

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

In the Matter of)	
)	
Qwest Communications Corporation,)	
)	
Complainant,)	File No.: EB-07-MD-001
)	
v.)	
)	
Farmers and Merchants Mutual)	
Telephone Company,)	
)	
Respondent.)	
)	

ORDER OF DISMISSAL

Adopted: August 13, 2012

Released: August 13, 2012

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

1. On July 22, 2010, Qwest Communications Corp. (Qwest) filed with this Commission a supplemental complaint for damages¹ against Farmers and Merchants Mutual Telephone Co. (Farmers) pursuant to section 208 of the Communications Act of 1934, as amended (Act), 47 U.S.C. § 208.

2. On August 9, 2012, Qwest and Farmers filed a Joint Motion to Dismiss the Supplemental Complaint, stating that they “have resolved their dispute.”² Qwest and Farmers therefore request that the Supplemental Complaint be dismissed with prejudice.³

3. We are satisfied that granting the Motion to Dismiss will serve the public interest by encouraging parties to work privately to narrow and resolve disputed issues, which may limit or eliminate the need for litigation and the further expenditure of resources by the parties and this Commission.

4. Accordingly, IT IS ORDERED, pursuant to sections 4(i), 4(j), and 208 of the Act, 47 U.S.C. §§ 154(i), 154(j), 208, and 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, 0.311, that the Motion to Dismiss IS GRANTED.

¹ Supplemental Complaint for Damages, File No. EB-07-MD-001 (filed July 22, 2010) (Supplemental Complaint).

² Joint Motion to Dismiss, File No. EB-07-MD-001 (filed Aug. 9, 2012) (Motion to Dismiss) at 1.

³ *Id.*

5. IT IS FURTHER ORDERED, pursuant to sections 4(i), 4(j), and 208 of the Act, 47 U.S.C. §§ 154(i), 154(j), 208, and sections 1.720-1.736 of the Commission's rules, 47 C.F.R. §§ 1.720-1.1736, and the authority delegated in sections 0.111 and 0.311 of the Commission's rules, 47 C.F.R. §§ 0.111, 0.311, that Qwest's Supplemental Complaint IS DISMISSED WITH PREJUDICE.

FEDERAL COMMUNICATIONS COMMISSION

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