

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

In the Matter of

WITEL, INC.,  
Complainant,

v.

SOUTHWESTERN  
BELL TELEPHONE  
COMPANY,  
Defendant.

File No. E-94-021

**ORDER**

Adopted: January 22, 1996; Released: January 30, 1996

By the Chief, Formal Complaints and Investigations  
Branch, Enforcement Division, Common Carrier Bureau:

1. On November 5, 1993, WilTel, Inc. ("WilTel") filed the above-captioned complaint against Southwestern Bell Telephone Company ("SWBT") regarding the assessment of late payment fees by SWBT. On January 2, 1996, WilTel requested withdrawal of the complaint stating that subsequent tariff revisions by SWBT have remedied WilTel's concern and rendered the complaint moot.

2. We are satisfied that granting WilTel's request to withdraw the complaint will serve the public interest by eliminating the need for further litigation and the expenditure of further time and resources of the parties and of the Commission.

3. Accordingly, IT IS ORDERED, pursuant to Section 4(i) of the Communications Act of 1934, as amended, 47 U.S.C. § 154(i), and the authority delegated in Section 0.291 of the Commission's rules, 47 C.F.R. § 0.291, that WilTel's request to withdraw the complaint IS GRANTED.

4. IT IS FURTHER ORDERED that the above-captioned complaint IS DISMISSED and the proceeding IS TERMINATED.

FEDERAL COMMUNICATIONS COMMISSION

Thomas D. Wyatt  
Chief, Formal Complaints and  
Investigations Branch  
Enforcement Division  
Common Carrier Bureau