

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

In the Matter of)	
)	
Federal-State Joint Board on Universal Service;)	CC Docket No. 96-45
)	
Petition by the Colorado Public Utilities)	
Commission, Pursuant to 47 C.F.R. § 54.207(c),)	
for Commission Agreement in Redefining the)	
Service Area of CenturyTel of Eagle, Inc., a Rural)	
Telephone Company)	

ORDER

Adopted: January 12, 2010

Released: January 12, 2010

By the Acting Chief, Telecommunications Access Policy Division, Wireline Competition Bureau:

1. On August 1, 2002, the Colorado Public Utilities Commission petitioned the Commission for agreement with its proposed redefinition of the service area of CenturyTel of Eagle, Inc. (CenturyTel).¹ On November 25, 2002, that petition was deemed approved under Commission rule 54.207(c)(2)(ii).² CenturyTel filed an application for review arguing that the Commission’s deemed-approved process violates the Communications Act of 1934, as amended, and that the redefinition of its service area was not in the public interest.³ On October 20, 2009, CenturyTel filed a request for withdrawal of its application for review.⁴ We grant CenturyTel’s withdrawal request and, accordingly, we dismiss CenturyTel’s pending application for review.

2. ACCORDINGLY, IT IS ORDERED, pursuant to authority delegated under sections 0.91, 0.204(b), and 0.291 of the Commission’s rules, 47 C.F.R. §§ 0.91, 0.204(b), 0.291, that the request for withdrawal submitted by CenturyTel of Eagle, Inc., filed October 20, 2009, IS GRANTED.

3. IT IS FURTHER ORDERED, pursuant to authority delegated under sections 0.91, 0.204(b), and 0.291 of the Commission’s rules, 47 C.F.R. §§ 0.91, 0.204(b), 0.291, that the application for review submitted by CenturyTel of Eagle, Inc., filed December 17, 2002, IS DISMISSED.

¹ Petition by the Colorado Public Utilities Commission, Pursuant to 47 C.F.R. § 54.207(c), for Commission Agreement in Redefining the Service Area of CenturyTel of Eagle, Inc., a Rural Telephone Company, CC Docket No. 96-45 (filed Aug. 1, 2002).

² 47 C.F.R. § 54.207(c)(2)(ii) (providing that a petition proposing redefinition of a service area will be deemed approved if the Commission does not act on the petition within 90 days of release of a public notice seeking comment on the petition).

³ CenturyTel of Eagle, Inc. Application for Review, or Alternatively, Petition for Reconsideration of the Commission’s Approval of the Redefinition of the Service Area of CenturyTel, Inc. Pursuant to 47 C.F.R. § 54.207, CC Docket No. 96-45 (filed Dec. 17, 2002). CenturyTel notes that its application for review might also be titled a petition for reconsideration “if the FCC is deemed to have acted on the underlying Colorado Petition.” *Id.* at 1 n.1. Because CenturyTel has withdrawn its application for review, that question is moot.

⁴ Withdrawal of Application for Review or, Alternatively, Petition for Reconsideration of CenturyTel of Eagle, Inc., CC Docket No. 96-45 (filed Oct. 20, 2009).

4. IT IS FURTHER ORDERED, pursuant to section 1.102(b)(1) of the Commission's rules, 47 C.F.R. § 1.102(b)(1), that this order SHALL BE EFFECTIVE upon release.

FEDERAL COMMUNICATIONS COMMISSION

Jennifer K. McKee
Acting Chief
Telecommunications Access Policy Division
Wireline Competition Bureau