

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

In the Matter of)	
)	
Mark Twain Communications Company v. AT&T Corp.)	File No. EB-02-MDIC-0003
)	
Farmers’ and Business Mens’ Telephone Co. v. AT&T Corp.)	File No. EB-02-MDIC-0007
)	
Heart of Iowa Communications, Inc. v. AT&T Corp.)	File No. EB-02-MDIC-0006
)	
Independent Networks Co. v. AT&T Corp.)	File No. EB-02-MDIC-0005
)	
Forest City Telecom, Inc. v. AT&T Corp.)	File No. EB-02-MDIC-0826
)	
Northern Valley Communications, LLC v. AT&T Corp.)	File No. EB-02-MDIC-0008
)	

ORDER

Adopted: September 9, 2002

Released: September 10, 2002

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

1. In November and December, 2001 and January 2002, pursuant to section 1.716 of the Commission rules,¹ Farmers’ and Business Mens’ Telephone Co., Forest City Telecom, Inc., Heart of Iowa Communications, Inc., Independent Networks Co., Mark Twain Communications Company, and Northern Valley Communications, LLC (collectively “Informal Complaint Plaintiffs”), filed informal complaints against defendant AT&T Corp. (“AT&T”) in the above-captioned matters. On March 11, 2002, AT&T filed a report pursuant to section 1.717 of the Commission’s rules² denying the allegations in the Informal Complaint Plaintiffs’ informal complaints. Pursuant to section 1.718 of the Commission’s rules,³ the Informal Complaint Plaintiffs were required to convert their informal complaints into formal complaints within six months from the date of AT&T’s report to ensure that the formal complaint related back to the November and December, 2001 and January, 2002, filing dates of the informal complaints.

2. Since the filing of the informal complaints, the Informal Complaint Plaintiffs and AT&T

¹ 47 C.F.R. § 1.716.

² 47 C.F.R. § 1.717.

³ 47 C.F.R. § 1.718.

have engaged in negotiations to resolve the alleged disputed issues.⁴ As a result, the parties have reported that they have settled the complaints filed by Mark Twain Communications Company, Independent Networks Co., and Northern Valley Communications LLC. In addition, the parties have represented to Commission staff that they believe that they have made progress in the remaining cases, and are hopeful of resolving these disputes with a further period of time to continue their settlement discussions.⁵ Accordingly, the Informal Complaint Plaintiffs request a waiver of section 1.718 of the Commission's rules and an additional extension of time until September 25, 2002, to convert their informal complaints against AT&T into formal complaints, if necessary.⁶ Counsel for AT&T has consented to the Informal Complaint Plaintiffs' request.⁷

3. We are satisfied that granting the Informal Complaint Plaintiffs' consent motion will serve the public interest by promoting the private resolution of disputes and by postponing the need for further litigation and expenditure of further time and resources of the parties and of this Commission until such time as may actually be necessary.

4. Accordingly, IT IS ORDERED, pursuant to sections 4(i), 4(j), and 208 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 154(j), and 208, and sections 1.3 and 1.718 of the Commission's rules, 47 C.F.R. §§ 1.3, 1.718, 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 Consent Motion of Complainants For Extension of Time In Which To Convert Informal Complaints To Formal Complaint and Toll Limitations Period IS GRANTED.

5. IT IS FURTHER ORDERED that, unless otherwise extended by order, the deadlines that would otherwise apply under section 1.718 of our rules, 47 C.F.R. § 1.718, are hereby waived, and the date on which Farmers' and Business Mens' Telephone Co., Forest City Telecom, Inc., Heart of Iowa Communications, Inc., Independent Networks Co., Mark Twain Communications Company, and Northern Valley Communications, LLC must convert their informal complaints against AT&T Corp. into formal complaints pursuant to section 1.718 of our rules, 47 C.F.R. § 1.718, is extended to September 25, 2002.

FEDERAL COMMUNICATIONS COMMISSION

Alexander P. Starr
Chief, Market Disputes Resolution Division
Enforcement Bureau

⁴ Consent Motion Of Complainants For Extension of Time In Which To Convert Informal Complaints To Formal Complaints and Toll Limitations Period, *Farmers' and Business Mens' Telephone Co. v. AT&T Corp., et al.*, File Nos. EB-02-MDIC-003, 005-008, and 0826 (filed Aug. 22, 2002) (*Consent Motion*).

⁵ *Consent Motion* at 1.

⁶ *Consent Motion* at 2.

⁷ *Id.*