

Before the  
Federal Communications Commission  
Washington, D.C. 20554

U.S. TelePacific Corp.,	)	
	)	
Complainant,	)	
	)	
v.	)	File No. EB-00-MD-010
	)	
AT&T Corp.,	)	
	)	
Defendant.	)	

**ORDER**

Adopted: May 3, 2001

Released: May 4 , 2001

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

1. On June 16, 2000, U.S. TelePacific Corp. (“TelePacific”) filed a complaint against AT&T Corp. (“AT&T”) alleging that AT&T has violated section 201 of the Communications Act of 1934, as amended, by refusing to pay TelePacific’s filed rates for switched access services.<sup>1</sup> AT&T denied the allegation. On May 2, 2001, TelePacific filed a Motion To Withdraw Formal Complaint, in which it requests that the Commission grant TelePacific’s unopposed motion to withdraw its formal complaint with prejudice because the parties have reached a settlement of the dispute at issue.

2. We are satisfied that dismissing this 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 of this Commission.

3. Accordingly, IT IS ORDERED, pursuant to sections 1, 4(i), 4(j), 201(b), and 208 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 154(i), 154(j), 201(b), and 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 Telepacific’s Motion To Withdraw Formal Complaint IS GRANTED.

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<sup>1</sup> 47 U.S.C. § 201.

4. IT IS FURTHER ORDERED that the above-captioned complaint IS DISMISSED WITH PREJUDICE and that this proceeding is TERMINATED.

FEDERAL COMMUNICATIONS COMMISSION

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