

Before the  
Federal Communications Commission  
Washington, D.C. 20554

In the Matter of	)	
	)	
Comcast of Arkansas, Inc.	)	
	)	
Complainant,	)	
	)	File No. EB-06-MD-001
v.	)	
	)	
Entergy Arkansas, Inc.,	)	
	)	
Defendant.	)	
	)	

### ORDER OF DISMISSAL

**Adopted:** June 12, 2007

**Released:** June 12, 2007

By the Chief, Market Disputes Resolution Division, Enforcement Bureau:

1. On May 31, 2007, the complainant, Comcast of Arkansas, Inc., (“Comcast”), and the respondent, Entergy Arkansas, Inc., (“Entergy”) filed a joint motion<sup>1</sup> seeking to dismiss with prejudice the Complaint that Comcast filed against Entergy in this action.<sup>2</sup> The Complaint alleges, *inter alia*, that Entergy violated section 224 of the Communications Act<sup>3</sup> by denying Comcast access to certain of its poles and by imposing unjust and unreasonable rates, terms, and conditions of pole attachment.<sup>4</sup> In the Motion, the parties stipulate that “the dispute giving rise to the Complaint and all claims and counterclaims asserted in such proceeding have been satisfactorily resolved” and request that the Commission terminate this proceeding.

2. We are satisfied that dismissing the Complaint will serve the public interest by promoting the private resolution of disputes and by eliminating the need for further litigation and the expenditure of further time and resources by the parties and this Commission.

3. Accordingly, IT IS ORDERED, pursuant to sections 1, 4(i), 4(j), and 224 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 154(i), 154(j), and 224, and the authority

<sup>1</sup> Joint Motion For Dismissal With Prejudice, File No. EB-06-MD-001 (filed May 31, 2007) (“Motion”).

<sup>2</sup> Complaint, File No. EB-06-MD-001 (filed Jan. 6, 2006) (“Complaint”).

<sup>3</sup> 47 U.S.C. § 224.

<sup>4</sup> See, e.g., Complaint at 6-7, ¶¶ 21, 24, 27.

delegated in sections 0.111, 0.311, and 1.1401-1.1418 of the Commission's rules, 47 C.F.R. §§ 0.111, 0.311, and 1.1401-1.1418, that the Motion is GRANTED, and that the Complaint is DISMISSED with prejudice.

FEDERAL COMMUNICATIONS COMMISSION

Alexander P. Starr  
Chief, Market Disputes Resolution Division