

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. EC-23, SUB 50

<p>In the Matter of Blue Ridge Electric Membership Corporation,</p> <p style="text-align: right;">Complainant,</p> <p style="text-align: center;">v.</p> <p>Charter Communications Properties, LLC</p> <p style="text-align: right;">Respondent.</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>NCCTA's MOTION TO ALLOW LIMITED PARTICIPATION AS <i>AMICUS CURIAE</i></p>
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NOW COMES the North Carolina Cable Telecommunications Association ("NCCTA"), by and through its undersigned counsel, and pursuant to Commission Rule R1-7 moves the Commission to allow limited participation in the above-captioned matter as *amicus curiae*. In support of this Motion, NCCTA shows the Commission as follows:

1. NCCTA is a nonprofit incorporated trade association consisting of cable television providers with cable systems located in North Carolina. NCCTA's members operate cable television systems serving more than 1.6 million subscribers throughout North Carolina. NCCTA represents its members before federal and state agencies of government on matters affecting the state's cable television companies and their subscribers.

2. By order issued September 19, 2017, NCCTA was granted limited amicus status in Docket Nos. EC-43, Sub 88; EC-49, Sub 55; EC-55, Sub 70; and EC-39, Sub 44. These proceedings were also brought under G.S. § 62-350 and involve similar issues to those raised in this proceeding.

3. NCCTA, on behalf of its member companies has a substantial, direct interest in the issues raised in this proceeding and, in particular, in the methodology employed by the Commission to resolve the pole attachment disputes. Although this proceeding is specific to the named cooperative, the methodology selected by the Commission in this proceeding is likely to be highly relevant in future proceedings involving other cooperatives and will likely influence private negotiations between NCCTA's members and other cooperatives.

4. NCCTA seeks only limited status as *amicus curiae* for the purpose of submitting a post-hearing brief as permitted by the Commission in the prior proceedings. While NCCTA's member, Charter Communications ("Charter"), is a party to the proceedings, NCCTA can provide context and perspective that Charter cannot. For example, several of NCCTA's member companies are small and mid-sized cable providers in rural North Carolina for whom significant pole attachment rate increases may prove especially harmful.

5. NCCTA's proposed *amicus curiae* submission is being submitted separately herewith.

WHEREFORE, NCCTA respectfully requests that it be granted limited *amicus curiae* status as requested herein.

Respectfully submitted, this the 4th day of April, 2018.

**NORTH CAROLINA CABLE
TELECOMMUNICATIONS ASSOCIATION**

By: /s/ Eric M. David
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Apr 04 2018

CERTIFICATE OF SERVICE

I certify that a copy of NCCTA's Motion to Allow Limited Participation as *Amicus Curiae* has been served by electronic mail on counsel of record in this proceeding.

This 4th day of April, 2018.

/s/ Eric M. David

Eric M. David

Attorney for NCCTA

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