

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

In the Matter of)	
)	
Foreman Seeley Fountain Inc.,)	
)	
Complainant,)	
)	EB Docket No. 14-220
v.)	File No. EB-14-MD-010
)	
tw telecom holdings, inc.)	
)	
Respondent.)	

ORDER OF DISMISSAL

Adopted: January 23, 2015

Released: January 23, 2015

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

1. On September 5, 2014, Forman Seeley Fountain Inc. (FSF) filed a complaint against tw telecom holdings, inc. (TWT)¹ pursuant to Section 208 of the Communications Act of 1934, as amended (Act).²

2. On January 20, 2015, FSF filed a motion seeking dismissal of the complaint on the ground that the parties have reached a settlement of their dispute.³ FSF further stated that counsel for TWT reviewed the Motion and consents to FSF's request.

3. We are satisfied that granting the Motion will serve the public interest by promoting the private resolution of disputes and by eliminating the need for further expenditure of time and resources by the parties and the 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), and 208, and the authority delegated in sections 0.111, 0.311, and 1.720–1.736 of the Commission's rules, 47 C.F.R. §§ 0.111, 0.311, and 1.720–1.736, that the Motion is **GRANTED**.

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), and 208, and the authority delegated in sections 0.111, 0.311,

¹ Formal Complaint against TW Telecom Holdings, Inc., File No. EB-14-MD-010 (filed Sept. 4, 2014) (Complaint). On September 11, 2014, FSF filed an amended complaint that "contain[ed] paragraph numbers for the Averments and Claims" and represented to the Commission that "[i]n all other respects the Complaint and all other associated documents remain unchanged." Letter to Marlene H. Dortch, Secretary, FCC, from Mark J. Palchick, counsel for FSF, EB Docket No. 14-220, File No. EB-14-MD-010 (filed Sept. 11, 2014).

² 47 U.S.C. § 208.

³ Motion for Withdrawal and Voluntary Dismissal of Formal Complaint with Prejudice, EB Docket No. 14-220, File No. EB-14-MD-010 (filed Jan. 20, 2015) (Motion).

and 1.720–1.736 of the Commission’s rules, 47 C.F.R. §§ 0.111, 0.311, and 1.720–1.736, that the Complaint is **DISMISSED WITH PREJUDICE**.

FEDERAL COMMUNICATIONS COMMISSION

Christopher L. Killion
Chief, Market Disputes Resolution Division
Enforcement Bureau