**Before the**

Federal Communications Commission

Washington, D.C. 20554

|  |  |  |
| --- | --- | --- |
| In the Matter of  BellSouth Telecommunications, LLC d/b/a  AT&T Florida,  Complainant,  v.  Duke Energy Florida, LLC,  Defendant. | **)**  **)**  **)**  **)**  **)**  **)**  **)**  **)**  **)**  **)**  **)**  **)** | Proceeding No. 20-276  Bureau ID No. EB-20-MD-003 |

erratum

**Released: September 10, 2021**

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

On August 27, 2021, the Enforcement Bureau released a Memorandum Opinion and Order (*MO&O*), DA 21-1008, in the above-captioned proceeding. This Erratum corrects footnote 135 on page 19 of the *MO&O* to read as follows:

“135 *See Verizon Maryland*, 35 FCC Rcd at 13618, para. 26 (finding utility had bargaining leverage where a four-to-one pole ownership disparity meant that the incumbent LEC would be required to relocate four times the facilities if the parties extracted themselves from their joint use agreement). Duke’s expert states that, if both parties were to furnish and install poles to replace those to which they attach under the JUA, the total annualized cost to AT&T would be

{[ ]} (representing the cost to replace the 62,363 Duke poles to which AT&T is attached), while the annualized cost to Duke would be {[ ]} (representing the cost to replace the 5,233 AT&T poles to which Duke is attached). *See* Metcalfe Answer Aff. at 9-10, paras. 18-20 and Exh. E-2 at 1.”

FEDERAL COMMUNICATIONS COMMISSION

Rosemary H. McEnery

Chief, Market Disputes Resolution Division

Enforcement Bureau