

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

In the matter of	)	
	)	
TCG DALLAS	)	File No. PA 96-007
	)	
Motion for Cease and Desist Order	)	

**ORDER**

**Adopted:** June 24, 2003

**Released:** June 25, 2003

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

1. On June 19, 2003, TCG Dallas (“TCG”) filed a Notice of Withdrawal of Application for Review (“Notice”) of the decision in *TCG Dallas, Inc. v. Texas Utilities Electric Co.*, Order, 13 FCC Rcd 7298 (Cable Serv. Bur. 1998). The Notice states that the parties have settled their dispute and have reached an agreement governing TCG’s use of Oncor Electric Delivery Company’s (formerly known as Texas Utilities Electric Company) distribution facilities. Thus, the Notice maintains that the issues in dispute in the proceeding before the Commission are moot.

2. We agree, and we are satisfied that allowing withdrawal of the Application for Review 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.

3. Accordingly, IT IS ORDERED, pursuant to sections 1, 4(i), 4(j), and 224 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 154(i), 154(j), 224, 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 Notice of Withdrawal of Application for Review IS GRANTED.

4. IT IS FURTHER ORDERED that the above-captioned proceeding IS TERMINATED.

FEDERAL COMMUNICATIONS COMMISSION

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