

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of:

WADE COMMUNICATIONS
PARTNERSHIP

Motion to Withdraw
Appeal of Local Rate Order of the
City of Philadelphia

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DA 95-492

ORDER

Adopted: March 13, 1995

Released: March 15, 1995

By the Chief, Cable Services Bureau:

1. On September 2, 1994, Wade Communications Partnership ("Wade") filed an appeal of the local rate order, adopted on August 5, 1994 by Wade's franchising authority, the City of Philadelphia (the "City").¹ In the local rate order, the City established regulated rates for basic cable service and associated equipment, provided by Wade, as allowed by the Cable Television Consumer Protection and Competition Act of 1992. The local order required Wade to reduce its rates for the monthly converter charge and installation charges.

2. On February 23, 1995, Wade filed with the Commission a motion to dismiss its earlier-filed appeal and stay request.² In its motion, Wade stated that Cablevision Industries (owner and operator of Wade Communications Partnership) and the City "have agreed to

¹ In addition to the "Appeal of Wade Communications Partnership from Rate Decision and Order of the City of Philadelphia, Pennsylvania," Wade also filed an "Ex Parte Petition from Rate Decision and Order of the City of Philadelphia, Pennsylvania."

² Wade entitled its pleading as "Settlement Agreement and Stipulation to Dismiss Appeal and Petition for Stay." We, however, will treat this "agreement and stipulation" as a motion by Wade to withdraw its appeal.

settle all issues" raised by the City's August 5 rate order. There being no opposition, Wade's Motion to Withdraw is granted.

3. Accordingly, **IT IS ORDERED THAT** Wade Communication Partnership's Appeal of the Local Rate Order of the City of Philadelphia, Pennsylvania **IS DISMISSED**. **IT IS FURTHER ORDERED** that Wade Communication Partnership's Ex Parte Petition from Rate Decision and Order of the City of Philadelphia **IS DISMISSED**.

4. This action is taken by the Chief, Cable Services Bureau, pursuant to authority delegated by Section 0.321 of the Commission's rules, 47 C.F.R. § 0.321.

FEDERAL COMMUNICATIONS COMMISSION

Meredith J. Jones
Chief, Cable Services Bureau