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BEFORE THE PUBLIC UTILITY COMMISSION OF OREGON

CHARTER COMMUNICATIONS HOLDING  
COMPANY, LLC.; FALCON TELECABLE,  
L.P., FALCON CABLE SYSTEMS  
COMPANY II, L.P., AND FALCON  
COMMUNITY VENTURES I, L.P.

Case No. UM 1241

**ANSWER OF CENTRAL LINCOLN  
PEOPLE’S UTILITY DISTRICT**

Complainants,

v.

CENTRAL LINCOLN PEOPLE’S UTILITY  
DISTRICT,

Defendant.

Central Lincoln People’s Utility District (“Defendant”) Answers Charter

Communications Holding Company, LLC’s, Falcon Telecable, L.P.’s, Falcon Cable Systems  
Company II, L.P.’s, and Falcon Community Ventures I, L.P.’s (“Complainant”) Complaint to Set  
Fair, Just, Reasonable, and Non-Discriminatory Pole Attachment Rates and for Refunds of  
Overcharges, and Petition for Declaratory Ruling (“Complaint”) as follows. Defendant admits,  
denies and alleges:

1.

Defendant is without sufficient information to form a belief as to the truth of the  
allegations contained in the following Paragraphs of the Complaint: 1, 11, 14, 49, 52, 53, 54, 55,  
57, 58 and 59.

2.

Defendant denies the allegations contained in the following Paragraphs of the Complaint:

1 12, 34, 37, 38, 43, 44, 47, 48, 50, 51, 66, 68, 73, 78, 80, 87 and 96.

2 3.

3 The following Paragraphs of the Complaint state conclusions of law to which no response  
4 is required: 6, 15, 16, 27, 28, 45, 56, 61, 65, 71, 72, 79, 81, 83, 84, 85, 88, 89, 90, 91, 92, 93, 95,  
5 97, 98, 100, 101 and 102.  
6

7 4.

8 Defendant admits the allegations contained in the following Paragraphs of the Complaint:  
9 2, 4, 5, 7, 8, 9, 10, 13, 17, 18, 20, 22, 23, 24, 26, 29, 30, 31, 32, 33, 35, 36, 39, 40, 41, 42, 46, 63,  
10 69, 70, 75, 76, 77 and 82.

11 5.

12 Defendant denies the allegations contained in the first sentence of Paragraph 3 of the  
13 Complaint. Defendant admits the allegations contained in the second and third sentences of  
14 Paragraph 3 of the Complaint.  
15

16 6.

17 Defendant admits the allegations contained in the first sentence of Paragraph 19.  
18 Defendant denies the allegations contained in the second sentence of Paragraph 19.

19 7.

20 Defendant admits receiving the letter contained in the allegations in Paragraph 21.  
21 Defendant is without sufficient information to form a belief as to the truth of the allegations in  
22 the remainder of Paragraph 21.  
23

24 8.

25 Defendant denies the phrase “refused to succumb to Central Lincoln’s demands” in the  
26 allegations contained in Paragraph 25. Defendant admits the allegations contained in the

1 remainder of Paragraph 25.

2 9.

3 Defendant admits the allegations contained in the first and third sentences of Paragraph  
4 60 of the Complaint. Defendant denies the allegations contained in the second sentence of  
5 Paragraph 60 of the Complaint.  
6

7 10.

8 Defendant admits the allegations contained in the first sentence of Paragraph 62 of the  
9 Complaint. Defendant denies the allegations contained in the second sentence of Paragraph 62 of  
10 the Complaint.

11 11.

12 Defendant admits the allegations contained in the first and second sentences of Paragraph  
13 64 of the Complaint. Defendant denies the allegations contained in the third sentence of  
14 Paragraph 64 of the Complaint.  
15

16 12.

17 Defendant repeats and realleges the contents of its responses to Paragraphs 1 through 102  
18 as if set forth fully herein, in response to the allegations contained in Paragraphs 67, 74, 86, 94  
19 and 99 of the Complaint.  
20

#### 21 RESERVATION OF RIGHTS

22 13.

23 Defendant reserves the right to amend this Answer to assert any affirmative defenses that  
24 are discovered through subsequent discovery.

25 14.

26 Nothing contained herein shall be construed or interpreted as a waiver of any claim, right

1 or cause of action that Defendant has against Complainant.

2 **REQUEST FOR RELIEF**

3 WHEREFORE having answered the Complaint, Defendant requests the following relief:

- 4 1. That the Complaint be dismissed with prejudice, with all costs, prevailing party fees and  
5 other fees awarded to Defendant.  
6  
7 2. All other appropriate relief, as determined by the Commission.  
8

9 DATED this 14 day of April, 2006.

10 Respectfully submitted,

11 **MACPHERSON, GINTNER, GORDON & DIAZ**

12  
13 By \_\_\_\_\_  
14 Richard S. Diaz, OSB # 86031  
15 Of Attorneys for Central Lincoln People's Utility  
16 District  
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BEFORE THE PUBLIC UTILITY COMMISSION OF OREGON

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COMMUNITY VENTURES I, L.P.

No. UM 1241

Complainants,

v.

CENTRAL LINCOLN PEOPLE’S UTILITY  
DISTRICT,

Defendant.

**CERTIFICATE OF SERVICE**

I hereby certify that true and correct copies of the following pleading

- Answer of Central Lincoln People’s Utility District was sent April 14, 2006 via first class mail in sealed envelopes, and sent via email on April 14, 2006, upon the following:

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27 DATED this 14 day of April, 2006.

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Of Attorneys for Defendant