

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

In the Matter of
Charter Communications, Inc.,
Complainant,
v.
Union Electric Company d/b/a AmerenUE,
Respondent.
File No. EB-05-MD-030

ORDER OF DISMISSAL

Adopted: January 9, 2008

Released: January 9, 2008

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

1. On November 30, 2005, Charter Communications, Inc. ("Charter") filed a complaint pursuant to section 224 of the Communications Act of 1934, as amended ("Act"), against Union Electric Company d/b/a AmerenUE ("AmerenUE"). In short, Charter alleged that AmerenUE unlawfully attempted to collect the "telecommunications rate" for pole attachments it used to provide telephone service using Voice over Internet Protocol.

2. On December 17, 2007, the parties filed a Joint Notice of Settlement and Motion to Dismiss, advising the Commission that they have "reached a settlement of their disputes" and asking the Commission to dismiss the Complaint with prejudice. We grant the Motion. Dismissing the Complaint will serve the public interest by promoting the private resolution of disputes and eliminating the expenditure of further time and resources of the parties and the Commission.

3. ACCORDINGLY, IT IS ORDERED, pursuant to sections 4(i), 4(j), and 224 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 154(j), and 224, and sections 1.1401-

1 47 U.S.C. § 224.

2 See Complaint, File No. EB-05-MD-030 (filed Nov. 30, 2005) ("Complaint").

3 Joint Notice of Settlement and Motion to Dismiss, File No. EB-05-MD-030 (filed Dec. 17, 2007) ("Motion").

1.1418 of the Commission's rules, 47 C.F.R. §§ 1.1401-1.1418, and the authority delegated by sections 0.111 and 0.311 of the Commission's rules, 47 C.F.R. §§ 0.111, 0.311, that the above-captioned complaint IS DISMISSED WITH PREJUDICE in its entirety and the proceeding is TERMINATED.

FEDERAL COMMUNICATIONS COMMISSION

Lisa B. Griffin  
Deputy Chief  
Market Disputes Resolution Division  
Enforcement Bureau