

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

In the Matter of )
Cox Communications Las Vegas, Inc., )
Complainant, ) Proceeding No. 14-267
v. ) File No. EB-14-MD-017
NV Energy, Inc., )
Respondent. )

ORDER OF DISMISSAL

Adopted: May 6, 2015

Released: May 6, 2015

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

1. On December 18, 2014, Cox Communications Las Vegas, Inc., (CCI-LV) filed with this Commission a complaint against NV Energy, Inc. (NVE) pursuant to section 224 of the Communications Act of 1934, as amended (Act). NVE filed a Response to CCI-LV's Complaint on January 30, 2015. CCI-LV filed a Reply on February 20, 2015.

2. On May 5, 2015, the parties filed a joint motion seeking dismissal of the Complaint with prejudice on the ground that the parties have executed a settlement agreement regarding this dispute. The Motion states that "CCI-LV has agreed to seek dismissal of the Complaint against NVE with prejudice as to all claims and defenses asserted therein as they relate to the poles listed on the applications that are the subject of the Complaint in accordance with the terms of the Settlement." The Motion further 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.

3. We are satisfied that granting the Motion and dismissing the Complaint in accordance with the parties' request 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.

1 Pole Attachment Complaint, Proceeding No. 14-267, File No. EB-14-MD-017 (filed Dec. 18, 2014) (Complaint).

2 47 U.S.C. § 224.

3 NV Energy, Inc.'s Response to Cox Communications Las Vegas, Inc.'s Pole Attachment Complaint, Proceeding No. 14-267, File No. EB-14-MD-017 (filed Jan. 30, 2015) (Response); NV Energy, Inc.'s Corrected Response to Cox Communications Las Vegas, Inc.'s Pole Attachment Complaint, Proceeding No. 14-267, File No. EB-14-MD-017 (filed Feb. 12, 2015).

4 Reply to Response to Pole Attachment Complaint, Proceeding No. 14-267, File No. EB-14-MD-017 (filed Feb. 20, 2015) (Reply).

5 Joint Motion to Dismiss Complaint With Prejudice, No. 14-267, File No. EB-14-MD-017 (filed May 5, 2014) (Motion).

6 Motion at paras. 6-7.

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**.

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