

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

In the Matter of)
Cox Communications Hampton Roads, L.L.C.,)
Complainant,) Proceeding No. 15-22
v.) File No. EB-15-MD-001
Dominion Virginia Power,)
Respondent.)

ORDER OF DISMISSAL

Adopted: September 29, 2015

Released: October 1, 2015

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

1. On January 22, 2015, Cox Communications Hampton Roads, L.L.C. , (Cox) filed with this Commission a complaint¹ against Dominion Virginia Power (Dominion) pursuant to section 224 of the Communications Act of 1934, as amended (Act).² Dominion filed a Response to Cox’s Complaint on February 23, 2015.³ Cox filed a Reply on March 17, 2015.⁴

2. On September 25, 2015, the parties filed a joint motion seeking dismissal of the Complaint with prejudice on the ground that the parties executed a confidential settlement agreement regarding this dispute on August 20, 2015.⁵ The Motion states that “[d]ismissal of the Complaint will serve the public interest by eliminating the need for further litigation and the expenditure of the associated time and resources of the parties and the Commission and will promote the private resolution of disputes.”⁶

3. We are satisfied that granting the Motion will serve the public interest by promoting the private resolution of disputes and by eliminating the need for further expenditure of time and resources by the parties and the 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 the authority delegated in sections 0.111, 0.311, and 1.1401–1.1424 of the Commission’s rules, 47 C.F.R. §§ 0.111, 0.311, 1.1401–1.1424, that the Motion is GRANTED.

¹ Pole Attachment Complaint, Proceeding No. 15-22, File No. EB-15-MD-001 (filed January 22, 2015) (Complaint).

² 47 U.S.C. § 224.

³ Dominion Virginia Power’s Response to Cox Communications Hampton Roads, L.L.C.’s Pole Attachment Complaint, Proceeding No. 15-22, File No. EB-15-MD-001 (filed Feb. 22, 2015) (Response).

⁴ Reply to Response to Pole Attachment Complaint, Proceeding No. 15-22, File No. EB-15-MD-001 (filed Mar. 16, 2015) (Reply).

⁵ Joint Motion to Dismiss Complaint With Prejudice, No. 15-22, File No. EB-15-MD-001 (filed Sept. 25, 2015) (Motion).

⁶ Motion at paras. 5-6.

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 the authority delegated in Sections 0.111, 0.311, and 1.1401-1.1424 of the Commission's rules, 47 C.F.R. §§ 0.111, 0.311, 1.1401-1.1424, that the Complaint is **DISMISSED WITH PREJUDICE**.

FEDERAL COMMUNICATIONS COMMISSION

Christopher L. Killion
Chief, Market Disputes Resolution Division
Enforcement Bureau