

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

APCC Services, Inc.,)	
)	
Complainant,)	
)	
v.)	File No. EB-08-MD-007
)	
Matrix Management, Inc.,)	
Network Management, Inc.,)	
USP Communications, Inc., and)	
ZCom Networks, Inc.,)	
)	
Defendants.		

ORDER OF PARTIAL DISMISSAL

Adopted: July 7, 2009

Released: July 8, 2009

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

1. On August 13, 2008, the above-named complainant (“APCC”) filed a formal complaint¹ with this Commission against Matrix Management, Inc. (“Matrix”), ZCom Networks, Inc. (“ZCom”), Network Management, Inc. (“NMI”), and USP Communications, Inc. (“USP”) pursuant to section 208 of the Communications Act of 1934, as amended (“Act”).² The Complaint alleges that defendants failed to pay dial-around compensation to certain payphone service providers in violation of sections 201 and 276 of the Act and the Commission’s payphone compensation rules.³

2. On July 1, 2009, APCC filed a Motion seeking to dismiss the Complaint with prejudice as to Matrix and ZCom.⁴ APCC states that it has resolved its dispute with Matrix and ZCom, and that Matrix and ZCom consent to the dismissal.⁵

3. We are satisfied that granting the Motion will serve the public interest by promoting the private resolution of disputes and eliminating the need for further litigation and the expenditure of additional time and resources of the parties and this Commission.

¹ Complaint, File No. EB-08-MD-007 (filed August 13, 2008) (“Complaint”).

² 47 U.S.C. § 208.

³ 47 U.S.C. § 201, 276; 47 C.F.R. §§ 64.1310, 1320.

⁴ Withdrawal of Formal Complaint as to Matrix Management, Inc. and ZCom Networks, Inc., File No. EB-08-MD-007 (filed July 1, 2009) (“Motion”) at 1 (seeking “leave...to dismiss the [C]omplaint with prejudice” as to Matrix and ZCom) APCC does not seek to dismiss defendants USP or NMI, who therefore remain parties to the case.

⁵ Motion at 1.

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, sections 1.720-1.736 of the Commission's rules, 47 C.F.R. §§ 1.720-1.736, and the authority delegated in section 0.111 and 0.311 of the Commission's rules, 47 C.F.R. §§ 0.111 and 0.311, that the Motion IS GRANTED, that the Complaint IS DISMISSED WITH PREJUDICE as to defendants Matrix Management, Inc. and ZCom Networks, Inc., and that this proceeding IS TERMINATED as to defendants Matrix Management, Inc. and ZCom Networks, Inc.

FEDERAL COMMUNICATIONS COMMISSION

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