

**OPEN VIDEO  
SYSTEM  
NOTICE  
OF INTENT**

**ATTENTION:  
CABLE SERVICES  
BUREAU**

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

In the Matter of )  
 )  
Paul Bunyan Rural Telephone Cooperative ) File No. \_\_\_\_\_  
 )  
Notice of Intent to Establish )  
An Open Video System )

**NOTICE OF INTENT TO ESTABLISH AN OPEN VIDEO SYSTEM**

Paul Bunyan Rural Telephone Cooperative (Paul Bunyan), pursuant to Section 76.1503(b)(1) of the Commission's Rules, hereby submits its Notice of Intent to establish an Open Video System (OVS). As required by section 76.1503(b)(1), Paul Bunyan respectfully submits the following information:

1. **OVS Operator.** The name, address and telephone number of the OVS Operator is Paul Bunyan Rural Telephone Cooperative, 1831 Anne Street NW (Suite 100), Bemidji, Minnesota 56601. The contact person is Keith Hunt, the Video Services Coordinator for Paul Bunyan. Mr. Hunt can be reached by mail at the above street address, by telephone at (218) 444-1234, by facsimile at (218) 444-1121, and by e-mail at kbhunt@paulbunyan.net.

2. **Projected Service Area.** Paul Bunyan's projected initial OVS service area is the City of Solway in Beltrami County, Minnesota, and the following six Beltrami County townships: Northern, Bemidji, Grant Valley, Turtle Lake, Jones and Lammers. Paul Bunyan also has obtained OVS certification for the City of Bemidji in Beltrami County, but will not commence provision of OVS service to residents of that city unless and until certain issues regarding local regulation are resolved. Paul Bunyan is likely to

request additional certification from the Federal Communications Commission during the next several years to expand its OVS service area.

3. **Projected Channel Capacity.** Paul Bunyan is providing OVS service over telephone lines via the NEXTLEVEL platform. This is essentially a switched digital service, wherein the programming services are situated in a server and each customer can select up to three programming services at any given moment. Paul Bunyan anticipates that it will have available as many as 250 channel input ports.

4. **Carriage Applications and Inquiries.** Potential video programming providers interested in carriage on Paul Bunyan's open video system may obtain additional information about the system by completing the attached OVS Information Request Form (Attachment 1) and mailing it to Keith Hunt at Paul Bunyan Rural Telephone Cooperative, 1831 Anne Street, Bemidji, Minnesota 56601. If a potential video program provider has questions concerning the completion of this form, Mr. Hunt can be reached by telephone at (218) 444-1234 and by e-mail at kbhunt@paulbunyan.net.

Pursuant to Section 76.1503(b)(2) of the Commission's Rules, Paul Bunyan will provide a potential video programming provider with additional information regarding the OVS system within five (5) business days after Paul Bunyan's receipt by mail of a completed OVS Information Request Form. The potential video programming provider will be furnished at that time with additional information regarding carriage on Paul Bunyan's OVS system. This information will include application forms that must be completed, technical information, equipment requirements, rate estimates, application fees and reservation deposits, and qualification requirements.

5. **Initial Enrollment Period.** The initial enrollment period for video programming providers seeking carriage on Paul Bunyan's OVS system will commence on May 25, 2001 and end on August 31, 2001.

6. **Allocation of Capacity.** Paul Bunyan does not expect to experience any capacity constraints on its OVS system. If the aggregate capacity needs of (a) local commercial and non-commercial television stations carried pursuant to Section 76.1506 of the Commission's Rules, (b) public, educational and governmental (PEG) access channels furnished pursuant to Section 76.1505 of the Commission's Rules, (c) Paul Bunyan and its affiliates, and (d) unaffiliated video programming providers exceed the actual capacity of Paul Bunyan's OVS system, then Paul Bunyan and its affiliates will not select the video programming services for carriage on more than one-third of the activated channel capacity of the OVS system. If aggregate capacity needs exceed actual OVS system capacity, unaffiliated video programming providers will be offered portions of the residual capacity (after local television stations, PEG access channels and Paul Bunyan's one-third share are accommodated) on the following basis: each unaffiliated video programming provider will be offered an equal proportionate amount of its requested capacity.

7. **Notification Requirements.** Paul Bunyan has complied with all relevant notification requirements under Section 76.1506 of the Commission's open video system regulations concerning must-carry and retransmission consent. A list of all local commercial and non-commercial television stations served is included as Attachment 2. Also included is a Certificate of Service showing that the present Notice of Intent has

been served on all local cable franchising authorities entitled to establish requirements concerning the designation of channels for public, educational and governmental use.

Respectfully submitted,  
**PAUL BUNYAN RURAL TELEPHONE  
COOPERATIVE**

By \_\_\_\_\_/s/\_\_\_\_\_  
Gerard J. Duffy

Its Counsel

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Dated: May 18, 2001

**PAUL BUNYAN RURAL TELEPHONE COOPERATIVE  
OPEN VIDEO SYSTEM INFORMATION REQUEST FORM**

**SECTION I: Identification of Potential Video Programming Provider**

Name of Entity: \_\_\_\_\_

Address of Entity: \_\_\_\_\_

\_\_\_\_\_

Name of Contact Person: \_\_\_\_\_

Telephone No.: \_\_\_\_\_

Facsimile No.: \_\_\_\_\_

**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 Paul Bunyan open video system, and that it has no formal or informal affiliation (as defined by Section 76.1500(g) of the FCC Rules) or agreement with any other VPP requesting capacity or with any cable operator providing cable television services within Paul Bunyan's open video system service area, and that the capacity requested will be used only for the commercial operation of a video program distribution service. The VPP and its affiliates, employees and agents agree not to disclose to any other party the information provided by Paul Bunyan in response to this request, except for information that was previously in the public domain and except as provided in Section 76.1513(j) of the FCC 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 Paul Bunyan's open video system and the subsequent activation of such enrollment, if any.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name and Title

Date \_\_\_\_\_

Please mail to:  
Keith Hunt  
Paul Bunyan Rural Telephone Cooperative  
1831 Anne Street NW, Suite 100  
Bemidji, MN 56601

**NAMES AND ADDRESSES OF LOCAL  
COMMERCIAL AND NON-COMMERCIAL TELEVISION STATIONS SERVED**

KARE/Ch 11 NBC  
8811 Olson Memorial Hwy  
Minneapolis, MN 55427

KAWE/Ch 9 PBS  
BSU Box 9 1500 Birchmont Dr.  
Bemidji MN 56601

KMSP/Ch 9 UPN  
11358 Viking Drive  
Eden Prairie, MN 55344

KMWB/Ch 23 WB  
1640 Como Ave.  
St. Paul, MN 55108

KPXM/Ch 41 PAX  
10700 Old County Rd. 15 Ste 285  
Plymouth, MN 55441

KSTP/Ch 5 ABC  
3415 University Ave  
Minneapolis, MN 55414

WCCO/Ch 4 CBS  
90 S. Eleventh St.  
Minneapolis, MN 55403

WFTC/Ch 29 FOX  
1701 Broadway St. NE  
Minneapolis, MN 55413

KVLY/Ch 11 NBC  
P.O. Box 1878  
Fargo, ND 58107

KCCO/Ch 7 CBS  
720 Hawthorne St.  
Alexandria, MN 56308

KTCA/Ch 2 PBS  
172 East 4<sup>th</sup> St.  
St. Paul, MN 55101

KSAX/Ch 42 ABC  
415 Fillmore St.  
Alexandria, MN 56308

**CERTIFICATE OF SERVICE**

I, Gerard J. Duffy, an attorney with the law firm of Blooston, Mordkofsky, Dickens, Duffy & Prendergast, hereby certify that I mailed on this 18th day of May, 2001, the foregoing NOTICE OF INTENT TO ESTABLISH AN OPEN VIDEO SYSTEM by first class U.S. mail, postage prepaid, to the following city and town clerks of the local cable franchising authorities within Paul Bunyan Rural Telephone Cooperative's certified open video system area:

Shirley Sherman, City Clerk  
City of Bemidji, Minnesota  
317 4th Street  
Bemidji, MN 56601

Arlis Thompson, City Clerk  
City of Solway, Minnesota  
PO Box 82  
Solway, MN 56678

Mary Israelson, Clerk  
Northern Township  
445 Town Hall Rd NW  
Bemidji, MN 56601

Lanee Paulson, Clerk  
Bemidji Township  
3518 Kaymar Court, SE  
Bemidji, MN 56601

Angela Schmidt, Clerk  
Grant Valley Township  
PO Box 942  
Bemidji, MN 56619-0942

Roger Schouten, Clerk  
Turtle Lake Township  
12537 Idlewild Drive NE  
Bemidji, MN 56601

Peggy Boyer, Clerk  
Lammers Township  
Rt. 1, Box 1255  
Solway, MN 56678

Diana Jensen, Clerk  
Jones Township  
Rt. 1, Box 5096  
Solway, MN 56678

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Gerard J. Duffy