

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

AT&T Corp.,)	
)	
Complainant,)	
)	
v.)	File No. EAD-99-001
)	
BellSouth Corporation)	
and its carrier subsidiaries and affiliates,)	
including (but not limited to))	
BellSouth Long Distance, Inc.)	
and BellSouth Telecommunications, Inc.,)	
)	
Defendants.)	

ORDER

Adopted: October 2, 2000

Released: October 3, 2000

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

1. On January 29, 1999, pursuant to section 208 of the Communications Act of 1934, as amended (Act),¹ and the Commission's Accelerated Docket procedures,² AT&T Corp. (AT&T) filed a complaint against, among other defendants, BellSouth Long Distance, Inc. (BellSouth).³ In short, the complaint alleged that, although the Commission has denied BellSouth's requests to provide in-region, interLATA services, BellSouth provides such services by issuing, selling, and marketing the BellSouth Prepaid Calling Card. BellSouth's conduct, AT&T claimed, violates section 271 of the Act.⁴

¹ 47 U.S.C. § 208.

² 47 C.F.R. § 1.730.

³ AT&T also originally named BellSouth Corporation and BellSouth Telecommunications, Inc. as defendants. These parties subsequently were dismissed from the litigation.

⁴ 47 U.S.C. § 271.

2. On March 10, 1999, the parties participated in a minitrial. Twenty days later, the Common Carrier Bureau issued an order denying AT&T's claim.⁵ On April 14, 1999, AT&T timely filed an application for review.

3. On September 29, 2000, AT&T submitted a letter requesting leave to withdraw its application for review. We are satisfied that granting AT&T's request will serve the public interest by eliminating the need for further litigation and the expenditure of further time and resources of the parties and this Commission.

4. Accordingly, IT IS ORDERED, pursuant to sections 1, 4(i), 4(j), 208, and 271 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 154(i), 154(j), 208, and 271, and the authority delegated in sections 0.111, 0.311, and 1.115 of the Commission's rules, 47 C.F.R. § 0.111, 0.311, and 1.115, that AT&T's application for review IS DISMISSED WITH PREJUDICE, and that the captioned proceeding IS TERMINATED.

FEDERAL COMMUNICATIONS COMMISSION

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

⁵ *AT&T Corp. v. BellSouth Corp.*, Memorandum Opinion and Order, 14 FCC Rcd 8515 (Com. Car. Bur. 1999).