

STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH

DOCKET NO. EC-23, SUB 50

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of:

BLUE RIDGE ELECTRIC  
MEMBERSHIP CORPORATION,

Petitioner,

v.

CHARTER COMMUNICATIONS  
PROPERTIES, LLC,

Respondent.

JOINT STIPULATIONS

Petitioner, Blue Ridge Electric Membership Corporation (“Blue Ridge”) and Respondent, Charter Communications Properties, LLC (“Charter”), by and through their attorneys of record, stipulate as follows:

1. Blue Ridge is a non-profit, electric membership corporation formed pursuant to the North Carolina Electric Membership Corporation Act, N.C.G.S. § 117-6, *et seq*, that provides electric power to members in Allegheny, Ashe, Caldwell, and Watauga Counties, as well as small portions of Avery, Alexander, and Wilkes Counties.
2. Charter is a communications service provider within the meaning of N.C.G.S. § 62-350(e).
3. The Commission has jurisdiction to establish a formula that will enable the parties to determine an annual pole attachment rate based upon designated criteria.

4. The Commission has jurisdiction to derive just and reasonable pole attachment rates applicable to the Parties consistent with N.C.G.S. § 62-350.

5. The Commission has jurisdiction to resolve disputes between the Parties regarding just and reasonable terms and conditions of attachments.

6. Charter attaches and has attached facilities to Blue Ridge's utility poles pursuant to a Pole Attachment Agreement dated September 1, 2008 (the "2008 Agreement").

7. A true and correct copy of the 2008 Agreement is attached as Exhibit No. LL-3 to the Direct Testimony of Lee Layton, P.E, filed on October 16, 2017.

8. In 2015, Blue Ridge invoiced Charter, and Charter paid Blue Ridge, \$2.22 per month (\$26.64 per year) for 26,301 attachments.

9. In 2016, Blue Ridge invoiced Charter, and Charter paid Blue Ridge, \$2.22 per month (\$26.64 per year) for 26,301 attachments.

10. From January 2017 through August 2017, Blue Ridge invoiced Charter, and Charter paid Blue Ridge, \$2.22 per month for 27,674 attachments.

11. In 2015, Blue Ridge commenced a pole attachment inventory which was completed in 2016 (the "2015-16 Inventory").

12. The 2015-16 Inventory found that Charter had 27,674 attachments to 24,888 Blue Ridge poles.

**[SIGNATURES APPEAR ON FOLLOWING PAGE]**

Respectfully submitted, this 2nd day of November, 2017.

/s J. Aaron George

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