

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

In the Matter of

AT&T COMMUNICATIONS  
Complainant,

v.

CENTRAL TELEPHONE COMPANY OF TEXAS, File Nos. E-88-67

CENTRAL TELEPHONE COMPANY OF OHIO, E-88-68

CENTRAL TELEPHONE COMPANY - MINNESOTA E-88-69

and

CENTRAL TELEPHONE COMPANY OF ILLINOIS, E-88-70  
Defendants.

**ORDER**

Adopted: January 23, 1989; Released: February 2, 1989

By the Chief, Enforcement Division, Common Carrier Bureau:

1. We have before us a joint motion filed December 28, 1988 by AT&T Communications (AT&T) and Central Telephone Company of Texas, Central Telephone Company of Ohio, Central Telephone Company - Minnesota and Central Telephone Company of Illinois (collectively "Centel"), requesting that we dismiss with prejudice the above-captioned complaint proceedings and approve the parties' settlement agreement.

2. These proceedings were initiated by formal complaints filed by AT&T against Centel on April 22, 1988 alleging that the defendants' earnings for interstate access services for the period October 1, 1985 through December 31, 1986, exceeded the rate of return authorized by the Commission in *Authorized Rates of Return for Interstate Services for AT & T and Exchange Telephone Carriers*, CC Docket No. 84-800, Phase I, FCC 85-257 (released September 30, 1985), *modified on recon.*, FCC 86-114 (released March 24, 1986), *further recon.*, FCC 86-544 (released January 14, 1987), *vacated in part and remanded*, *American Telephone and Telegraph Co. v. FCC*, No. 85-1178, slip op. (D.C. Cir. January 22, 1988). Centel denied the allegations and moved to dismiss the complaints. Subsequently, the parties entered into settlement negotiations with the cooperation of the Enforcement Division. As a result of these negotiations, the parties reached a settlement that resolves all matters in controversy.

3. On the basis of the statements contained in the parties' joint motion, we conclude that there are no longer issues in controversy and the proceedings should be terminated.

4. Accordingly, IT IS ORDERED, pursuant to authority delegated in Section 0.291 of the Commission's Rules, 47 C.F.R. § 0.291, that the Joint Motion to Dismiss filed by AT&T and Centel IS GRANTED.

5. IT IS FURTHER ORDERED that the above-captioned complaints ARE DISMISSED WITH PREJUDICE and these proceedings ARE HEREBY TERMINATED.

FEDERAL COMMUNICATIONS COMMISSION

Gregory J. Vogt  
Chief, Enforcement Division  
Common Carrier Bureau