

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

In the Matter of
AT&T MOBILITY LLC,
Complainant,
v.
IOWA WIRELESS SERVICES, LLC,
Defendant.
Proceeding No. 15-259
File No. EB-15-MD-007

ORDER OF DISMISSAL

Adopted: August 18, 2016

Released: August 18, 2016

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

1. On December 23, 2015, AT&T Mobility LLC (AT&T) filed its Amended Complaint against Iowa Wireless Services, LLC (iWireless) pursuant to Sections 201, 202, 203, 208 and 301 of the Communications Act (the "Act"), 47 U.S.C. §§ 201, 202, 203, 208, 301, and Sections 1.720 et seq. and 20.12 of the Commission's rules, 47 C.F.R. §§ 1.720 et seq. 20.12.1 On January 22, 2016, iWireless filed its Answer to the Amended Complaint,2 and on February 5, 2016, AT&T filed its Reply.3

2. On October 21, 2015, AT&T filed a Motion for Interim Relief, which iWireless opposed.4 On December 18, 2015, the Enforcement Bureau issued a letter ruling granting AT&T's

1 Amended Formal Complaint and Legal Analysis of AT&T Mobility LLC, Proceeding No. 15-259, File No. EB-15-MD-007 (filed Dec. 23, 2015) (Amended Complaint). AT&T's original complaint was filed on October 21, 2015. Formal Complaint and Legal Analysis of AT&T Mobility LLC, Proceeding No. 15-259, File No. EB-15-MD-007 (filed Oct. 21, 2015).

2 Answer and Legal Analysis in Response to the Amended Formal Complaint and Legal Analysis of AT&T Mobility LLC, Proceeding No. 15-259, File No. EB-15-MD-007 (filed Jan. 22, 2016) (Answer).

3 Reply in Support of Amended Formal Complaint and Legal Analysis, Proceeding No. 15-259, File No. EB-15-MD-007 (filed Feb. 5, 2016) (Reply).

4 See AT&T's Motion for Interim Relief, Proceeding No. 15-259, File No. EB-15-MD-007 (filed Oct. 21, 2015); iWireless' Opposition to Motion for Interim Relief, Proceeding No. 15-259, File No. EB-15-MD-007 (filed Nov. 20, 2015); AT&T's Reply in Support of Its Motion for Interim Relief, Proceeding No. 15-259, File No. EB-15-MD-007 (accepted as filed Dec. 8, 2015); iWireless' Sur-Reply to AT&T's Reply in Support of AT&T's Motion for Interim Relief, Proceeding No. 15-259, File No. EB-15-MD-007 (accepted as filed Dec. 8, 2015).

Motion for Interim Relief.⁵ On January 19, 2016, iWireless filed an Application for Review of the Letter Ruling.⁶

3. On August 3, 2016, the parties filed a Joint Motion to withdraw and dismiss pleadings that they have filed in this proceeding and that are currently pending before the Commission.⁷ The parties state in the Joint Motion that they have reached a voluntary settlement of their disputes, and thus AT&T seeks to withdraw and dismiss its Amended Complaint, and iWireless seeks to withdraw and dismiss its Application for Review. The parties affirm that iWireless expressly consents to the withdrawal and dismissal of AT&T's Amended Complaint, and AT&T expressly consents to the withdrawal and dismissal of iWireless' Application for Review.

4. We are satisfied that granting the Joint Motion and dismissing the Amended Complaint and the Application for Review in accordance with the parties' request 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.

5. 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 the authority delegated in sections 0.111, 0.311, 1.720-1.736, and 20.12 of the Commission's rules, 47 C.F.R. §§ 0.111, 0.311, 1.720-1.736, and 20.12, that the Joint Motion is GRANTED, and that the Amended Complaint and Application for Review are hereby DISMISSED.

FEDERAL COMMUNICATIONS COMMISSION

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

⁵ See Letter from Christopher Killion, Chief, Market Disputes Resolution Division, Enforcement Bureau, FCC, to Carl W. Northrop, Counsel to iWireless, Telecommunications Law Professionals PLLC, and James F. Bendernagel, Jr., Counsel to AT&T, Sidley Austin LLP, No. 15-259, EB-15-MD-007 (Dec. 18, 2015) ("Letter Ruling").

⁶ iWireless Application for Review of Interim Rate Order, Proceeding No. 15-259, File No. EB-15-MD-007 (filed Jan. 19, 2016) (Application for Review). On February 3, 2016, AT&T filed a Response to iWireless' Application for Review. AT&T Mobility LLC'S Response to Iowa Wireless Services, LLC's Application for Review, Proceeding No. 15-259, File No. EB-15-MD-007 (filed Feb. 3, 2016). On February 16, 2016, iWireless filed a reply in support of its Application for Review. Reply of Iowa Wireless Services, LLC to the AT&T Mobility LLC Response to the Application for Review, Proceeding No. 15-259, File No. EB-15-MD-007 (filed Feb. 16, 2016).

⁷ Joint Motion of AT&T Mobility LLLC and Iowa Wireless Services, LLC to Withdraw and Dismiss (1) Amended Formal Complaint and (2) Application for Review of December 18, 2015 Letter Ruling, Proceeding No. 15-259, File No. EB-15-MD-007 (filed Aug. 3, 2016) (Joint Motion or Motion).