

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

In the Matters of)	
)	
AT&T Corp. v. CT Communications, Inc. and)	File No. EB-01-MDIC-0005
CTC Exchange Services;)	
)	
AT&T Corp. v. Consolidated Communications)	File No. EB-01-MDIC-0006
Networks, Inc.;)	
)	
AT&T Corp. v. CTC Telecom, Inc.;)	File No. EB-01-MDIC-0007
)	
AT&T Corp. v. Intermedia Communications, Inc.;)	File No. EB-01-MDIC-0010
)	
AT&T Corp. v. XIT Telecommunications &)	File No. EB-01-MDIC-0014
Technology, Inc.)	

ORDER

Adopted: December 17, 2001

Released: December 18, 2001

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

1. On January 12, 2001, pursuant to section 1.716 of the Commission rules,¹ AT&T Corp. (“AT&T”) filed informal complaints against CT Communications, Inc. and CTC Exchange Services (“CTC Exchange”), Consolidated Communications Networks, Inc. (“Consolidated”), CTC Telecom, Inc. (CTC Telcom), Intermedia Communications, Inc. (“Intermedia”), and XIT Telecommunications & Technology, Inc. (“XIT”) (collectively “Informal Complaint Defendants”). Between March 14, 2001 and March 19, 2001, each of the Informal Complaint Defendants filed a report pursuant to section 1.717 of the Commission’s rules² denying the allegations in AT&T’s informal complaints. Pursuant to section 1.718 of the Commission’s rules,³ AT&T was required to convert these informal complaints into formal complaints between September 14, 2001 and September 24, 2001 to ensure that the formal complaints related back to the January 12, 2001, filing date of the informal complaints. On September 14, 2001, October 4, 2001, October 18, 2001, November 2, 2001, November 15, 2001, and November 30, 2001, the Market Disputes Resolution Division granted AT&T’s consent motions for additional time to convert the informal complaints under rule 1.718, allowing AT&T until December 19, 2001, to file the formal complaints.⁴

¹ 47 C.F.R. § 1.716.

² 47 C.F.R. § 1.717.

³ 47 C.F.R. § 1.718.

⁴ *AT&T Corp. v. Advantel, LLC d/b/a Plan B Communications, et al.*, File Nos. EB-01-MDIC-002 – 014, Order, DA 01-2158 (EB-MDRD rel. Sept. 14, 2001); *AT&T Corp. v. Advantel, LLC d/b/a Plan B Communications, et al.*, File Nos. EB-01-MDIC-002 – 014, Order, DA 01-2321 (EB-MDRD rel. Oct. 4, 2001); (continued....)

2. In light of the parties' continuing efforts to settle these matters, on December 14, 2001, AT&T filed a seventh Consent Motion To Extend Time In Which To Convert Informal Complaints To Formal Complaints and Toll Limitations Period.⁵ AT&T requests a waiver of section 1.718 of the Commission's rules and an additional extension of time until January 10, 2002, to convert the informal complaints against Consolidated, CTC Exchange, CTC Telcom, Intermedia, and XIT into formal complaints. Each of the Informal Complaint Defendants have consented to AT&T's request.

3. We are satisfied that granting AT&T's motion will serve the public interest by promoting the private resolution of disputes and by postponing the need for further litigation and expenditure of further time and resources of the parties and of this Commission until such time as may actually be necessary.

4. Accordingly, IT IS ORDERED, pursuant to sections 4(i), 4(j), and 208 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 154(j), and 208, and sections 1.3 and 1.718 of the Commission's rules, 47 C.F.R. §§ 1.3, 1.718, 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 Consent Motion of AT&T Corp. to Extend Time in Which to Convert Informal Complaints to Formal Complaints and Toll Limitations Period IS GRANTED.

5. IT IS FURTHER ORDERED that, unless otherwise extended by order, the deadlines that would otherwise apply under section 1.718 of our rules, 47 C.F.R. § 1.718, are hereby waived, and the dates on which AT&T must convert the informal complaints against CTC Communications, Inc. and CTC Exchange Services, Consolidated Communications Networks, Inc., CTC Telcom, Inc., Intermedia Communications, Inc., and XIT Telecommunications & Technology, Inc. into formal complaints pursuant to section 1.718 of our rules, 47 C.F.R. § 1.718, are extended to January 10, 2002.

FEDERAL COMMUNICATIONS COMMISSION

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

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AT&T Corp. v. Advantel, LLC d/b/a Plan B Communications, et al., File Nos. EB-01-MDIC-002 – 014, Order, DA 01-2321 (EB-MDRD rel. Oct. 18, 2001); *AT&T Corp. v. Advantel, LLC d/b/a Plan B Communications, et al.*, File Nos. EB-01-MDIC-002 – 014, Order, DA 01-2551 (EB-MDRD rel. Nov. 2, 2001); *AT&T Corp. v. Advantel, LLC d/b/a Plan B Communications, et al.*, File Nos. EB-01-MDIC-002 – 014, Order, DA 01-2661 (EB-MDRD rel. Nov. 15, 2001), *AT&T Corp. v. Advantel, LLC d/b/a Plan B Communications, et al.*, File Nos. EB-01-MDIC-002 – 014, Order, DA 01-2780 (EB-MDRD rel. Nov. 30, 2001).

⁵ Consent Motion of AT&T Corp. For Additional Extension of Time In Which To Convert Informal Complaints To Formal Complaints and Toll Limitations Period, *AT&T Corp. v. Advantel, LLC d/b/a Plan B Communications, et al.*, File Nos. EB-01-MDIC-002 – 014 (filed Dec. 14, 2001).