

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of
Xact Telesolutions, Inc.,
Complainant,
v.
Global Crossing, Ltd.,
Defendant.
File No. EB-01-MD-018

ORDER

Adopted: December 26, 2001

Released: December 28, 2001

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

1. On August 28, 2001, Xact Telesolutions, Inc. ("Xact") filed with this Commission a formal complaint against Global Crossing, Ltd. ("Global Crossing") pursuant to section 208 of the Communications Act of 1934, as amended (the "Act"), 47 U.S.C. § 208. The complaint alleged, inter alia, that Global Crossing imposed unauthorized and hidden charges on Xact, and illegally terminated Xact's subscribers' 800 numbers without notice in violation of sections 201(a), 201(b), and 253(e) of the Act and sections 63.71(a) and 64.2401(b) of the Commission's rules. See 47 U.S.C. §§ 201(a), 201(b), 253(e); 47 C.F.R. §§ 63.71(a), 64.2401(b).

2. On December 21, 2001, the parties filed a Joint Motion to Dismiss in which they stated that they had reached a mutually acceptable settlement of all issues raised in this proceeding. Their Joint Motion, therefore, petitions the Commission to dismiss the complaint with prejudice.

3. We are satisfied that dismissing the complaint with prejudice will service 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.

4. Accordingly, IT IS ORDERED, pursuant to sections 1, 4(i), 4(j), and 208 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 154(i), 154(j), and 208, and authority delegated by sections 0.111 and 0.311 of the Commission's rules, 47 C.F.R. §§ 0.111, 0.311, that the Joint Motion to Dismiss IS GRANTED.

5. IT IS FURTHER ORDERED, pursuant to sections 1, 4(i), 4(j), and 208 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 154(i), 154(j), and 208, and authority delegated by sections 0.111 and 0.311 of the Commission's rules, 47 C.F.R. §§ 0.111, 0.311, that the above-captioned complaint IS DISMISSED WITH PREJUDICE and that the proceeding IS TERMINATED.

FEDERAL COMMUNICATIONS COMMISSION

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