

COMMUNICATIONS ALERT

Cahill Prevails: Oklahoma Supreme Court Denies Review of Favorable Ruling for Cable One against Oklahoma Tax Commission by the Oklahoma Court of Civil Appeals

On September 25, 2017, the Oklahoma Supreme Court denied review of a Cahill victory in the Court of Civil Appeals of the State of Oklahoma, which ruled Cable One does not meet the statutory definition of a transmission company. Case No. 113,818, *Cable One, Inc. v. Oklahoma State Board of Equalization, and Oklahoma Tax Commission*, Petition for certiorari denied, All Justices Concur (September 25, 2017).

Beginning in tax year 2013, the Oklahoma State Board of Equalization and Oklahoma Tax Commission reclassified Cable One as a public service or public transmission company and centrally valued and assessed ad valorem taxes for millions of dollars. The Court of Civil Appeals found that Cable One is a cable television company, subject instead to a significantly more favorable local ad valorem assessment. The case was remanded to the trial court for calculating the amount owed to Cable One due to improper assessment by the state. Case No. 113,818, *Cable One, Inc. v. Oklahoma State Board of Equalization, and Oklahoma Tax Commission*, Appeal from the District Court of Oklahoma County, Oklahoma (Okla. Civ. App. filed Mar. 24, 2017).

This ruling is a significant victory for cable television companies operating in Oklahoma; the introduction of interconnected Voice over Internet Protocol (“VoIP”) service to subscribers does not trigger a reclassification of a company as a transmission company for tax purposes in the State of Oklahoma.

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If you have any questions about the issues addressed in this memorandum or if you would like a copy of any of the materials mentioned, please do not hesitate to call or email Chérie R. Kiser, 202.862.8950 or ckiser@cahill.com.