



NEWS

News media Information 202 / 418-0500

Fax-On-Demand 202 / 418-2830

Internet: <http://www.fcc.gov>

<ftp.fcc.gov>

Federal Communications Commission
1919 - M Street, N.W.
Washington, D.C. 20554

This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action. See MCI v. FCC, 515 F. 2d 385 (D.C. Cir. 1974).

Report No. CC 98-20

COMMON CARRIER ACTION

July 9, 1998

FCC Adopts Process to Accelerate Resolution of Market Disputes (CC Docket No. 96-238)

Noting that the growth of telecommunications competition depends upon the prompt resolution of disputes between market participants, the Commission today adopted a new, accelerated approach to resolving complaints involving telephone companies. Today's action will allow the Commission to respond to market disputes effectively and with the speed that will be necessary in an increasingly competitive environment. The new procedures should benefit consumers and the industry alike by safeguarding fair competition in the telecommunications market.

The complaint procedures adopted today provide for the decision, within 60 days, of formal complaint proceedings that are accepted onto the newly-created "Accelerated Docket." In addition, the new process offers parties more extensive discovery than is currently available in formal complaint proceedings, and it allows parties to present their cases at minitrials involving the live testimony of witnesses. Parties may also have the opportunity for an en banc hearing, before the full Commission, of applications for review of staff decisions.

Either party to a complaint may submit a request that the complaint be accepted onto the Accelerated Docket, and it is not necessary for both parties to agree to the proceeding. In deciding whether to accept a proceeding onto the docket, staff may consider a number of factors, including the effect of the dispute on competition; whether the dispute is one that can be reasonably resolved within the accelerated time frame; and whether an accelerated proceeding would place an unreasonable burden on one party because of a substantial resource disparity between parties. The Commission also noted that no complaint will be accepted onto the Accelerated Docket until the parties have participated in discussions supervised by Commission staff aimed at resolving or narrowing the dispute.



NEWS

News media Information 202 / 418-0500

Fax-On-Demand 202 / 418-2830

Internet: <http://www.fcc.gov>

<ftp.fcc.gov>

Federal Communications Commission
1919 - M Street, N.W.
Washington, D.C. 20554

This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action. See *MCI v. FCC*, 515 F. 2d 385 (D.C. Cir. 1974).

The Order adopted today will become effective 60 days after publication in the Federal Register.

Action by the Commission July 9, 1998, by Second Report and Order (FCC 98-154). Chairman Kennard, Commissioners Ness, Furchtgott-Roth, Powell and Tristani, with Commissioner Furchtgott-Roth issuing a separate statement.

-FCC-

News Media contact: Rochelle Cohen at (202) 418-0253.

Office of General Counsel contact: Jeffrey Dygert at (202) 419-7300.