

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

In the Matter of

Petition for Relief of

KARL SCHROLL,
Petitioner,

vs.

CSR 4373-L

ARLINGTON CABLE PARTNERS
d/b/a CABLE TV ARLINGTON,
Respondent,

For Leased Access Channels

MEMORANDUM OPINION AND ORDER

Adopted: March 4, 1996;

Released: March 12, 1996

By the Chief, Cable Services Bureau:

I. Introduction

1. On August 22, 1994, Mr. Karl Schroll filed a petition for relief under 47 C.F.R. § 76.975 alleging that Arlington Cable Partners has violated 47 C.F.R. § 76.970 by failing to provide a schedule of rates for commercial leased access service on its cable system in Arlington County, Virginia.¹ On November 3, 1994, the Commission received a Response to Complaint and Petition for Relief from counsel for Arlington Cable Partners d/b/a Cable TV Arlington (herein "Cable TV"), in response to the petition, stating that commercial leased access rate information was provided to Mr. Schroll by letter dated November 1, 1994. A certificate of service provided with the response indicates that a copy of that response was sent to Mr. Schroll.

2. The information provided by Cable TV's response indicates that Mr. Schroll's petition for relief has been satisfied and that no further action by the Commission is required. By letter dated November 13, 1995, the Commission's staff requested Mr. Schroll to provide, within thirty (30) days from the date of its letter, or by December 13, 1995, a statement indicating whether further prosecution of the petition is required. Mr. Schroll was further informed that if a response were not thus filed, a decision will be made on the existing record. No response has been received from Mr. Schroll.

3. The record in this matter shows that Cable TV provided Mr. Schroll with the requested commercial leased access rate information by letter dated November 1, 1994

and thus satisfied Mr. Schroll's petition for relief. The record further shows that Mr. Schroll has provided nothing which indicates that any further prosecution of his petition for relief is required.

4. Accordingly, IT IS ORDERED that the petition for relief of Mr. Karl Schroll in File No. CSR 4373-L IS DISMISSED without prejudice 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

¹ For a general background discussion of the statutory and regulatory provisions relating to commercial leased access, see *Advantage Video & Marketing, Inc. vs Comcast of Lower Merion, Inc.*, 10 FCC Rcd 7681-7682 (Cable Ser. Bur. 1995).