

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of )
)
AT & T Corporation, )
Complainant, )
v. ) File No. E-97-05A
)
NYNEX Corporation, et al., )
Defendants. )

ORDER

Adopted: June 7, 2000

Released: June 8, 2000

By the Chief, Market Disputes Resolution Division, Enforcement Bureau:

1. On November 1, 1996, AT&T Corporation (AT&T) filed the above-captioned complaint against NYNEX Corporation, et al., (NYNEX) alleging, inter alia, that NYNEX had commenced unlawfully "branding" interexchange calls originated from certain NYNEX public payphones in violation of sections 201, 226, and 271 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 201, 226, and 271. In the time since the complaint was filed, NYNEX has been acquired by Bell Atlantic Corporation (Bell Atlantic). On May 26, 2000, AT&T filed a letter with the Commission requesting leave to withdraw the complaint pending against NYNEX. We have contacted Bell Atlantic and they have no objection to AT&T's request.

2. We are satisfied that dismissing the complaint will serve the public interest by promoting the private resolution of disputes and by eliminating the need for further litigation and the expenditure of further time and resources of the parties and this Commission.

3. Accordingly, IT IS ORDERED, pursuant to sections 1, 4(i), 4 (j), 201, 208, 226, and 271 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 154(i), 154(j), 201, 208, 226, and 271, and the authority delegated in sections 0.111 and 0.311 of the Commission's rules, 47 C.F.R. §§ 0.111 and 0.311, that AT&T's request to withdraw the above-captioned complaint IS GRANTED.

4. IT IS FURTHER ORDERED, pursuant to sections 1, 4(i), 4 (j), 201, 208, 226, and 271 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 154(i), 154(j), 201, 208, 226, and 271, and the authority delegated in sections 0.111 and 0.311 of the Commission's rules, 47 C.F.R. §§ 0.111 and 0.311, that the above-captioned complaint IS DISMISSED and that the proceeding IS TERMINATED.

FEDERAL COMMUNICATIONS COMMISSION

Glenn T. Reynolds
Chief, Market Disputes Resolution Division
Enforcement Bureau