (Level 0) owns 25% or more of the voting stock of any corporation or other business entity, provide the name, city, and state of principal office.

Level B: If the entity or entities named in Level A owns 25% or more of the voting stock of a corporation or other business entity, provide the name, city, and state of principal office. In each case, indicate which entity in Level A is the parent of the entity named in Level B.

31. For corporations, list all officers and directors (whether or not they own stock) and stockholders who own 1% or more of the voting stock of the corporation, as well as the city and state of residence and corporate position. If an ownership interest exists, record this to

the nearest whole percent based on the total number of outstanding shares of voting stock in the corporation, exclusive of treasury stock. Where stock is held by a stockholder in a street name, this fact should be noted, but no further information concerning such stockholder need be furnished.

OR

For partnership, list the name, city, and state of residence, and percent of interest in the partnership of each general or limited partner.

32. Has any individual named in Question 31 been found guilty of any felony in any federal or state court within the past ten years? If yes, submit as Exhibit\_\_\_ a statement disclosing the individual and matters involved and identifying the court and proceeding by date and file numbers.
33. If any individuals listed in Question 31 are aliens, submit as Exhibit\_\_\_ a list of their names, addresses, and nationalities.
34. If applicant is unable to supply all of the information requested herein for itself or any of the corporations or other business entities named, submit as Exhibit\_\_\_ a list of those individuals or business entities for which any of the requested information is not being furnished, and include a detailed explanation of why the omitted material is unavailable.

## **SUPPLEMENT TO LICENSE APPLICATION**

This Supplement to the License Application must be completed by any applicant that is not able to provide an annual report or an audited financial statement for its most recently completed fiscal year.

In completing Schedules A through E, provide pro forma information for each year in a ten-year projected period.

In completing Schedule F, appropriate documentation must be provided to ensure the applicant has secured the proper financial commitment.

### **SCHEDULE A: ASSETS**

#### **CURRENT ASSETS**

- Cash and Equivalents
- Accounts Receivable, Less Allowances
- Inventory
- Prepaid Expenses
- Other Current Assets
- TOTAL CURRENT ASSETS**

#### **FIXED OPERATING ASSETS**

- Land
- Buildings
- Headend Equipment
- Trunk and Distribution Equipment
- Subscriber Devices
- Other Fixed Operating Assets
- Construction Work in Progress
- TOTAL FIXED OPERATING ASSETS**
- Accumulated Depreciation
- NET FIXED OPERATING ASSETS**

#### **OTHER OPERATING ASSETS**

- Franchise Acquisition Costs
- Excess Fair Value
- Goodwill
- Other Intangible Assets
- TOTAL OTHER ASSETS**
- Accumulated Amortization
- NET OTHER ASSETS**

**TOTAL NET ASSETS**

### **SCHEDULE B. LIABILITIES**

**CURRENT LIABILITIES**

Accounts Payable  
Subscriber Advance Payments and Deposits  
Debt Due Within One Year  
Current Taxes Payable  
Other Current Liabilities  
**TOTAL CURRENT LIABILITIES**

**NON-CURRENT LIABILITIES**

Long-Term Debt  
Notes Payable  
Bonds Payable  
Obligation on Capitalized Leases  
Deferred Taxes  
Other Non-Current Liabilities  
**TOTAL NON-CURRENT LIABILITIES**

**OWNER'S EQUITY**

Net Assets Due From/To Parent Company  
Capital Stock  
Retained Earnings – Gross  
Accumulated Dividends  
Other Owner's Equity  
**TOTAL OWNER'S EQUITY**

**TOTAL LIABILITIES AND EQUITY**

**SCHEDULE C: LOCAL CHARACTERISTICS**

**CONSTRUCTION AND SUBSCRIBERS**

Total Homes in Service Area  
Aerial Miles Constructed  
Underground Miles Constructed  
**TOTAL Miles Constructed**  
Homes Passed by Cable  
Subscribers at End of Year

SCHEDULE D: OPERATING INCOME

SUBSCRIBER REVENUE  
Installation Income  
Equipment Revenue  
Basic Service Tier Revenue  
Cable Programming Service Tier Revenue  
Premium Service Revenue  
Per Program or Per Channel Revenue  
Other Subscriber Revenue  
TOTAL SUBSCRIBER REVENUE

NON-SUBSCRIBER REVENUE  
Advertising Income  
Other Income  
TOTAL NON-SUBSCRIBER REVENUE

TOTAL OPERATING INCOME

SCHEDULE E: OPERATING EXPENSES

DIRECT OPERATING EXPENSES  
Programming Expenses  
Net Bad Debt and Collection Expenses  
Salaries and Benefits  
Repairs and Maintenance  
Light, Heat, and Power  
Pole and Duct Rental  
Administration - Office and Billing  
Marketing  
Local Origination  
Other  
TOTAL OPERATING EXPENSES

DEPRECIATION AND AMORTIZATION  
Depreciation  
Amortization  
TOTAL DEPRECIATION AND AMORTIZATION

TOTAL EXPENSES

## SCHEDULE F: DEBT FINANCING

### DEBT FINANCING PLAN

Provide the commencement date, interest rate, repayment terms, and outstanding amount for each loan held by the applicant.

Attach as Exhibit\_\_\_ a description of each financial agreement to include the lender, terms, conditions and security.

If lender is a bank or financial institution, a letter of intent or commitment must be included. If lender is a corporation, individual, or partnership, a financial statement showing net worth equal to amount of commitment or a letter of commitment from a financial institution for the specific project must be included.