

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

In the Matter of
Time Warner Telecom Inc.,
Complainant,
v.
Sprint Communications Company L.P.,
Defendant.
Sprint Communications Company L.P.,
Complainant,
v.
Time Warner Telecom Inc.
Defendant.
File No. EB-00-MD-04
File No. EB-01-MD-020

ORDER

Adopted: October 26, 2001

Released: October 29, 2001

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

1. On March 16, 2000, Time Warner Telecom Inc. ("Time Warner Telecom") filed a formal complaint against Sprint Communications Company L.P. ("Sprint") alleging that Sprint violated section 201(b) of the Communications Act of 1934, as amended (the "Act"), 47 U.S.C. § 201(b), by failing to pay the full billed amounts for interstate access services provided by Time Warner Telecom to Sprint. On August 29, 2001, Sprint filed a formal complaint against Time Warner Telecom alleging that Time Warner Telecom violated sections 201(b), 202(a), and 203(c) of the Act, 47 U.S.C. §§ 201(b), 202(a), 203(c). Sprint alleged, among other things, that Time Warner Telecom's access rates were unjust and unreasonable. On October 26, 2001, the parties filed a Joint Motion to Dismiss with Prejudice in which the parties stated that, because they have

resolved all of the issues raised in these two proceedings and have settled their disputes in a mutually satisfactory manner, the Commission should dismiss these two complaints with prejudice.

2. We are satisfied that dismissing these complaints with prejudice will serve the public interest by promoting the private resolution of disputes and by eliminating the need for further litigation and the expenditure of further time and resources of the parties and of this Commission.

3. Accordingly, **IT IS ORDERED**, pursuant to sections 1, 4(i), 4(j), 201(b), 202(a), 203(c), and 208 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 154(i), 154(j), 201(b), 202(a), 203(c), and 208, 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 Joint Motion to Dismiss with Prejudice **IS GRANTED**.

4. **IT IS FURTHER ORDERED**, pursuant to sections 1, 4(i), 4(j), 201(b), 202(a), 203(c), and 208 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 154(i), 154(j), 201(b), 202(a), 203(c), and 208, 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 above-captioned complaints **ARE DISMISSED WITH PREJUDICE** and that the proceedings **ARE TERMINATED**.

FEDERAL COMMUNICATIONS COMMISSION

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