

RESOLUTION NO. 2004- 175

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING LITESTREAM HOLDINGS, LLC'S PETITION/REQUEST FOR AN EXPANSION IN ITS FRANCHISE AREA, SO THAT ITS FRANCHISE AREA WILL COVER/INCLUDE ALL OF THE UNINCORPORATED AREA OF ST. JOHNS COUNTY, FLORIDA

WHEREAS, the Board of County Commissioners of St. Johns County, Florida, through St. Johns County Resolution No. 2004-174, approved the transfer of the cable franchise between St. Johns County, Florida and Litestream Technologies, LLC, so that it would, and will, be between St. Johns County, Florida and Litestream Holdings, LLC; and

WHEREAS, Litestream Holdings LLC's current cable television franchise in St. Johns County, Florida does not cover the entire un-incorporated area of St. Johns County, Florida, but rather covers/includes a portion of St. Johns County, Florida, as more graphically noted and described in attached and incorporated **Exhibit "A"**; and

WHEREAS, pursuant to Section III (Grant of Authority), Paragraph 6(A) (Filing Fees/Payment) of St. Johns County, Florida Ordinance 95-63, St. Johns County Franchised Cable Operator Litestream Holdings, LLC has requested a modification of its franchise area (noted and detailed in attached and incorporated **Exhibit "B"**), in order to enlarge the territorial limits of its franchise, and in effect cover/include the entire un-incorporated area of St. Johns County, Florida; and

WHEREAS, pursuant to Section III (Grant of Authority), Paragraph 6(A) (Filing Fees/Payment), Litestream Holdings, LLC has submitted a five thousand dollar (\$5,000.00), non-refundable territorial expansion fee; and

WHEREAS, Litestream Holdings, LLC, is a broadband telecommunications provider, meaning that it already offers video (cable), data (cable modem access/Internet), and voice (telephony); and

WHEREAS, the County, by granting expansion of Litestream Holdings, LLC's, franchise to cover/include the entire unincorporated area of St. Johns County, Florida, will allow Litestream Holdings, LLC to offer cable television, and other broadband telecommunications services to areas presently unserved by cable television, and other broadband telecommunications services; and

WHEREAS, the County has determined that by granting expansion of Litestream Holdings, LLC's, cable television franchise to cover/include the entire un-incorporated area of St. Johns County, will serve a public interest, in that it will increase cable television, and broadband telecommunication service options for the residents of St. Johns County, Florida.

NOW THEREFORE BE IT RESOLVED BY the Board of County Commissioners of St. Johns County, Florida, that:

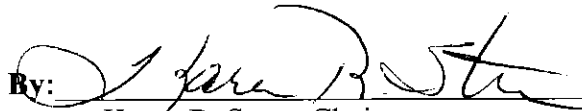
Section 1. The above-noted Recitals are incorporated by reference into this Resolution, and are considered Findings of Fact.

Section 2. St. Johns County, Florida, approves Litestream Holdings, LLC's, request to expand Litestream Holdings, LLC's cable television franchise area to cover/include all of the un-incorporated area of St. Johns County, Florida.

Section 3. Litestream Holdings, LLC's cable television franchise with St. Johns County, Florida authorizes Litestream Holdings, LLC, to provide cable service to the entire un-incorporated area of St. Johns County, Florida.


PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 13th day of July, 2004.

**BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA**

By: 
Karen R. Stern, Chair

ATTEST: Cheryl Strickland, Clerk

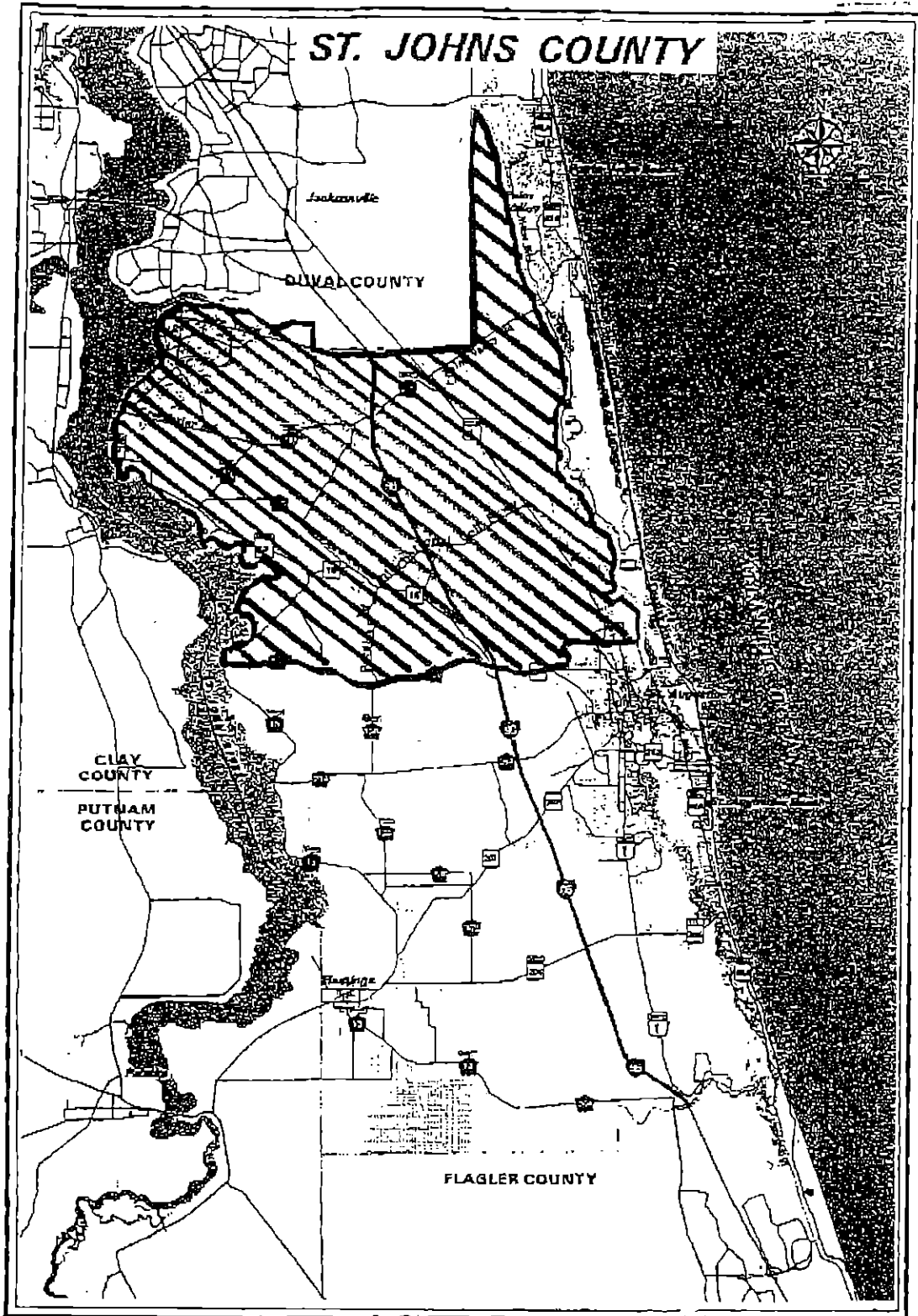
RENDITION DATE 7-19-04

By: 
Deputy Clerk

Effective Date: 7-13-04



EXHIBIT A



The portion of St. Johns County, Florida bearing the following description: north of SR-16, west of the intracoastal waterway, south of St. Johns County/Duval County boarder, and east of the St. Johns river.

Exhibit B



Mr. Michael Hunt
Office of the County Attorney
St. John's County Fla.
4020 Lewis Speedway
St. Augustine, Fla. 32084

JUL - 1 2004

6/26/04

Dear Michael,

Please accept this letter on behalf of Litestream Holdings, LLC as a request that the County, concurrent with our request for a cable television franchise transfer, also consider expanding Litestream's existing franchise territory. As you know the existing franchise essentially covers the northern half of the county. We would be interested, consistent with the terms of our existing franchise in being able to serve the southern half of the county as well, and therefore would ask that the county consider expansion of our franchise territory to include the entire county.

Many thanks for your consideration and we look forward to being good competitors in the county for many years to come.

Sincerely,

A handwritten signature in cursive script, appearing to read "Philip L. Holdbrooks".

Philip L Holdbrooks
President
Litestream Holdings, LLC