

Open Video System
Notice of Intent

Attention Cable
Services Bureau

3. The open video system will have a maximum of 300 digital channel input ports available, each consisting of an average of 4 megabits of capacity. En-Tel's system will satisfy all OVS channel capacity requirements.

4. Video Programming Providers (VPP) interested in carriage of En-Tel's open video system may obtain additional information about the system by completing the OVS Information Request Form (Attachment 1) and submitting it to:

Jeffrey S. Roiland
PO Box 938
Willmar, MN 56201
320/222-0303

Pursuant to 47 C.F.R. § 76.1503(b)(2) of the FCC's rules, within five business days of receipt of a request for information En-Tel will provide the VPP with additional information regarding the open video system to enable the VPP to make an enrollment decision. With this information, the VPP also will be provided with additional forms and instructions necessary for carriage on En-Tel's open video system. If a VPP decides to seek carriage on En-Tel's open video system after receipt of the additional information, the VPP must submit the required forms, a non-refundable application-processing fee, and a channel reservation deposit by the end of the enrollment period.

5. One third of the system's maximum capacity will be set aside for En-Tel and/or its affiliates. In addition, En-Tel will utilize approximately three channels to carry public programs, educational programs, governmental programs, in addition to approximately nineteen "must-carry" stations entitled to demand carriage pursuant to 47 C.F.R. §76.56 and § 76.1506 of the FCC's rules. The remaining channels will be available for interested VPPs. No VPP will be assigned more than the capacity set aside for En-Tel and its affiliates.

6. The enrollment period for VPPs seeking carriage on En-Tel's open video system will commence on December 10, 2001, and will conclude March 10, 2002. In order to allow for contract finalization, ensure orderly channel allocation and allow timely systems allocation to occur, VPPs must submit their preliminary enrollment requests no later than January 4, 2002. Allocation of capacity in the event demand exceeds system capacity will occur as described in Attachment 2.

7. Attached is a certification that En-Tel has complied with all relevant notification requirements under the FCC's open video system regulations concerning must-carry and retransmission consent (47 C.F.R. § 76.1506), including a list of all local commercial and non-commercial television stations served. (Attachment 3). An example of the notification letter sent to television stations pursuant to this Section is also appended hereto (Attachment 4.) Also attached is a certificate of service showing that En-Tel's Notice of Intent has been served on all local franchising authorities, which are located with En-Tel's anticipated OVS service area (Attachment 5).

Respectfully submitted,

En-Tel Communications, LLC

Jeffrey S. Roiland
En-Tel Communications, LLC
222 20th Street SE
PO Box 938
Willmar, MN 56201-0938
(320)222-0303 (Phone)
(320)222-0202 (FAX)

Dated: _____

En-Tel Communications, LLC
OPEN VIDEO SYSTEM
INFORMATION REQUEST FORM

Section I: Video Programming Provider Information

Name of Company: _____

Name of Contact: _____

Address: _____

Telephone: _____

Facsimile: _____

Section II: Carriage Information

Total amount of capacity requested: _____ channels

Section III: Certification and Non-Disclosure Statement

The undersigned video programming provider (“VPP”) represents that it has the right under the copyright laws to select and contract for carriage of specific video programming on the En-Tel open video system, and that it has no formal or informal affiliation (as defined by 47 C.F.R. § 76.1500(g) of the FCC’s rules) or agreement with any other VPP requesting capacity or with any cable operator providing cable television services within En-Tel’s open video system service area, and that the capacity requested will only be used for the commercial operation of an information service. The VPP and its affiliates agree not to disclose to any other party the information provided by En-Tel in response to this request, except for information that is in the public domain and except as provided in 47 C.F. R. § 76.1513(1) of the FCC’s rules and that they will not use the information for any purpose whatsoever other than making an informed decision as to whether to enroll in En-Tel’s open video system and the subsequent activation of such enrollment, if any.

Signature

Name

Title

Date

En-Tel Communications, LLC
OPEN VIDEO SYSTEM
CHANNEL ALLOCATION PROCESS

En-Tel's anticipated total system capacity on its open video system is 300 digital ports (channels). The following channel allocations already have been made:

En-Tel: 100 channels for video programming + approximately 22 channels for the PEG/Must-Carry requirements. The remaining number of channels to be allocated is 178.

Initial capacity requests must be submitted by February 2, 2002. At that time, the total number of channels requested from all VPPs will be calculated. If sufficient capacity exists to fill all requests, each VPP will be allocated channel capacity equal to its

request. If the sum of all channels requested exceeds available channel capacity, each VPP requesting fewer than 6 channels will receive its requested channels; VPPs requesting more than 6 channels will receive at least 6, total capacity permitting. The remaining channels will be allocated to each VPP requesting more than 6 channels on a pro-rate basis; that is based on the ratio of the remaining number of channels requested by all VPPs.

The following is an illustration of the allocation process based on the availability of 178 channels and a request for 398 channels from multiple VPPs.

	Channels Requested	Minimum Allocations	Remaining Channels Requested	Ratio of Rmng Chal Avlble to Rmng Chal Requested	No. of Channels Allocated
A	2	2	0	-	2
B	6	6	0	-	6
C	20	6	14	398	12
D	110	6	104	398	47
E	150	6	144	398	64
F	<u>110</u>	<u>6</u>	<u>104</u>	398	<u>47</u>
Total	398	32	366		178

Because VPPs C through F all requested more than 6 channels, each VPP is allotted up to 6 channels as the minimum allocation. The remaining number of channels available to be divided among the VPPs is 146 (178 channels minus 32 channels).

The number of available channels to be allocated on a pro-rata basis (146) is divided by the remaining number of channels requested (366) which equals .398. This factor is used to calculate the distribution of the remaining 146 channels to VPPs C through F.

The remaining channels requested by VPPs C through F are multiplied by the pro rata factor (.398) to determine the number of channels the VPPs will be allocated in addition to the six channel minimum. Fractions of channels have been rounded to

the nearest whole number, provided that the sum of all allocations not exceed the total number of available channels.

En-Tel will mail a notification to each VPP to confirm the channel capacity allocation by January 17, 2002. Any VPP that is allocated fewer channels than it initially requested may withdraw its channel capacity request by notifying En-Tel by mail. Cancellations must be received by 5:00 p.m. on January 26, 2002. Channel capacity made available through the withdrawal of one or more VPPs will be reallocated on a pro rata basis to the remaining VPPs who did not receive their full request. On January 31, 2002, En-Tel will mail a notification to each remaining VPP to confirm the final channel capacity allocation.

CERTIFICATION Attachment 3

I, Jeff Roiland, hereby certify that on or before this 3rd day of December 2001, I caused must-carry-retransmission consent election notification to be sent by US mail to all commercial and noncommercial television stations operating within En-Tel's open video system television market, as indicated by the attached service list.

Jeffrey S. Roiland
General Manager

Dear

This letter serves to inform you that En-Tel Communications, LLC intends to construct, operate, and maintain a cable communications system governed by a local City franchise and an Open Video System (“OVS”) in the City of Willmar, Minnesota. Service activation is expected to occur on December 12, 2001, under the rules and obligations of the franchise ordinance governed by the City of Willmar. The open video system will have 300 channels of digital capacity.

Due to our geographic deployment, your station is entitled to carriage should you so elect, provided it is subsequently determined that the station delivers a good quality signal to the principal headend location at Hutchinson, Minnesota, and provided further that carriage of the station will not subject En-Tel to copyright liability.

If your station is commercial broadcast station, under the Federal Communications Commissions’ Rules, 47 C.F.R. 76 1500, et seq., you may elect mandatory carriage or you may negotiate consent for retransmission of your signal. All video programming providers (VPPs) on En-Tel’s Open Video System will be notified of your decision. If you elect “must carry”, En-Tel as the operator of the system, will deliver your signal to all subscribers of any VPP on the system. If you elect “retransmission consent”, you may negotiate with one or more VPPs delivering programming over the En-Tel OVS for inclusion in their programming package. Please notify us by Certified Mail within five business days of your election. Pursuant to FCC Rules, your election of En-Tel’s systems must be the same as any election you make with respect to the cable system operators in the town of Willmar, Minnesota.

The FCC’s OVS Rules are specify that En-Tel, as the system operator, must receive notification with respect to black-out requirements related to sports broadcasts, network non-duplication, and syndicated exclusively. En-Tel will make all notifications available to appropriate VPP’s on the system, and will delete signals from the system in accordance with the FCC’s Rules.

To the extent that you are carried as part of the VPP’s programming package pursuant to retransmission consent, you should notify that VPP. Please make all notifications to En-Tel required by these regulations to:

Jeffrey S. Roiland
En-Tel Communications, LLC
222 20th Street SE
PO Box 938
Willmar, MN 56201-0938

Please call me at 320-222-0303 if you have any questions.

Sincerely,
Jeffrey S. Roiland
General Manager

CERTIFICATE OF SERVICE

I, Jeff Roiland, hereby certify that I have caused copies of the foregoing open video system “Notice of Intent” of En-Tel Communications, LLC to be sent via certified mail on the 3rd day of December, 2001 to the following local franchising authorities listed below:

Michael Schmit
City Administrator – City of Willmar
333 SW Sixth Street
Willmar, MN 56201

Jeffrey S. Roiland
General Manager

Company	Name	Address	City, State, Zip
CBS, Inc. WCCO-TV	Jan McDaniel	90 S 11 th Street	Minneapolis, MN 55403
Hubbard Broadcasting, Inc. KSTP-TV	Ed Piette	3415 University Avenue	St. Paul, MN 55114
United TV, Inc. KMSP-TV	Stuart Swartz	11358 Viking Drive	Minneapolis, MN 55344-7258
Gannett Minnesota Broadcasting, Inc.	John Remes	8811 Olson Memorial Hwy	Minneapolis, MN 55427
Paxson Comm of Minneapolis KPXM	David Peterson	Box 407, 22601 176 th St.	Big Lake, MN 55309
KSTC Television Inc.	Susan Anderson	3415 University Avenue	St. Paul, MN 55114
KMWB	Dan Mellon	1640 Como Ave	St. Paul, MN 55108
KTCI-TCPT	James Pagliarini	172 E 4 th Street	St. Paul, MN 55101
KTCA-TCPT	James Pagliarini	172 E 4 th Street	St. Paul, MN 55101
West Central MN Educational TV Co	Ansel Doll	120 W Schlieman	Appleton, MN 56208
Fox-29 WFTC TV		1701 Broadway St NE	Minneapolis, MN 55413