

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
BALTIMORE GAS AND ELECTRIC COMPANY)	
)	
Complainant,)	
)	
v.)	
)	
CABLE TELECOMMUNICATIONS)	File No. EB-02-MD-031
ASSOCIATION OF MARYLAND, DELAWARE)	
& THE DISTRICT OF COLUMBIA; ADELPHIA)	
PRESTIGE CABLEVISION LLC; MILLENNIUM)	
DIGITAL MEDIA; and COMCAST CABLE)	
COMMUNICATIONS, INC.)	
)	
Respondents.)	

ORDER

Adopted: December 4, 2003

Released: December 5, 2003

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

1. On November 25, 2003, the complainant, Baltimore Gas and Electric Company (“BGE”), filed a Consent Motion to Dismiss¹ with prejudice the pole attachment Complaint that BGE filed on May 14, 2002 against the respondents, Cable Telecommunications Association of Maryland, Delaware & the District of Columbia, Adelphia Prestige Cablevision LLC, Millennium Digital Media, and Comcast Cable Communications, Inc.² The Motion to Dismiss states that the parties have reached a settlement agreement that “encompass[es] all of the issues raised in the Complaint, and has rendered moot the issues in the Complaint proceeding.”³ BGE also states that it has been authorized to represent the consent of all parties to the case to its Motion to Dismiss.⁴

¹ Consent Motion to Dismiss, File No. EB-02-MD-031 (filed Nov. 25, 2003) (“Motion to Dismiss”).

² Complaint, File No. EB-02-MD-031 (filed May 14, 2002) (“Complaint”).

³ Motion to Dismiss at 1.

⁴ Motion to Dismiss at 2.

2. We are satisfied that dismissing the Complaint will serve the public interest by promoting the private resolution of disputes and by eliminating the need for further litigation and the expenditure of further time and resources of the parties and this Commission.

3. Accordingly, IT IS ORDERED, pursuant to sections 1, 4(i), 4(j), and 224 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 154(i), 154(j), 224, and the authority delegated in sections 0.111 and 0.311 of the Commission's rules, 47 C.F.R. §§ 0.111 and 0.311, that the Consent Motion to Dismiss is GRANTED, and that the Complaint is DISMISSED with prejudice.

4. IT IS FURTHER ORDERED that the above-captioned proceeding is TERMINATED.

FEDERAL COMMUNICATIONS COMMISSION

Alexander P. Starr
Chief, Market Disputes Resolution Division
Enforcement Bureau