

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

APCC Services, Inc.,)	
)	
Complainant,)	
)	
v.)	File No. EB-05-MD-028
)	
Qwest Communications Corporation,)	
)	
Defendant.)	

ORDER OF DISMISSAL

Adopted: April 7, 2006

Released: April 7, 2006

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

1. On September 29, 2005, APCC Services, Inc. (“APCC”) filed a formal complaint pursuant to section 208 of the Communications Act of 1934, as amended (“Act”),¹ against Qwest Communications Corporation (“Qwest”).² APCC alleged that Qwest had violated sections 201(b) and 276(b) of the Act by failing to make certain payphone compensation payments.³

2. On March 28, 2006, APCC and Qwest filed a joint motion requesting that we dismiss the Complaint with prejudice.⁴ The Joint Motion states that the parties have reached a mutually-acceptable resolution of their dispute and executed a Mutual Settlement Agreement and Release.⁵

3. We are satisfied that dismissing the Complaint with prejudice 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 4(i), 4(j), 201(b), 208, and 276 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 154(j), 201(b), 208, and 276, sections 1.720-1.736 of the Commission’s rules, 47 C.F.R. §§ 1.720-1.736, 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 IS

¹ 47 U.S.C. § 208.

² Formal Complaint, File No. EB-05-MD-028 (filed Sept. 29, 2005) (“Complaint”).

³ 47 U.S.C. §§ 201(b), 276(b).

⁴ Joint Motion to Dismiss Formal Complaint with Prejudice, File No. EB-05-MD-028 (filed Mar. 28, 2006) (“Joint Motion”).

⁵ See Joint Motion at 1.

GRANTED, that the Complaint IS DISMISSED WITH PREJUDICE, and that this proceeding IS TERMINATED.

FEDERAL COMMUNICATIONS COMMISSION

Rosemary H. McEnery
Deputy Chief, Market Disputes Resolution Division
Enforcement Bureau