

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.

Complainants,

v.

CENTRAL LINCOLN PEOPLE'S UTILITY
DISTRICT,

Defendant.

Case No. UM 1241

**CONSENT MOTION FOR LEAVE TO WITHDRAW CHARTER'S
MOTION FOR EMERGENCY INTERIM RELIEF WITHOUT PREJUDICE**

Claimant Charter Communications Holding Company, LLC on its own behalf and on behalf of its subsidiaries, Falcon Telecable, L.P., Falcon Cable Systems Company II, L.P., and Falcon Community Ventures I, L.P. (jointly "Charter"), with consent of Defendant Central Lincoln People's Utility District ("CLPUD"), respectfully moves for leave to withdraw its Motion For Emergency Interim Relief, which was filed January 6, 2006. In support of this Motion, Charter states as follows:

1. On January 6, 2006, Charter filed its Complaint in this matter, alleging various claims regarding rates, terms and conditions of pole attachment imposed by CLPUD.

2. On January 6, 2006, Charter also filed a Motion For Emergency Interim Relief, in which it sought an order of the Commission requiring CLPUD to allow Charter to undertake certain operations and construction involving CLPUD-owned poles pending the resolution of the claims raised in Charter's Complaint. In particular, Charter alleged that CLPUD was refusing to process pole attachment permits submitted by Charter and refusing as a result to allow Charter to perform certain work involving its cable television facilities attached to CLPUD poles, unless Charter paid certain disputed fees sought by CLPUD.

3. Subsequently, Charter and CLPUD have reached a confidential agreement whereby, pursuant to terms agreed to by the parties, CLPUD will process Charter's pole attachment permit applications and Charter will be able to undertake the pole attachment work related to those applications.

4. Charter believes that the agreement reached with CLPUD eliminates the need for the relief sought in its Motion For Emergency Interim Relief. Accordingly, Charter respectfully moves the Commission for leave to withdraw Charter's Motion For Emergency Interim Relief. Charter requests leave to withdraw the motion without prejudice so that if a break down in the current resolution occurs, Charter may seek the Commission's intervention, if necessary.

5. Counsel for CLPUD has consented to this motion for leave to withdraw the Motion For Emergency Interim Relief.

WHEREFORE, Charter respectfully requests that it be granted leave to withdraw its Motion For Emergency Interim Relief, without prejudice, and that the Commission order the Motion For Emergency Interim Relief withdrawn, without prejudice.

DATED this 27th day of January, 2006.

MILLER NASH LLP



Brooks E. Harlow
OSB No. 03042

Attorneys for Claimant
Charter Communications Holding
Company, LLC; Falcon Telecable, L.P.,
Falcon Cable Systems Company II, L.P.,
And Falcon Community Ventures I, L.P.

/s/ T. Scott Thompson

T. Scott Thompson

(admission *pro hac vice* pending)

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Falcon Community Ventures I, L.P.

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CERTIFICATE OF SERVICE

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

- Consent Motion For Leave To Withdraw Charter's Motion For Emergency Interim Relief.

were served via e-mail transmission, and by U.S. Mail in sealed envelopes upon the following:

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Dated this 27th day of January, 2006, at Washington, D.C.

T. Scott Thompson
Counsel for Charter