

ORIGINAL

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

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APPLICATION OF TDS TELECOMMUNICATIONS) CAUSE NO. 45176 DM
CORPORATION FOR DIRECT MARKETING BY A)
VIDEO SERVICE PROVIDER IN THE STATE OF) APPROVED: JAN 16 2019
INDIANA)

ORDER OF THE COMMISSION

Presiding Officer:

Jennifer L. Schuster, Administrative Law Judge

On December 11, 2018, TDS Telecommunications Corporation (“Applicant”) filed with the Indiana Utility Regulatory Commission (“Commission”) its Application for Direct Marketing Authority (“Application”) to market the services and/or products offered by Applicant directly to all households in its service area within the State of Indiana, pursuant to Ind. Code ch. 8-1-34. On January 3, 2019, Applicant filed an amended page 2 and an amended page 4 of the Application.

Based upon information contained in the Application, the amendments thereto, and applicable law, the Commission makes the following findings:

1. **Notice and Jurisdiction.** Notice of receipt of the Application was provided on the Commission’s website in accordance with General Administrative Order 2013-4. Applicant is a holder of a Certificate of Franchise Authority (“CFA”), which was issued by the Commission on July 8, 2015 in Cause No. 44614 VSP 01, and has requested issuance of Direct Marketing Authority (“DMA”) pursuant to Ind. Code § 8-1-34-30. Therefore, the Commission has jurisdiction over Applicant and the subject matter of this Cause.

2. **Commission Discussion and Findings.** Applicant filed an application for DMA on the form prescribed by the Commission and provided specific information regarding its designated employee that it is proposing will be engaged in direct marketing of its services and/or products to all households in its designated service area within the State of Indiana. Pursuant to Ind. Code § 8-1-34-30(g)(2), a document containing the name of Applicant’s designated employee is provided as an Attachment to this Order and is available on the Commission’s website at www.in.gov/iurc/.

Applicant has provided specific information to the Commission regarding its designated employee as required by Ind. Code § 8-1-34-30(d) and (e). Based upon the information provided by Applicant, the Commission finds the Application to be complete and properly verified. Therefore, in accordance with Ind. Code § 8-1-34-30(g), the Commission finds that Direct Marketing Authority should be issued to Applicant for its designated employee to market the services and/or products offered by Applicant in its designated service area. The granting of this DMA is subject to the Applicant’s lawful conduct of direct marketing activities and holding a valid CFA, as well as local laws and regulations governing the hours or manner in which direct marketing activities may be performed that apply uniformly to all persons engaging in direct marketing or other soliciting.

In addition, the Commission finds that Applicant shall comply with all applicable legal requirements pertaining to the direct marketing of services and/or products in its designated service area, including notice to the Commission of any changes to the Applicant's list of designated employees pursuant to Ind. Code § 8-1-34-30(h). Notice of changes to the Applicant's list of designated employees shall be provided as follows:

- a. If Applicant wishes to add additional designated employees, it must submit verified information that complies with Ind. Code § 8-1-34-30(e)(1) or Ind. Code § 8-1-34-30(f)(1) to the Commission as a supplemental filing under this Cause for each additional employee at least one week prior to such employee performing any direct marketing activities;
- b. If a designated employee leaves the employment of Applicant or no longer meets the certification requirements, Applicant shall notify the Commission through a supplemental filing under this Cause within five business days of the qualifying event that the employee should be removed from the DMA list of approved designated employees.

IT IS THEREFORE ORDERED BY THE INDIANA UTILITY REGULATORY COMMISSION that:

1. Subject to the Findings set forth in this Order, the Applicant, TDS Telecommunications Corporation, is granted Direct Marketing Authority to market any video service and/or product offered by Applicant directly to all households in its service area within the State of Indiana, pursuant to Ind. Code ch. 8-1-34.
2. The authority granted herein is subject to Applicant's lawful conduct of direct marketing activities and holding a valid CFA.
3. Applicant's designated employee is identified in the Attachment to this Order. Changes to the list of designated employees shall be made as set forth herein.
4. This Order shall be effective on and after the date of its approval.

HUSTON, FREEMAN, KREVDA, OBER, AND ZIEGNER CONCUR:

APPROVED: JAN 16 2019

I hereby certify that the above is a true and correct copy of the Order as approved.



Mary M. Becerra
Secretary of the Commission

Roster of Eligible Employees

Last Name	First Name	Last four digits of Driver's License #
Donofrio	Jeff	3703