

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

In the Matter of	)	
	)	
GENESIS COMMUNICATIONS	)	
INTERNATIONAL, INC.,	)	File No. E-98-20
	)	
Complainant,	)	
	)	
v.	)	
	)	
PACIFIC BELL,	)	
	)	
Defendant.	)	

**ORDER ON REVIEW**

**Adopted:** July 10, 2000

**Released:** July 12, 2000

By the Commission:

1. In this Order, we deny an Application for Review filed by Genesis Communications International, Inc.<sup>1</sup> pursuant to section 1.115 of the Commission's rules.<sup>2</sup> The Application seeks review of an Enforcement Bureau Order, for which the Bureau denied reconsideration.<sup>3</sup> In its complaint, Genesis, a resale carrier, alleged that Pacific Bell violated the *Local Competition Order*,<sup>4</sup> and Pacific's tariff<sup>5</sup> by charging Genesis the full end user common line (EUCL) charge. Based on its review of the Commission's orders and rules, as well as Pacific's tariff, the Enforcement Bureau denied Genesis' complaint.

2. Upon careful review of the Application for Review and the entire record herein, we conclude that Genesis has failed to demonstrate that the Bureau erred. The Bureau properly

<sup>1</sup> Application for Review of Action Taken Pursuant to Delegated Authority, File No. E-98-20 (filed May 9, 2000).

<sup>2</sup> 47 C.F.R. § 1.115.

<sup>3</sup> *Genesis Communications International, Inc. v. Pacific Bell*, Memorandum Opinion and Order, 15 FCC Rcd 4228 (Enf. Bur. rel. Feb. 22, 2000), *reconsideration denied*, Order on Reconsideration, 15 FCC Rcd 10626 (Enf. Bur. rel. Apr. 20, 2000).

<sup>4</sup> *Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*, First Report and Order, 11 FCC Rcd 15499 (1996).

<sup>5</sup> Pacific Bell Tariff F.C.C. Tariff No. 128 as in effect during the relevant period between October 1996 to September 1997.

decided the matters raised below, and we uphold its decision for the reasons stated in its February 17, 2000 Order.

3. Accordingly, IT IS ORDERED, pursuant to sections 4(i), 4(j), 207, and 208 of the Act, 47 U.S.C. §§ 154(i), 154(j), 207, 208, and section 1.115(g) of the Commission's rules, 47 C.F.R. § 1.115(g), that the Application for Review filed by Genesis Communications International, Inc. IS DENIED and this proceeding IS TERMINATED WITH PREJUDICE.

FEDERAL COMMUNICATIONS COMMISSION

Magalie Roman Salas  
Secretary