

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

In the Matter of)	
Petition for Declaratory Ruling to)	
Declare Unlawful Certain Joint)	File No. EB-00-MD-021
Marketing Practices by)	
Pacific Bell)	
)	
)	

ORDER

Adopted: February 5, 2002

Released: February 6, 2002

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

1. On February 11, 2000, Nationwide Business Telephone Systems, L.L.C., Formerly Nationwide Business Telephones, Inc., Doing Business As Team Centrex ("Team Centrex"), filed the captioned petition seeking a declaratory ruling that certain marketing practices surrounding the Centrex service of Pacific Bell Telephone Company, were unlawful. Team Centrex filed this petition in connection with its pending federal antitrust action, *Nationwide Business Telephone Systems, L.L.C. v. Pacific Bell*, United States District Court for the Central District of California, Western Division, Case No. 98-CV-10375 CAS (Ex), which the federal court stayed pending resolution of the FCC matter.

2. The parties recently entered into negotiations for the purpose of settling their disputes. On February 4, 2002, they filed a joint motion to dismiss the petition pending against Pacific Bell with prejudice, stating that the parties have settled their disputes.

3. We are satisfied that dismissing the petition 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 this Commission.

4. 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 and 0.311, that the joint motion to dismiss the above-captioned petition with prejudice IS GRANTED.

5. IT IS FURTHER ORDERED that the above-captioned petition IS DISMISSED WITH PREJUDICE and that the proceeding IS TERMINATED.

FEDERAL COMMUNICATIONS COMMISSION

A handwritten signature in black ink, appearing to read "Alexander Starr", written over a horizontal line.

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