

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

In the Matter of)
)
General Communication, Inc.) CC Docket No. 98-4
)
Petition for Preemption Pursuant to Section)
253 of the Communications Act of 1934)

ORDER

Adopted: November 30, 2001

Released: December 3, 2001

By the Chief, Policy and Program Planning Division:

1. On January 21, 1998, General Communication, Inc. (GCI) filed a petition requesting that the Commission preempt the enforcement of section 52.355 of Title 3 of the Alaska Administrative Code to the extent that it prohibits non-incumbent carriers from constructing and operating facilities to provide intrastate interexchange services in the State of Alaska.¹

2. On November 13, 2001, GCI filed a request to withdraw its January 1998 petition. GCI states that since that petition's filing, the Regulatory Commission of Alaska has repealed section 52.355, and the repeal has become final. We grant GCI's request to withdraw its petition.

3. Accordingly, IT IS ORDERED, pursuant to sections 0.91 and 0.291 of the Commission's rules, 47 C.F.R. §§ 0.91 and 0.291, that the request of General Communication, Inc. to withdraw its petition for preemption IS GRANTED and the above-captioned proceeding IS TERMINATED.

FEDERAL COMMUNICATIONS COMMISSION

Michelle M. Carey
Chief, Policy and Program Planning Division
Common Carrier Bureau

¹ Petition for Preemption Pursuant to Section 253 of the Communications Act of 1934, CC Docket No. 98-4 (filed Jan. 21, 1998). On January 28, 1998, the Commission released a public notice soliciting comments on GCI's petition. *Commission Seeks Comment on General Communication, Inc. Petition for Preemption Pursuant to Section 253*, Public Notice, DA 98-140 (rel. Jan. 28, 1998).