

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

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|-----------------------------|---|-----------------------|
| In the Matter of |) | |
| |) | |
| Bright House Networks, LLC, |) | |
| |) | |
| Complainant, |) | File No. EB-06-MD-003 |
| |) | |
| v. |) | |
| |) | |
| Tampa Electric Company, |) | |
| |) | |
| Respondent. |) | |
| |) | |

ORDER OF DISMISSAL

Adopted: January 6, 2012

Released: January 6, 2012

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

1. On February 27, 2006, Bright House Networks, LLC (“Bright House Networks”) filed a Complaint¹ against Tampa Electric Company (“Tampa Electric”) pursuant to section 224 of the Communications Act of 1934, as amended (the “Act”).²

2. On December 27, 2011, Bright House Networks and Tampa Electric filed a Joint Notice of Settlement and Voluntary Dismissal, indicating that the parties “have amicably settled the issues presented in the above-captioned complaint proceeding.”³ Bright House Networks therefore requests that the Commission dismiss its Complaint with prejudice.⁴

3. We are satisfied that granting the Voluntary Dismissal will serve the public interest by encouraging parties to work privately to narrow and resolve disputed issues, which may limit or eliminate the need for litigation and the further expenditure of resources by the parties and this Commission.

4. Accordingly, IT IS ORDERED, pursuant to sections 4(i), 4(j), and 224 of the Act, 47 U.S.C. §§ 154(i), 154(j), 224, and sections 1.1401-1.1418 of the Commission’s rules, 47 C.F.R. §§ 1.1401-1.1418, and the authority delegated in sections 0.111 and 0.311 of the

¹ Pole Attachment Complaint, File No. EB-06-MD-003 (filed Feb. 27, 2006) (“Complaint”).

² 47 U.S.C. § 224.

³ Joint Notice of Settlement and Voluntary Dismissal, File No. EB-06-MD-003 (filed Dec. 27, 2011) (“Voluntary Dismissal”) at 1.

⁴ *Id.*

Commission's rules, 47 C.F.R. §§ 0.111, 0.311, that the Joint Notice of Settlement and Voluntary Dismissal IS GRANTED.

5. IT IS FURTHER ORDERED, pursuant to sections 4(i), 4(j), and 224 of the Act, 47 U.S.C. §§ 154(i), 154(j), 224, and sections 1.1401-1.1418 of the Commission's rules, 47 C.F.R. §§ 1.1401-1.1418, and the authority delegated in sections 0.111 and 0.311 of the Commission's rules, 47 C.F.R. §§ 0.111, 0.311, that Bright House Networks' Complaint against Tampa Electric IS DISMISSED WITH PREJUDICE.

FEDERAL COMMUNICATIONS COMMISSION

Alexander P. Starr
Chief, Market Disputes Resolution Division
Enforcement Bureau