

**STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION**

---

**CO-MO COMM INCORPORATED** )  
 )  
Application for State-Issued Authorization )  
to Provide Video Service Pursuant to Section 401 ) Docket No. \_\_\_\_\_  
Of the Cable & Video Competition Law of 2007 )

---

**APPLICATION FOR STATE-ISSUED  
AUTHORIZATION TO PROVIDE CABLE AND VIDEO SERVICE**

Pursuant to Section 401 of the Cable and Video Competition Law of 2007 (“Law”) (220 ILCS 5/21-100, et. seq.), Co-Mo Comm Incorporated (“Co-Mo” or “Applicant”) hereby applies for State-issued authority to use, occupy, and construct facilities in the public right-of-way for the delivery of cable and video service (hereafter “video services” or “Video service”) and for state-issued authority to provide video services in the service area footprint to include Scott and Calhoun Counties, the Village of Bluffs, and the Cities of Barry, and Winchester.

In support of its Application, the Applicant submits the Affidavit of Mr. Randy Klindt, General Manager of Co-Mo, attached hereto as Exhibit “A”. Further in support of its Application, the Applicant submits Exhibits “B” though “F” as described in the accompanying Exhibit List.

**I. ELIGIBILITY**

1. Applicant proposes to provide video service, as defined in Section 201(e) of the Law pursuant to 220 ILCS 5/21-201(e), in Illinois, in the service area

footprint, as defined in Section 201(j) of the Law (220 ILCS 5/21-201 (j)), and as identified in this Application, and hereby requests State-issued authority pursuant to Section 401 of the Law (220 ILCS 5/21-401).

2. For purposes of this Application, Applicant is not an “incumbent cable operator”, within the meaning of Section 21-201 (m) of the Law (220 ILCS 5/21-201(m)) with respect to the service area footprint.
3. Through Exhibit A, Applicant satisfies the requirements of Section 401 (b) of the Law (220 ILCS 5/21-401 (b)). Accordingly, Applicant is eligible to obtain a State-issued authorization consistent with the terms and scope of this Application.

## **II. COMPLIANCE WITH REQUIREMENTS OF SECTION 401 (B) OF THE LAW.**

4. Co-Mo has filed all required forms with the Federal Communications Commission (FCC) and agrees to comply with all applicable federal and State statutes and regulations. (220 ILCS 5/21-401 (b) (2)). (See Exhibit “A”) Co-Mo agrees to comply with all applicable local units of government regulations. (220 ILCS 5/21-401 (b)(3)).
5. Co-Mo will offer service in Scott and Calhoun Counties, the Village of Bluffs, and the cities of Barry and Winchester. Co-Mo intends to provide Video service to all residences within the boundaries of these areas that meet a fiscal and technical feasibility of at least five (5) customers within one half (1/2) mile from the trunk cable from which Co-Mo would extend requested service.

6. The United States Census Bureau’s most recent estimate of the number of low income households, as defined in Section 201 (p) of the Law (220 ILCS 5/21-201(p)), located within the service area footprint are as follows:

<b>Local Unit of Government</b>	<b>% of Low Income Households</b>	<b># of Low Income Households</b>
City of Barry	52	293
City of Winchester	45	334
Calhoun County	37	775
Scott County	21	474
Village of Bluffs	37	98

7. Co-Mo’s principal place of business is 29869 Highway 5, Tipton, Missouri 65081. Issues related to processing this application can be directed to Pete Wagner, Principal, Wagner Consulting LLC, 5 Pickering Lane, Springfield, IL 62712. Phone: (217) 620-1018, e-mail: [pjwagner62@comcast.net](mailto:pjwagner62@comcast.net). Issues concerning the services to be offered pursuant to this Application can be directed to Randy Klindt, 29869 Highway 5, Tipton, Missouri 65081, Co-Mo’s General Manager Phone: 800-781-0157, e-mail: [rklindt@co-mo.coop](mailto:rklindt@co-mo.coop) Co-Mo’s legal name is Co-Mo Comm, Inc. and will provide the proposed Video service under the IllinoisNet.com brand name.
8. As indicated by the attached Certificate of Service, Co-Mo has delivered a copy of the Application to the local units of government included in the service area footprint.
9. Co-Mo is expecting to provide Video service pursuant to this Application in accordance with the following timetable:

<b><u>Co-Mo Video Service Rollout Timetable</u></b>	
<b>Area</b>	<b>Date of Initial Offering of Video Service</b>
City of Barry	<i>February 2016</i>
City of Winchester	<i>February 2016</i>
Calhoun County	<i>March 2016</i>
Scott County	<i>March 2016</i>
Village of Bluffs	<i>February 2016</i>

10. Co-Mo possesses the financial, managerial, technical resources and ability to construct and operate the proposed system for providing Video service , and to promptly repair any damages to the public right-of-way it may cause, and to pay for removal of its facilities pursuant to 220 ILCS 5/21-401 (b) (8)). Attached hereto as Exhibit “B” *Description of Managerial and Technical Resources* and Exhibit “C” *Financial Qualifications* illustrating Co-Mo’s capabilities.

Co-Mo, was organized in June 1987 as Co-Mo Comm Inc., a subsidiary of Co-Mo Electric Cooperative, a Missouri Corporation. Co-Mo Comm, Inc. is registered and authorized to transact business in Illinois. The Cooperative, Co-Mo’s parent company, provides electric service to the surrounding rural areas and its first electric lines were energized in 1939. Applicant Co-Mo provides fiber-to-the-premises (FTTP) Internet, cable and video service, and voice over internet protocol telephone service under the brand name *Co-Mo Connect* in its Missouri service territory. Attached hereto is Exhibit “E” *Articles of Incorporation as Amended* and Exhibit “F” *Authorization to Transact Business in Illinois*.

The Applicant is an FCC-licensed cable and video operator in good standing. Co-Mo provides cable and video service in the following Missouri Counties: Cole, Camden, Cooper, Miller, Morgan, and Moniteau. Co-Mo Comm and its parent Co-Mo Electric Cooperative has substantial experience in building, maintaining, and upgrading utility infrastructure. Its investments in Internet and electric facilities are substantial. In fact, the Applicant is in the final two phases of the four-phase plan to bring FTTP video service to the entire Missouri service territory of the Co-Mo Electric Cooperative.

Accordingly, Co-Mo is fully capable to manage, build-out, maintain, and repair infrastructure for support of the proposed Video service. Further, the Co-Mo will contract with another authorized Illinois cable and video provider's customer service center and network operations center to support the proposed service. Co-Mo also has equipment and trained technicians for repair and restoration within its Illinois service area foot print. Customer service representatives will be available during normal business hours and technicians can be dispatched as necessary.

Finally, the Applicant has the financial resources, accounting system, and expertise to support all aspects of its proposed Video service. The Applicant's parent, Co-Mo Electric Cooperative is subject to the accounting and reporting rules and regulations of the United States Department of Agriculture's Rural Utilities Service (RUS). Both the Applicant's and its parent's accounting policies conform to generally accepted accounting principles as applied in the case of regulated electric utilities. As further evidence of the Applicant's

financial fitness, included with this Application is Co Mo Electric Cooperative Consolidated Financial Statement attached hereto as Exhibit "C".

11. This Application includes the general standards related to customer service that Co-Mo will adhere to, as required by 220 ILCS 5/21-401(b) and FCC rules pursuant to 47 C.F.R. 76.309, attached hereto as Exhibit "D". As part of its customer service standards, Co-Mo agrees to comply with these provisions of 220 ILCS 5/22-501:

(a) To the extent consistent with federal law, Co-Mo shall offer the lowest-cost basic Video service as a stand-alone service to residential customers at reasonable rates. Co-Mo shall not require the subscription to any service other than the lowest-cost basic service. Further, Co-Mo will not require the subscription to any telecommunications or information service as a condition of access to cable or Video service, including programming offered on a per channel or per program basis.

(b) To the extent consistent with federal law, Co-Mo shall ensure that charges for changes in the subscriber's selection of services or equipment shall be based on the cost of change. Further, these charges shall not exceed nominal amounts when Co-Mo's system configuration permits changes in service tier selection to be effected solely by coded entry on a computer terminal or by other simple method.

(c) To the extent consistent with federal law, Co-Mo shall have a rate structure for the provision of Video service that is uniform throughout the boundaries of the local government unit. This subsection is not intended to prohibit bulk discounts to multiple dwelling units or to prohibit reasonable discounts to any economically disadvantaged group.

(d) To the extent consistent with federal law, Co-Mo shall not charge a subscriber for any service or equipment that the subscriber has not affirmatively requested by name. For purposes of this subsection, a subscriber's failure to refuse Co-Mo's proposal to provide service or equipment shall not be deemed to be an affirmative request for such service and equipment.

### **III. REQUEST FOR SERVICE AUTHORITY**

Wherefore, Co-Mo respectfully requests that a State-issued authorization be granted, pursuant to and consistent with Section 401 of the Law that authorizes Co-Mo to use, occupy, and construct facilities in the public rights-of-way for the delivery of Video service, and to provide Video service, in the service area footprint, and that such State-issued authorization include all of the following:

1. A grant of authority to provide Video service in the service area footprint as requested in this Application, subject to the laws of this State and the ordinances, rules, and regulations of the local government units.

2. A grant of authority to use, occupy, and construct facilities in the public rights-of-way for the delivery of Video service in the service area footprint, subject to the laws of this State and the ordinances, rules, and regulations of the local government units.
3. A statement that the grant of authority is subject to lawful operation of the Video service by the Applicant, its affiliated entities, or its successors-in-interest.

By: 

Randy Klindt  
General Manager  
Co-Mo Comm, Inc.

Peter J. Wagner  
Consultant to Co-Mo Comm, Inc.  
Wagner Consulting LLC  
5 Pickering Lane  
Springfield, IL 62712  
217 620-1018  
e-mail: [pjwagner62@comcast.net](mailto:pjwagner62@comcast.net)

Kevin N. McDermott  
Counsel to Co-Mo Comm, Inc.  
Kevin N. McDermott Attorney  
109 South 7th Street  
Springfield, IL 62701  
217 753-4070  
e-mail: [kevin@kevinmcdermott.com](mailto:kevin@kevinmcdermott.com)

**CERTIFICATE OF SERVICE**

The undersigned certifies that a copy of the Application for State-Issued Authorization to Provide Cable & Video Service has been concurrently delivered by US regular mail to the local unit of government identified within said Application and within which the service area footprint is wholly located.

Respectfully Submitted,



---

Peter J. Wagner  
Consultant to Co-Mo Comm, Inc.  
Wagner Consulting LLC  
5 Pickering Lane  
Springfield, IL 62712  
217 620-1018  
e-mail: [pjwagner62@comcast.net](mailto:pjwagner62@comcast.net)

Date: 28 Jan 2016