

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DT 22-047

**CHARTER COMMUNICATIONS, INC., COGECO US FINANCE, LLC D/B/A
BREEZELINE, AND COMCAST CABLE COMMUNICATIONS, LLC**

Petition for Resolution of Rate Dispute

Order Suspending Order No. 26,775

O R D E R N O. 26,788

March 21, 2023

On February 17, 2023, the Commission issued Order No. 26,775, the final order on the pole attachment rate dispute at issue in this docket. Under RSA 365:21 and RSA 541:3, any party or person directly affected by a Commission order has thirty days from issuance to file a motion for rehearing. Once a motion for rehearing has been filed, the Commission has 30 days to act on that motion by either granting the motion, denying the motion, or suspending the order at issue. RSA 365:21.

Four days after the final order issued, Consolidated Communications of Northern New England Company, LLC (Consolidated) filed a motion for rehearing. In its motion, Consolidated seeks rehearing of two Commission orders: Commission Order No. 26,764 which denied Consolidated's earlier motion to dismiss, and Commission Order No. 26,775. Seven days later, the Petitioners in this proceeding filed an objection to Consolidated's motion for rehearing. In their objection, the Petitioners indicated their intent to also seek rehearing of Commission Order No. 26,775. Under RSA 365:21 and RSA 541:3, the Petitioners have 30 days to seek rehearing of Commission Order No. 26,775. As 30 days fell on a Sunday, Petitioners had until yesterday to file for rehearing. RSA 21:35. Petitioners filed such a motion yesterday. The Commission now must review this motion and respond.

The Commission separately addressed Consolidated's Motion for Rehearing as it relates to Commission Order No. 26,764, the denial of Consolidated's Motion to Dismiss. Given the above statutory timelines, the Commission is aware it could be required to act on Consolidated's motion for rehearing regarding Commission Order No. 26,775 *and* act on a separate motion for rehearing from the Petitioners later in time despite both motions dealing with the same Commission order.


The Commission also has the option to suspend its Order No. 26,775. By doing so the Commission can ensure all motions for rehearing dealing with this order can be addressed at once. We believe a suspension promotes judicial economy while allowing all arguments for rehearing to be considered and addressed holistically.

Accordingly, the Commission suspends Order No. 26,775, effective immediately, as the Commission intends to address all motions seeking rehearing in a single order.

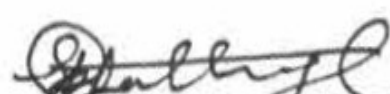
Based upon the above, it is

ORDERED, that Commission Order No. 26,775 is SUSPENDED pending consideration of all motions timely filed.

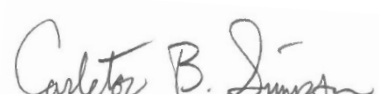
So ordered, this twenty-first day of March, 2023.



Daniel C. Goldner
Chairman



Pradip K. Chattopadhyay
Commissioner



Carleton B. Simpson
Commissioner

Service List - Docket Related

Docket#: 22-047

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Email Addresses

ClerksOffice@puc.nh.gov
sarah.davis@consolidated.com
Energy-Litigation@energy.nh.gov
thomas.c.frantz@energy.nh.gov
sgeiger@orr-reno.com
patrick.mchugh@consolidated.com
elizabeth.r.nixon@energy.nh.gov
amanda.o.noonan@energy.nh.gov
ocalitigation@oca.nh.gov
mike.shultz@consolidated.com
Matthew.C.Young@energy.nh.gov