

Staff Assignment: McDonald

In the Matter of the Application Eagle Communications Inc.)	
Filing for Kansas Video Service Authorization.)	Docket No.
)	11-EAGC-154-VSA
)	
)	
)	
)	
)	

File Date: August 24, 2010



"An Employee Owned Company"

August 19, 2010

STATE CORPORATION COMMISSION

Ms Susan K. Duffy, Executive Director
Kansas Corporation Commission
1500 SW Arrowhead Road
Topeka, KS 66604-4027

AUG 24 2010

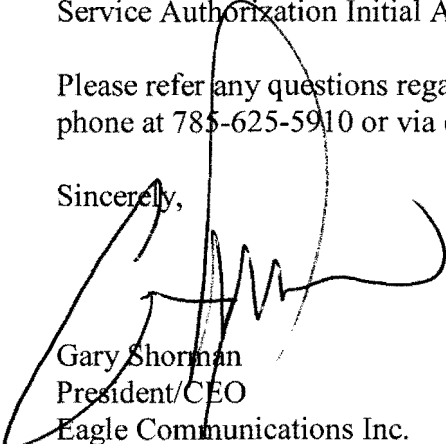
Re: Kansas Video Service Application, initial application for Eagle Communications Inc.

Dear Ms. Duffy,

As required by K.A.R. 82-15-1 enclosed are an original and seven copies of a Kansas Video Service Authorization Initial Application for Eagle Communications Inc. ("Eagle")

Please refer any questions regarding this Application to Travis Kohlrus. He can be reached via phone at 785-625-5910 or via email at tkohlrus@eaglecom.net

Sincerely,



Gary Shorman
President/CEO
Eagle Communications Inc.

GS/tjk

Enclosures

\$ 1000.00
check # 8711

KANSAS CORPORATION COMMISSION
TELECOMMUNICATIONS SECTION
**KANSAS VIDEO SERVICE AUTHORIZATION
INITIAL APPLICATION**

Form VSA IA
July 2006
Form must be Typed
Form must be Signed

Date: 8/18/2010

2010.08.24 15:41:31

Kansas Corporation Commission

Applicant's Name: Eagle Communications Inc.

d/b/a: /S/ Susan K. Duffy

Address 1: 2703 Hall St. Suite 15

Phone: (785) 625 - 4000

Address 2: P.O. Box 817

City: Hays

State: KS

Zip: 67601

Federal Employer Identification Number (FEIN): 48-0526211

1. As an attachment, list company principal officers, titles and addresses.
2. As an attachment, list designated company contacts with addresses, phone numbers and email addresses, responsible for this application, ongoing regulatory contacts and consumer complaint matters.
3. Standing with Kansas Secretary of State's Office Good as of August 19, 2010
4. Date of filing FCC Cable Community Registration form 322: See Attachment 3
Community Unit Identification Number (CUID) (Assigned by the FCC): See Attachment 3
5. By submitting this application, the applicant agrees to comply with all applicable federal and state statutes and regulations; and that applicant agrees to comply with all lawful and applicable municipal regulations regarding the use and occupation of public rights-of-way in the delivery of video services, including the police powers of the municipalities in which the service is delivered.
Initial indicating concurrence: B
6. As an attachment, identify the municipalities and provide a legal description of the service area footprint(s) to be served using Section, Township and Range references. Include the attached description on a computer disc in ESRI compatible format (.E00, or .shp) with a defined projection file. Each footprint should clearly state the date by which the provider will pass 100% of the encompassed households. Multiple service areas may be included.
7. As an attachment, provide a general description and drawing of the type or types of technologies to be used in serving the footprint(s) described above.

By submitting this application, the applicant agrees that it may not deny access to service to any group of potential residential subscribers because of the income of the residents in the local area in which such group resides. Initial indicating concurrence: B

Verification

I, BARRY SHARMAN, of lawful age, and being first duly sworn, now state: As an officer of the Applicant, I am authorized to do and hereby make the above commitments. I further affirm that all statements made above are true and correct to the best of my knowledge and belief.

President/CEO

Signature

Title

Attachment 1

Company Principal Officers, Titles and Addresses

Gary D. Shorman, President/CEO
Eagle Communications Inc.
2703 Hall St. Suite 15
P.O. Box 817
Hays, KS 67601
(785) 625-4000
Gary.shorman@eaglecom.net

Kurt David, CFO
Eagle Communications Inc.
2703 Hall St. Suite 15
P.O. Box 817
Hays, KS 67601
(785) 625-4000
kdavid@eaglecom.net

Attachment 2

Designated Company Contacts

Application Contact

Travis Kohlrus, Director of Community Relations and Product Development
Eagle Communications Inc.
2703 Hall St. Suite 13
P.O. Box 817
Hays, KS 67601
(785) 625-5910
tkohlrus@eaglecom.net

Regulatory Contact

Gary D. Shorman, President/CEO
Eagle Communications Inc.
2703 Hall St. Suite 15
P.O. Box 817
Hays, KS 67601
(785) 625-4000
Gary.shorman@eaglecom.net

Consumer Complaint Contact

Rex Skiles, General Manager
Eagle Communications Inc.
2703 Hall St. Suite 15
P.O. Box 817
Hays, KS 67601
(785) 625-4000
rskiles@eaglecom.net

Attachment 3

FCC Community Unit ID Information

Eagle Communications Inc. ("Eagle") tried to complete form 322 with the Federal Communications Commission (FCC), however the web program managed by the FCC to assign new CUID numbers has a bug in it and is in the process of fixing it. I have attached an email from Jeffrey Neuman from the FCC to confirm this situation. It is our plan to obtain this new CUID number as soon as possible but no later than when we obtain our 50th customer in Victoria. The FCC requirement is that you don't need an CUID until such time that you have 50 subscribers. At the time of us submitting this video service authorization application, Eagle has met all the required notifications and forms to operate a cable system in Victoria, KS.

See attached Exhibit 1.



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

CABLE COMMUNITY REGISTRATION

FCC Form 322

1. Indicate the name, mailing address, and telephone number of the cable system operator.

Legal Name Eagle Communications, Inc.	FCC Registration No. (FRN) 00-1-3339973		
Assumed/ doing business as (dba) name			
Mailing Address 2703 Hall St, Suite 15	City Hays	State KS	Zip Code 67601
Telephone No. (785) 625-4000	Email (optional) @		

2. Indicate whether the operator is an individual, private association, partnership, corporation, or government entity.

Individual ☐ Private Association ☐ Partnership ☐ Corporation ☒ Government Entity ☐

3. Indicate the name, telephone number, and e-mail address (if any) of the person responsible for questions regarding this form.

Name of Contact Travis Kohlrus	Telephone No. (785) 625-5910	E-mail Address tkohlrus@eaglecom.net
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4. Indicate the Physical System Identifier (PSID) if the community will be served by an existing system **003136**

5. Provide a date (MM/YYYY) when this community began service. **12-2010**

6. Indicate the community name, county, state, and type code of the community from the list provided in the instructions.

Name of Community Victoria	County Ellis	State KS	Type Code 4
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7. Indicate the local television broadcast signals (i.e. call signs) to be carried on this system.

KSNC	KSAS	KMTW	KOOD	KBSH	KAKE	KSCW		

8. Certification

By signing below, the operator also certifies that neither the operator nor any other "party" to the notification is subject to a denial of federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 862. For the definition of a "party" for this purpose, see 47 C.F.R. § 1.2002(b).

Type or Print Name Gary Shorman	Title CEO
Signature 	Date 8-18-10

WILLFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (18 U.S.C. § 1001) AND/OR REVOCATION OF ANY STATION LICENSE (47 U.S.C. § 312 (a) (1)), AND/OR FORFEITURE (47 U.S.C. § 503).

Exhibit 1

Travis Kohlrus

From: Jeffrey Neumann <Jeffrey.Neumann@fcc.gov>
Sent: Wednesday, August 18, 2010 9:28 AM
To: tkohlrus@eaglecom.net
Subject: RE: CUID Error

Mr. Kohlrus,

We spoke on the phone yesterday and I've had an opportunity to get with our systems folks here. The error you're receiving is a glitch in the system from our side. We updated some functionality and this was a surprise side-effect. We're aware of the problem and have a fix, but it won't be available until our next scheduled update, which will be Tuesday, August 24. Unfortunately, we're going to have to ask you to be patient until that time, after which you should be able to register your community without a problem.

If you have any questions or there are if I can be of assistance with any other matter, please don't hesitate to contact me directly. My information is below.

Thank you for your patience while we get this resolved,

Jeff

Jeffrey Neumann
FCC / MB / EngD
202.418.2046 (office)

From: Travis Kohlrus [mailto:tkohlrus@eaglecom.net]
Sent: Tuesday, August 17, 2010 4:20 PM
To: Jeffrey Neumann
Cc: Travis Kohlrus
Subject: Fw: CUID Error

Jeffrey, attached is the error page you requested.

Please let me know what I can do to get a CUID number for Victoria, KS.

Thanks,

Travis Kohlrus
Eagle Communications
(785) 650-8110
www.myeaglecom.net

From: "Marlis Fletcher" <marlisrose@eaglecom.net>
Date: Tue, 17 Aug 2010 14:58:34 -0500
To: 'Travis Kohlrus' <tkohlrus@eaglecom.net>
Subject: CUID Error

Attachment 4

Legal Description of the requested service area Victoria, KS

We have provided a legal description as requested in question 6.

See the following exhibits for the complete legal description of our proposed service area of Victoria, KS:

Exhibit 2 is the "Boundary Description of the City of Victoria as of November 2003 and a recent piece of land that was annexed in July 2010.

The required ESRI file is included on CD for the Incorporated City of Victoria Kansas. Eagle will pass 100% of the homes by 12/31/10.

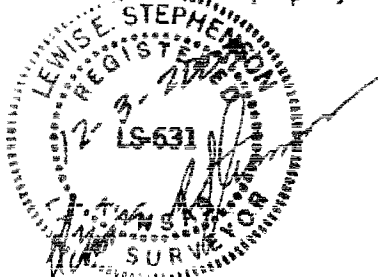
Exhibit 2

BOUNDARY DESCRIPTION
City of Victoria, December, 2003

Commencing at the southwest corner of Block 9, Original Town of Victoria; thence south 100 feet; thence east 100 feet to the point of beginning; thence east along a line 100 feet south of and parallel to the south lines of Block 9, 8, and 7, Original Town of Victoria a distance of 1400 feet to a point 100 feet east of and 100 feet south of the southeast corner of said Block 7; thence north along a line parallel to and 100 feet east of Blocks 7, 6, and 1, Original Town of Victoria to a point 100 feet north of and 100 feet east of the northeast corner of said Block 1; thence west 850 feet along the north line of Third Street extended; thence north 598 feet more or less to the north right of way of the Union Pacific Railroad; thence northeasterly along said right of way 765 feet more or less to the east line of Braun's Fourth Addition; thence north 505 feet more or less to the northeast corner of said Braun's Fourth Addition; thence east 13.35 feet to the southeast corner of Robben Addition; thence northerly 372.56 feet; thence west 401.82 feet; thence north 822.03 feet; thence east 100 feet more or less; thence north 121 feet more or less to the north line of Section 7, T14S, R16W of the Sixth Principal Meridian; thence west 175 feet; thence north 685 feet; thence west 742 feet; thence south 555 feet; thence west 251.81 feet; thence north 1509 feet more or less to the north line of Thirteenth Street; thence west along the north line of Thirteenth Street 265 feet more or less; thence north 100 feet; thence west 110 feet to the east line of Grant Street extended; thence south 100 feet to the north line of Thirteenth Street; thence west along the north line of Thirteenth Street 599.8 feet; thence south a distance of 320.8 feet to the southeast corner of H. James Brungardt's Addition; thence west 179.4 feet; thence north 140 feet; thence west 186.5 feet to the east line of Cathedral Avenue; thence north 190 feet more or less to the north line of Thirteenth Street; thence west along Thirteenth Street extended to the west side of Cathedral Avenue; thence north along Cathedral Avenue 200 feet; thence west 165 feet; thence south 200 feet; thence west 665 feet; thence south 1240 feet more or less; thence west 100 feet; thence south 37.5 feet; thence west 104 feet; thence south 30.84 feet; thence west 233 feet more or less; thence south 350 feet to the south side of Tenth Street; thence east 452 feet more or less to a point on the west line of Allen Street opposite the northwest corner of Block 7, Original Town of Herzog; thence south along the west line of Allen Street 695 feet; thence east

725 feet; thence south on a line 100 feet west of and parallel to the west line of Cathedral Avenue a distance of 940 feet; thence east 100 feet to the west line of Cathedral Avenue; thence south 317 feet; thence west 132 feet; thence south 248.25 feet; thence east 132 feet to the west line of Cathedral Avenue; thence north 123.25 feet on the west line of Cathedral Avenue to the south line of Sixth Street extended; thence east to the east line of Cathedral Avenue; thence south 528.82 feet along Cathedral Avenue to the north line of Fourth Street; thence west to the west line of Cathedral Avenue; thence south 240 feet; thence east 900 feet more or less to the north right of way line of the Union Pacific Railroad; thence southwesterly along said north right of way line 410 feet; thence southeasterly 400 feet to the south right of way line of said railroad; thence southwesterly on said right of way line 430 feet more or less to a point which is 380.7 feet east of the west line of Section 7; thence south 180.14 feet parallel to the west line of Section 7 to the north right of way line of Old Highway 40; thence easterly along said highway right of way line 872.25 feet on the north right of way line of Old Highway 40 to a point 100 feet west of the west line of West Main Street; thence southeast a distance of 120 feet on a line radial to the curve of Old Highway 40; thence westerly on a curve to the right with a radius of 2352.01 feet a distance of 255 feet more or less to a point on the south right of way line of Old Highway 40; thence east to a point 112 feet west of the west line of Ball Park Road; thence south 140 feet; thence east 112 feet to the west line of Ball Park Road; thence south 435 feet; thence east 80 feet; thence south 762 feet; thence east 450 feet; thence north 484 feet; thence west 330 feet; thence north 278 feet to the point of beginning.

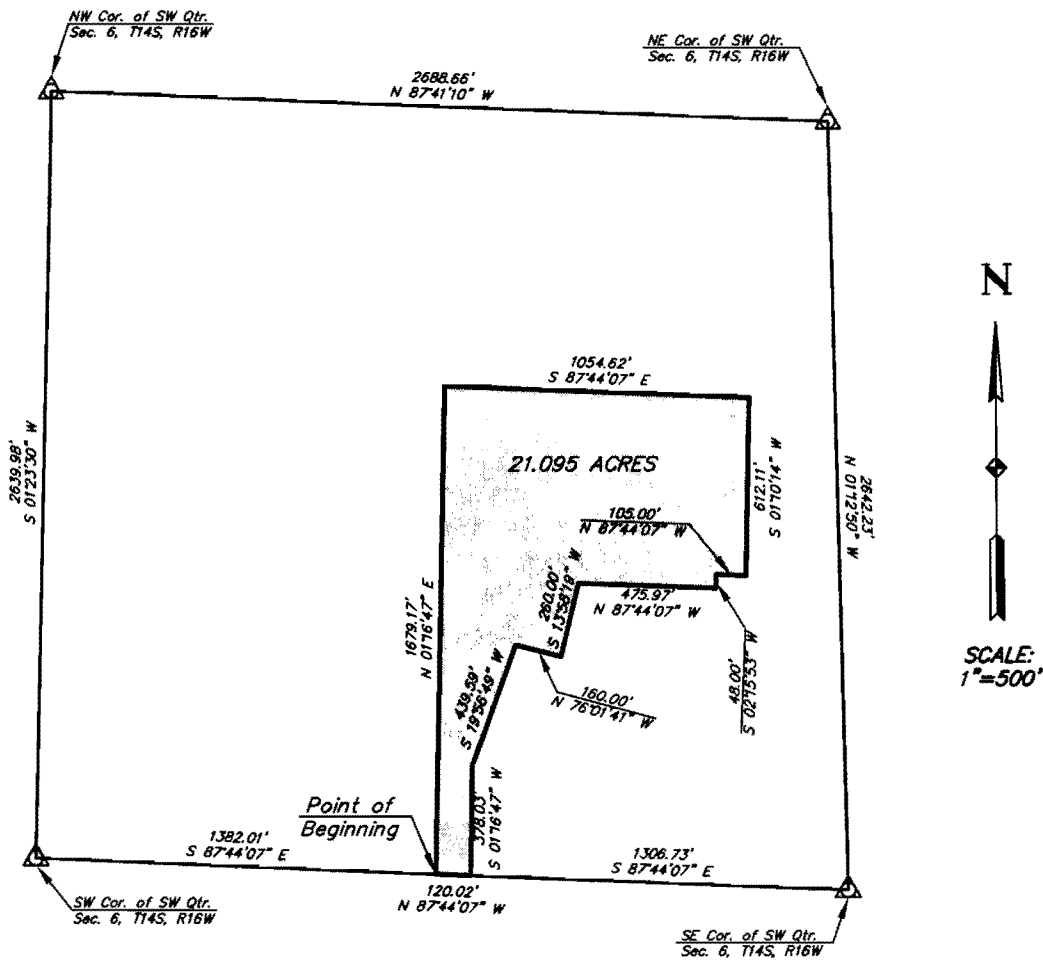
(This description was compiled using the boundary description, 1997 and Victoria city ordinances of annexed property since that description.)



Lewis E. Stephenson, RLS

EBH & Associates, P.A.

TRACT



DESCRIPTION

That part of the Southwest Quarter of Section 6, Township 14 South, Range 16 West, of the 6th Principal Meridian, Ellis County, Kansas, described as follows:

Commencing at the southwest corner of said Southwest Quarter; thence on an assumed bearing of South 87 degrees 44 minutes 07 seconds East, along the south line of said Southwest Quarter, a distance of 1,382.01 feet to the point of beginning of the land to be described; thence North 01 degrees 16 minutes 47 seconds East, along the east line of the Stramel Addition to the City of Victoria, Kansas, a distance of 1,679.17 feet; thence South 87 degrees 44 minutes 07 seconds East a distance of 1,054.62 feet; thence South 01 degrees 10 minutes 14 seconds West a distance of 612.11 feet; thence North 87 degrees 44 minutes 07 seconds West a distance of 105.00 feet; thence South 02 degrees 15 minutes 53 seconds West a distance of 48.00 feet; thence North 87 degrees 44 minutes 07 seconds West a distance of 475.97 feet; thence South 13 degrees 58 minutes 19 seconds West a distance of 260.00 feet; thence North 76 degrees 01 minutes 41 seconds West a distance of 160.00 feet; thence South 19 degrees 56 minutes 49 seconds West a distance of 439.39 feet; thence South 01 degrees 16 minutes 47 seconds West a distance of 378.03 feet to a point on the south line of said Southwest Quarter; thence North 87 degrees 44 minutes 07 seconds West, along the south line of said Southwest Quarter, a distance of 120.02 feet to the point of beginning. This tract contains 21.095 acres.

RUDER ENGINEERING & SURVEYING, LLC

1376 Butterfield Trail Rd.
Hays, Kansas 67601
785-259-1382

