

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

In the Matter of)
Investigation of Special Access) CC Docket No. 85-166, Phase I
Tariffs of Local Exchange Carriers)

MEMORANDUM OPINION AND ORDER

Adopted: March 1, 2002

Released: March 4, 2002

By the Chief, Common Carrier Bureau:

1. On October 6, 1997, Western Union filed a petition for reconsideration of a Commission order deciding not to require certain incumbent local exchange carriers (LECs) to lower their metallic service rates.¹ By letter dated November 5, 2001, Western Union filed a motion requesting dismissal of its reconsideration petition as moot.² According to Western Union, it has resolved its differences with several of the LECs whose tariffs were investigated and no longer wishes to pursue its reconsideration petition with respect to the remaining LECs. Accordingly, IT IS ORDERED pursuant to 47 C.F.R. §§ 0.91, 0.291, and 1.106 that this reconsideration petition of Western Union IS HEREBY DISMISSED.

FEDERAL COMMUNICATIONS COMMISSION

Dorothy T. Attwood
Chief, Common Carrier Bureau

¹ *Investigation of Special Access Tariffs of Local Exchange Carriers*, CC Docket No. 85-166, Phase I, Order, 12 FCC Rcd 13677 (1997) (*Western Union Remand Order*), *aff'd sub nom. Southwestern Bell Tel. Co. v. FCC*, 138 F.3d 746 (8th Cir. 1998).

² In 1991, Western Union Corporation changed its name to New Valley Corporation. For purposes of this order, we refer to this company as "Western Union." The *Western Union Remand Order* was released on September 5, 1997. Although Western Union requests dismissal of its reconsideration petition filed on September 5, 1997, we dismiss herein Western Union's reconsideration petition filed on October 6, 1997.