

ENTERED JUN 22 2017

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1828

CLATSKANIE PEOPLE'S UTILITY
DISTRICT,

vs.

J & N CABLE SYSTEMS, INC.

ORDER

DISPOSITION: PETITION GRANTED

I. SUMMARY

In this order we grant the petition of Clatskanie People's Utility District (CPUD) for authorization to remove from its poles, and to properly dispose of, any and all pole attachments and related facilities made by J&N Cable Systems, Inc. (J&N).

II. DISCUSSION

On April 21, 2017, pursuant to OAR 860-028-180, CPUD filed a petition requesting authorization to remove any and all attachments made by J&N to CPUD's utility poles and to dispose of such attachments. CPUD makes this request in order to mitigate any potential safety hazards and to reclaim the usable space on its poles.¹

In support of the petition, CPUD states that on April 25, 2016, it notified J&N in writing that it was in violation of its legal duties as a pole occupant. First, J&N was in arrears on its annual pole attachment rentals for both 2013 and 2014 in the amount of \$15,099.68. Second, CPUD notified J&N that several of its attachments were in violation of applicable Commission safety standards. It has now been in excess of 180 days since CPUD provided notice to J&N and J&N has failed to correct the violations of the obligations imposed by our rules.

By letter dated April 21, 2017, we notified J&N of the filing of the petition and its right to file an answer within 30 days, with the matter then to be set for hearing. J&N did not file an answer to the petition.

¹ OAR 860-028-0180(1) provides that when the pole occupant has failed to comply with such duties for more than 180 days, "the pole owner may request an order from the Commission authorizing removal of the pole occupant's attachments."

A prehearing conference was held on June 15, 2017. Counsel appeared on behalf of CPUD and J&N, with the Commission Staff present. At the conference, J&N stated that the company is now defunct, that it does not oppose the petition and that it agreed to file a letter with the Commission affirming that position.

On June 16, 2017, we received the letter from J&N affirming its consent to the relief sought by CPUD. Accordingly, we grant CPUD's petition.

III. ORDER

IT IS ORDERED that the petition of Clatskanie People's Utility District for authorization to remove from its poles, and to properly dispose of, any and all pole attachments and related facilities made by J&N Cable Systems, Inc. is granted.

Made, entered, and effective JUN 22 2017.



Lisa D. Hardie
Chair



Stephen M. Bloom
Commissioner



Megan W. Decker
Commissioner