

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

In the matter of:	)	
	)	Cuid CA0455
TCI CABLEVISION OF CALIFORNIA, INC.	)	
	)	File No. CSB-A-0401
Motion to Withdraw Petition for Emergency	)	
Declaratory Ruling involving the City of Santa	)	
Clara, CA	)	

ORDER

Adopted: October 23, 2002

Released: October 25, 2002

By the Deputy Chief, Policy Division, Media Bureau:

1. TCI Cablevision of California, Inc. ("TCI-C") filed with the Commission on April 25, 1997, a Petition for Emergency Declaratory Ruling asking the Commission to rule that the City of Santa Clara, California ("City") concluded incorrectly that a TCI-C rate filing was facially incomplete. Along with its petition, TCI-C also filed a request for emergency stay on May 27, 1997.

2. In a Motion to Withdraw Petition for Emergency Declaratory Ruling filed on October 4, 2002, TCI-C states that the dispute is now moot and there is no longer any need to burden the Commission with a review of the underlying dispute. TCI-C requests that the petition and the request for emergency stay, as well as any other TCI-C petitions seeking Commission review of any local rate orders issued by the City of Santa Clara, California be dismissed without benefit of substantive Commission review.

3. Accordingly, **IT IS ORDERED** that the Motion to Withdraw Petition for Emergency Declaratory Ruling filed by TCI Cablevision of California, Inc. **IS GRANTED** and, in particular, the petition filed on April 25, 1997 and the emergency stay filed on May 27, 1997 **ARE DISMISSED**.

4. This action is taken pursuant to authority delegated by Section 0.283 of the Commission's rules. 47 C.F.R. § 0.283.

FEDERAL COMMUNICATIONS COMMISSION

John B. Norton  
Deputy Chief, Policy Division  
Media Bureau