

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

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|---------------------------------------|---|------------------------------|
|                                       | ) |                              |
| <b>In the Matter of</b>               | ) |                              |
|                                       | ) |                              |
| <b>APCC Services, Inc.,</b>           | ) |                              |
|                                       | ) |                              |
| <b>Complainant,</b>                   | ) |                              |
|                                       | ) |                              |
| <b>v.</b>                             | ) | <b>File No. EB-09-MD-005</b> |
|                                       | ) |                              |
| <b>CCI Communications, LLC;</b>       | ) |                              |
| <b>CCI Communications, Inc.;</b>      | ) |                              |
| <b>Creative Communications, Inc.;</b> | ) |                              |
| <b>Link Systems, Inc.; and</b>        | ) |                              |
| <b>CCI Network Services, Inc.,</b>    | ) |                              |
|                                       | ) |                              |
| <b>Defendants.</b>                    | ) |                              |

**ORDER DISMISSING DEFENDANT CCI NETWORK SERVICES, INC.**

**Adopted: August 13, 2009**

**Released: August 13, 2009**

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

1. On March 26, 2009, APCC Services, Inc. (“APCC”) filed a formal complaint<sup>1</sup> against the above-named defendants pursuant to section 208 of the Communications Act of 1934, as amended (the “Act”). In the Complaint, APCC alleges that the defendants violated sections 201(b) and 276(b) of the Act by failing to pay per-call payphone compensation and by failing to follow payphone tracking and reporting requirements.<sup>2</sup>

2. On August 10, 2009, APCC moved to dismiss with prejudice its claim against one of the defendants – CCI Network Services, Inc. (“CNS”) – because APCC and CNS have “reached an accord to resolve this matter as between them.”<sup>3</sup> The Motion to Dismiss states that it “applies solely to CNS and does not apply to any of the other Defendants named in the complaint, and the complaint remains pending as to all of them.”<sup>4</sup> Counsel for APCC subsequently advised Commission staff via email that both CNS and CCI Communications, LLC (“Communications”) consent to the Motion.<sup>5</sup>

3. We are satisfied that dismissing the claim against CNS with prejudice will serve the public

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<sup>1</sup> Formal Complaint, File No. EB-09-MD-005 (filed Mar. 26, 2009) (“Complaint”).

<sup>2</sup> 47 U.S.C. §§ 201(b), 276(b).

<sup>3</sup> Motion to Dismiss Defendant CCI Network Services, Inc., File No. EB-09-MD-005 (filed Aug. 10, 2009) (“Motion to Dismiss”) at 1.

<sup>4</sup> *Id.*

<sup>5</sup> CNS and Communications are the only defendants that have entered an appearance in the case.

interest by promoting the private resolution of the dispute between APCC and CNS and by eliminating the need for further litigation as between these two parties.

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 sections 0.111, 0.311, of the Commission's rules, 47 C.F.R. §§ 0.111, 0.311, that the Motion to Dismiss CCI Network Services, Inc. is GRANTED and the complaint is DISMISSED WITH PREJUDICE as to defendant CCI Network Services, Inc., and that this proceeding IS TERMINATED as to defendant CCI Network Services, Inc.

5. IT IS FURTHER 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 sections 0.111, 0.311, of the Commission's rules, 47 C.F.R. §§ 0.111, 0.311, that APCC Services, Inc. shall have until **August 28, 2009** to make amendments to any previous filing in the litigation that APCC deems necessary in light of the dismissal of defendant CCI Network Services, Inc.

FEDERAL COMMUNICATIONS COMMISSION

Lisa B. Griffin  
Deputy Chief, Market Disputes Resolution Division  
Enforcement Bureau