

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

CABLE ONE, INC.,)	
)	CASE NO. GNR-E-01-2
Petitioner, Complainant,)	
)	
v.)	
)	
IDAHO POWER COMPANY, INC.)	ORDER NO. 29192
)	
Respondent.)	
)	

Cable One, Inc. filed a Petition for Declaratory Ruling and Complaint for Determination of Pole Attachment Rates on October 30, 2001, requesting the Commission establish a pole attachment rate for Cable One and Idaho Power Company. The Petition was filed pursuant to *Idaho Code* § 61-538, which authorizes the Commission to establish rates for providing space on a utility company’s poles “whenever a public utility and cable television company are unable to agree upon the rates.” The Companies participated in a workshop sponsored by the Commission, and thereafter were able to resolve the pole attachment rate by agreement. Accordingly, on February 3, 2003, Cable One and Idaho Power filed a Stipulation for dismissal, also signed by Staff, stating that Cable One is withdrawing its complaint and the case could be dismissed by the Commission.

Because the Commission’s authority in Section 61-538 is to resolve a pole attachment rate dispute, and there now being no disagreement between Cable One and Idaho Power, it is appropriate for the Commission to allow the withdrawal of the Petition and Complaint and dismiss the case.

ORDER

IT IS HEREBY ORDERED, pursuant to the Stipulation of the parties, that the Petition and Complaint of Cable One is withdrawn and this case is dismissed.

THIS IS A FINAL ORDER. Any person interested in this Order (or in issues finally decided by this Order) or in interlocutory Orders previously issued in this Case No. GNR-E-01-2 may petition for reconsideration within twenty-one (21) days of the service date of this Order with regard to any matter decided in this Order or in interlocutory Orders previously issued in

this Case No. GNR-E-01-2. Within seven (7) days after any person has petitioned for reconsideration, any other person may cross-petition for reconsideration. See *Idaho Code* § 61-626.


DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 12th day of February 2003.


PAUL KJELLANDER, PRESIDENT


MARSHA H. SMITH, COMMISSIONER


DENNIS S. HANSEN, COMMISSIONER

ATTEST:


Jean D. Jewell
Commission Secretary

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