

WC 10-101

FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON, D.C. 20554

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January 10, 1985

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APR 26 2010

Federal Communications Commission
Office of the Secretary

ENFORCEMENT DIVISION

City of New Orleans
Department of Utilities
Room 2W14
City Hall
New Orleans, LA 70112

Please contact the
Louisiana Public Service
Commission

E. H. ARNOLD
UTILITIES ENGINEER
CITY OF NEW ORLEANS
2W14 CITY HALL
NEW ORLEANS, LA. 70112

Thanks,
E. Arnold

Gentlemen:

In order to comply with the Cable Communications Policy Act of 1984, which amends Section 224(c) of the Communications Act, 47 U.S.C. §224(c) (see attachment), the Commission is updating its list of states that have asserted jurisdiction over the rates, terms and conditions of pole attachments.

Your state is currently on the Commission's list of states which have certified the authority to regulate, and in fact regulate, pole attachment rates, terms and conditions. The statutory amendments contemplate that we ascertain as part of our certification process whether or not each state has effective rules and regulations in place for the fulfillment of such authority. Please certify the issuance of such rules and regulations to the Commission by January 22, 1985, and attach a copy of the relevant rules and regulations indicating the effective date. In addition, if not contained in the regulations, please advise us of the procedures your state has put in place to assure issuance of decisions within the time frame contemplated by Section 224(c), as amended.

Receipt of such information by January 22, 1985, will permit the Commission to retain your state on our certification list. Therefore, your prompt attention and cooperation are appreciated.

Please address your certification and any inquiries to:

Federal Communications Commission
Attention: Margaret Wood, Esq.
Room 6206
1919 M Street, N.W.
Washington, D.C. 20554
Telephone (202) 632-4890

Sincerely,



James B. Mullins
Chief, Enforcement Division

Attachment

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Federal Communications Commission
Office of the Secretary

CABLE COMMUNICATIONS POLICY ACT OF 1984

The Cable Communications Policy Act of 1984, Pub. L. No. 98-549, §1 et. seq., 98 Stat. _____, (1984), was signed into law on October 30, 1984. Section 4 of the Act amends Section 224(c) of the Communications Act of 1934, by adding a paragraph which provides:

POLE ATTACHMENTS

Sec. 4. Section 224(c) of the Communications Act of 1934 is amended by adding at the end thereof the following new paragraph:

"(3) For purposes of this subsection, a State shall not be considered to regulate the rates, terms, and conditions for pole attachments—

"(A) unless the State has issued and made effective rules and regulations implementing the State's regulatory authority over pole attachments; and

"(B) with respect to any individual matter, unless the State takes final action on a complaint regarding such matter—

"(i) within 180 days after the complaint is filed with the State, or

"(ii) within the applicable period prescribed for such final action in such rules and regulations of the State, if the prescribed period does not extend beyond 360 days after the filing of such complaint."