

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

Arizona Cellular Communication, Inc., )
Complainant, )
v. ) File No. EB-99-MD-34
Citizens Utilities Rural Company, Inc., )
Defendant. )

ORDER

Adopted: February 9, 2000

Released: February 10, 2000

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

1. On December 13, 1999, Arizona Cellular Communications, Inc., filed the formal complaint captioned above against Citizens Utilities Rural Company, Inc., alleging that Defendant had overcharged Complainant for interconnection services in violation of section 202 of the Communications Act of 1934, as amended. 47 U.S.C. § 202 (1999). Subsequent to that filing, the parties entered into negotiations in an effort to settle the matter before the Commission. On February 7, 2000, Complainant filed a motion to dismiss the pending complaint against Defendant with prejudice as a result of these negotiations.

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 expenditure of resources by the parties and the Commission.

3. Accordingly, IT IS ORDERED, pursuant to sections 1, 4(i), 4(j), 202, and 208 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 154(i), 154(j), 202, 208, and the authority delegated in sections 0.111 and 0.311 of the Commission's rules, 47 C.F.R. §§ 0.111, 0.311, that the unopposed motion to dismiss the complaint with prejudice IS GRANTED.

4. IT IS FURTHER ORDERED that the complaint IS DISMISSED WITH PREJUDICE and that the proceeding IS TERMINATED effective immediately upon release of this Order.

FEDERAL COMMUNICATIONS COMMISSION

Alexander P. Starr
Deputy Chief, Market Disputes Resolution Division
Enforcement Bureau