

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION OF
GREATWAVE BROADBAND SERVICES, LLC
FOR APPROVAL TO ESTABLISH A NEW
CONDUIT TARIFF.

CASE NO. 22-686-TP-ATA

ENTRY

Entered in the Journal on November 30, 2022

I. SUMMARY

{¶ 1} The Commission accepts the withdrawal of the application filed in this case and, consequently, dismisses this case, without prejudice.

II. DISCUSSION

{¶ 2} GreatWave Broadband Services, LLC (GreatWave) is a telephone company as defined in R.C. 4905.03 and a public utility as defined in R.C. 4905.02, and, as such, is subject to the jurisdiction of the Commission.

{¶ 3} Ohio Adm.Code 4901:1-3-03 describes the pole attachment and conduit occupancy rules applicable to a public utility and an attaching entity.

{¶ 4} On August 11, 2022, GreatWave filed an application in this case seeking approval of a new conduit occupancy tariff consistent with the rules in Ohio Adm.Code Chapter 4901:1-3.

{¶ 5} Ohio Adm.Code 4901:1-3-04(A) provides that applications seeking changes to the rates, terms, and conditions of nondiscriminatory access to poles, ducts, conduits, or rights of way shall be subject to a 60-day automatic approval process.

{¶ 6} By Entry issued October 7, 2022, the application in this case was fully suspended for 30 days, pursuant to Ohio Adm.Code 4901:1-3-04(A)(2), so as to allow opportunity for the Commission to fully investigate the application.

{¶ 7} By Entry issued on November 7, 2022, the application was fully suspended from the automatic approval process altogether. The Entry indicated that the application could not be approved without a Commission order.

{¶ 8} On November 7, 2022, GreatWave filed a notice of withdrawal of its application in this case.

{¶ 9} Based on the notice of withdrawal of the application, filed in this case on November 7, 2022, the Commission finds that this case should be dismissed, without prejudice.

III. ORDER

{¶ 10} It is, therefore,

{¶ 11} ORDERED, That in accordance with Paragraph 9, the Commission accepts GreatWave's withdrawal of its application and dismisses this case, without prejudice. It is, further,

{¶ 12} ORDERED, That a copy of this Entry be served upon GreatWave and all interested persons of record.

COMMISSIONERS:

Approving:

Jenifer French, Chair
M. Beth Trombold
Lawrence K. Friedeman
Daniel R. Conway
Dennis P. Deters

DEF/dmh

**This foregoing document was electronically filed with the Public Utilities
Commission of Ohio Docketing Information System on
11/30/2022 2:45:43 PM**

in

Case No(s). 22-0686-TP-ATA

Summary: Entry that the Commission accepts the withdrawal of the application filed in this case and, consequently, dismisses this case, without prejudice electronically filed by Ms. Donielle M. Hunter on behalf of Public Utilities Commission of Ohio