

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of Time Warner NY Cable LLC,)	
)	
Complainant,)	
)	
v.)	Case No. 09-379-TP-CSS
)	
Cincinnati Bell Telephone Company LLC,)	
)	
Respondent.)	

ENTRY

The Commission finds:

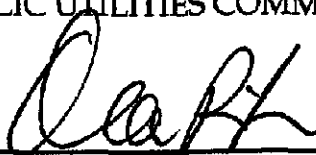
- (1) On May 4, 2009, Time Warner NY Cable LLC (Time Warner) filed a complaint against Cincinnati Bell Telephone Company LLC (CBT) alleging that CBT overbilled Time Warner for pole attachments.
- (2) On June 3, 2009, along with an answer, CBT filed a motion to dismiss the complaint.
- (3) On June 18, 2009, Time Warner filed a memorandum contra CBT's motion to dismiss.
- (4) On June 25, 2009, CBT filed a reply in support of its motion to dismiss.
- (5) Pursuant to an entry issued December 7, 2009, the parties convened for a settlement conference on January 7, 2010.
- (6) On September 21, 2010, Time Warner filed a request to dismiss its complaint with prejudice. Time Warner explains that the parties have settled the issues raised by the complaint.
- (7) Upon being advised that the parties have settled this matter and that the complainant wishes to dismiss the complaint with prejudice, we shall grant the request. Accordingly, the complaint filed in this matter should be dismissed with prejudice.

It is, therefore,

ORDERED, That the complaint filed by Time Warner be dismissed with prejudice.
It is, further,

ORDERED, That a copy of this entry be served upon all parties and interested persons of record.

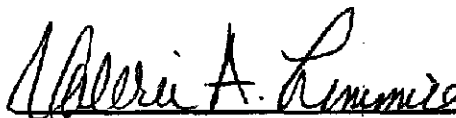
THE PUBLIC UTILITIES COMMISSION OF OHIO



Alan R. Schriber, Chairman



Paul A. Centolella



Valerie A. Lemmie



Steven D. Lesser

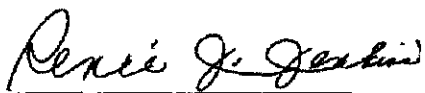


Cheryl L. Roberto

LDJ/vrm

Entered in the Journal

OCT 22 2010



Renee J. Jenkins
Secretary