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PROJECT NO. 53704

APPLICATION OF VEXUS TO	§	PUBLIC UTILITY COMMISSION
AMEND ITS STATE-ISSUED	§	
CERTIFICATE OF FRANCHISE	§	OF TEXAS
AUTHORITY	§	

NOTICE OF APPROVAL

This Notice of Approval addresses the application of Vexus to amend its state-issued certificate of franchise authority (SICFA) number 90011. The Commission amends SICFA number 90011 to reflect an upstream change in ownership resulting in Vexus being a wholly owned, indirect subsidiary of Q-Comm Python Corporation.

I. Findings of Fact

The Commission makes the following findings of fact.

Applicant

1. Vexus is an assumed name of NTS Communications, LLC registered with the Texas secretary of state.
2. NTS Communications is a Delaware limited liability company registered with the Texas secretary of state under filing number 803410770.
3. Vexus is authorized to provide cable service in the state of Texas under SICFA number 90011.¹
4. Vexus is currently a wholly owned, direct subsidiary of Python Holdings, LP.

Application

5. On June 10, 2022, NTS Communications dba Vexus filed an application to amend its SICFA to reflect an upstream transfer of its ownership from Python Holdings GP, LLC to Q-Comm Python Corporation, which was finalized on May 31, 2022.

¹ In its application, Vexus stated that it is a video and cable service provider; however, Vexus has only been approved to provide cable service . See *Application of NTS Communications , Inc . for State-Issued Certificate of Franchise Authority*, Docket No. 32218, Notice of Approval (Jan. 13, 2006).

6. Vexus submitted the application on the Commission's approved form, verified by oath, and signed by J. Keith Davidson, chief financial officer of NTS Communications.
7. The application included sworn statements from Mr. Davidson attesting that: (a) Vexus will timely file all forms required by the Federal Communications Commission; (b) Vexus will comply with all applicable federal and state statutes and regulations; (c) Vexus will comply with any applicable municipal regulations regarding the use and occupation of public rights-of-way; and (d) all statements made in the application are true and correct.
8. The application also provided: (a) the street address and telephone number of the applicant's principal place of business; (b) the name, addresses, and telephone numbers of an authorized representative, a regulatory contact, and an emergency contact; and (c) the names of the applicant's principal executive officers.
9. On June 24, 2022, Commission Staff filed a recommendation that the application be found administratively complete and approved.
10. In Order No. 2 filed on June 28, 2022, the administrative law judge found the application administratively complete.

Informal Disposition

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

II. Conclusions of Law

The Commission makes the following conclusions of law.

1. The Commission has authority over the application under PURA² §§ 66.001 and 66.003.

² Public Utility Regulatory Act, Tex. Util. Code §§ 11.001–66.016.

2. In accordance with 16 Texas Administrative Code (TAC) § 28.6(f), service under SICFA number 90011 must be provided under the name Vexus.
3. The application complies with PURA § 66.003 and 16 TAC § 28.6.
4. Vexus is not prohibited under PURA § 66.004 and 16 TAC § 28.6(c) from requesting an amendment to its SICFA.
5. In accordance with PURA § 66.003(b), the Commission may grant this application.
6. Under Title 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.

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 90011 to reflect an upstream change in ownership resulting in Vexus being a wholly owned, indirect subsidiary of Q-Comm Python Corporation.
2. Vexus 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 90011, subject to the laws of this state, including the police powers of municipalities in which the service is delivered.
3. Vexus must provide service under the name Vexus.
4. The authorization granted in this Notice of Approval is subject to lawful operation of cable service by Vexus or its successor-in-interest.
5. Vexus may not include the Commission's name, address, and telephone number on monthly bills to subscribers.
6. The Commission denies all other motions and any other requests for general or specific relief not expressly granted.

Signed at Austin, Texas the 30th day of June 2022.

PUBLIC UTILITY COMMISSION OF TEXAS

A handwritten signature in cursive script that reads "Katie Moore Marx".

**KATIE MOORE MARX
ADMINISTRATIVE LAW JUDGE**