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PROJECT NO. 50270

**APPLICATION OF VYVE
BROADBAND J, LLC FKA JAMES
CABLE, LLC TO AMEND ITS STATE-
ISSUED CERTIFICATE OF
FRANCHISE AUTHORITY**

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PUBLIC UTILITY COMMISSION

OF TEXAS

CORRECTED NOTICE OF APPROVAL

This Corrected Notice of Approval addresses the application of Vyve Broadband J, LLC fka James Cable, LLC (Vyve J) to amend its state-issued certificate of franchise authority (SICFA) number 90085. The Commission amends SICFA number 90085 to reflect a change of ownership.

I. Findings of Fact

The Commission makes the following findings of fact.

Applicant

1. Vyve J is a Delaware limited liability company registered with the Texas secretary of state on May 13, 2013, under file number 801782506.
2. Vyve J is authorized to provide telecommunication services in the state of Texas under SICFA number 90085.

Application

3. On November 21, 2019, Vyve J filed an application to reflect a change of ownership from its parent company, BCI Broadband Holdings, LLC, to Eagle Broadband Investments, LLC.
4. Vyve J submitted the application on the Commission's approved form, verified by oath, and signed by Andrew C. Kober, Executive Vice President and CFO of Vyve J.
5. The application included sworn statements from Mr. Kober that Vyve J: (a) will timely file all forms required by the Federal Communications Commission; (b) will comply with all applicable federal and state statutes and regulations; (c) will comply with any applicable municipal regulations regarding the use and occupation of public rights-of-way; and (d) attested that all statements made in the application are true and correct.

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6. The requested service area footprint for SICFA No. 90085 does not include any areas for which the applicant or its affiliates have entered into a municipal franchise agreement.
7. On December 10, 2019, Commission Staff recommended the application be found sufficient and complete and that the application be approved.

Informal Disposition

8. No notice of the application is required.
9. No person filed a protest or motion to intervene.
10. Vyve J and Commission Staff are the only parties to the proceeding.
11. No party requested a hearing and no hearing is needed.
12. Commission Staff recommended approval of the application.
13. This decision is not adverse to any party.

II. Conclusions of Law

The Commission makes the following conclusions of law.

1. The Commission has jurisdiction over the application under PURA¹ §§ 66.001 and 66.003.
2. In accordance with 16 Texas Administrative Code (TAC) § 28.6(f), service under SICFA number 90085 must be provided under the name Vyve Broadband J, LLC.
3. The application complies with PURA § 66.003 and 16 TAC § 28.6(e), (f), and (g).
4. Vyve J is not prohibited under PURA § 66.004 from requesting an amendment to its SICFA.
5. In accordance with PURA § 66.003(b), the Commission may grant this application.
6. Under 47 Code of Federal Regulations § 76.952, the Commission may direct certificate holders not to include the Commission's name, address, and telephone number on their monthly billing inserts as the local franchising authority.
7. The requirements for informal disposition under 16 TAC § 22.35 have been met in this proceeding.

¹ Public Utility Regulatory Act, Tex. Util. Code §§ 11.001–66.016.

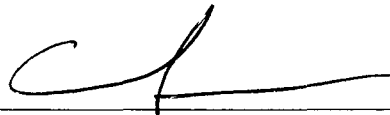
III. Ordering Paragraphs

In accordance with these findings of fact and conclusions of law, the Commission issues the following orders.

1. The Commission amends SICFA number 90085 to reflect a change of ownership from its parent company, BCI Broadband Holdings, LLC, to Eagle Broadband Investments, LLC.
2. Vyve J is authorized to use and occupy the public rights-of-way in the delivery of cable and video service within the service area of SICFA number 90085, subject to the laws of this state, including the police powers of municipalities in which the service is delivered.
3. The name on SICFA number 90085 shall remain Vyve Broadband J, LLC.
4. The authorization granted in this Notice of Approval is subject to lawful operation of cable and video service by Vyve J or its successor in interest.
5. Within 14 business days of transferring SICFA number 90085 to a successor-in-interest, Vyve J must send notice of the transfer to the Commission.
6. Vyve J may not include the Commission's name, address, and telephone number on monthly bills to subscribers.
7. The Commission denies all other motions and any other requests for general or specific relief not expressly granted.

Signed at Austin, Texas the 10th day of January 2020.

PUBLIC UTILITY COMMISSION OF TEXAS



CHRISTOPHER OAKLEY
ADMINISTRATIVE LAW JUDGE

