

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

|                           |   |                  |
|---------------------------|---|------------------|
| In the Matter of          | ) |                  |
|                           | ) |                  |
| TRANSGLOBAL TELCOM, INC., | ) |                  |
|                           | ) | File No. E-95-14 |
| Complainant,              | ) |                  |
|                           | ) |                  |
| v.                        | ) |                  |
|                           | ) |                  |
| E-TEL, INC.,              | ) |                  |
|                           | ) |                  |
|                           | ) |                  |
| Defendant.                | ) |                  |

**ORDER**

**Adopted:** August 15, 2001

**Released:**

By the Chief, Telecommunications Consumers Division:

1. In this Order, we dismiss as moot the above-captioned complaint. The defendant, E-Tel, Inc., cancelled its tariff (well before the detariffing of long distance service) and is thus apparently no longer in the interstate telecommunications business.<sup>1</sup> Moreover, the complainant did not request damages and the underlying statutory provision has been changed.

2. Accordingly, IT IS ORDERED, pursuant to the authority contained in 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 the formal complaint filed by Transglobal Telcom, Inc. on January 26, 1995 and amended on May 26, 1995, IS DISMISSED WITH PREJUDICE and that this proceeding is TERMINATED.

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<sup>1</sup> Public Notice, Tariff Transmittal Public Reference Log, 1996 WL 529182 (FCC Sep. 19, 1996) recording E-Tel Tariff Transmittal No. 2, Sep. 16, 1996, which cancelled E-Tel's tariff in its entirety. Records available through by Dun & Bradstreet, a corporation maintaining a business information database of over 41 million companies worldwide, do not indicate that E-Tel is currently in business.

3. IT IS FURTHER ORDERED that the motion to dismiss filed by E-Tel, Inc. on July 10, 1995 IS DISMISSED as moot.

FEDERAL COMMUNICATIONS COMMISSION

Colleen K. Heitkamp  
Chief, Telecommunications Consumers Division  
Enforcement Bureau