

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

In the Matter of

TRIAX SOUTHEAST
ASSOCIATES, L.P.

Notice of Withdrawal of Appeal of
Order Setting Basic Service and
Equipment Rates by Pitt County,
North Carolina

ORDER

Adopted: January 18, 1996; Released: January 31, 1996

By the Chief, Consumer Protection and Competition
Division:

1. On August 16, 1995, Triax Southeast Associates, L.P. of Pitt County, North Carolina ("Triax"), the operator of a cable television system serving the County of Pitt, North Carolina (the "County"), filed with the Commission an appeal of a local rate order adopted by the County on July 17, 1995. The rate order established Triax's rates for basic cable service, equipment, installations and hourly service charges pursuant to the Cable Television Consumer Protection and Competition Act of 1992.¹

2. On September 5, 1995, the County filed an opposition to the appeal. On September 12, 1995, Triax filed a response to the opposition of the County. On November 13, 1995, Triax filed with the Commission a notice of withdrawal of its earlier-filed appeal. No opposition to the notice of withdrawal has been filed by the County. Therefore, Triax's notice of withdrawal of its appeal is granted.

3. Accordingly, IT IS ORDERED THAT Triax's notice of withdrawal of its appeal of the rate order issued by the County of Pitt, North Carolina IS GRANTED and the appeal 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 (1993).

FEDERAL COMMUNICATIONS COMMISSION

Mary Ellen Burns
Chief, Consumer Protection and Competition Division
Cable Services Bureau

¹ Pub. L. No. 102-385, 106 Stat. 1460 (1992).