**Section 315.40 Pole Inspections**

After the "post-construction" inspection, further inspection of CATV pole plant, at CATV's cost, is prohibited except when the regulated entity submits to the CATV operator a statistically reliable survey evidencing the fact that the CATV operator has failed to report more than 5% of his attachments or is in noncompliance on 5% or more of the poles to which it is attached. The CATV operator shall be allowed 30 days to rebut said survey. If the surveys are in conflict, the Commission shall decide any dispute on petition of either party. Thereafter, if a survey is conducted, the CATV operator shall be required to pay the cost of same if the survey is borne out (more than 5% failure to report rate is shown or more than 5% non-compliance is found), provided that any non-compliance is not caused by the regulated entity.

(Source: Added at 18 Ill. Reg. 676, effective February 1, 1994)