

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

In the Matter of
Qwest Communications
International Inc.
File No. EB-02-IHD-0674

ORDER

Adopted: December 15, 2003

Released: December 16, 2003

By the Deputy Chief, Investigations and Hearings Division, Enforcement Bureau:

1. On May 7, 2003, the Commission released an order adopting a consent decree between the Commission and Qwest Communications International Inc. ("Qwest").

2. On December 9, 2003, Touch America filed a Motion to Dismiss with Prejudice ("Motion to Dismiss") its Petition.

3. We are satisfied that dismissing the Petition will serve the public interest by promoting the private resolution of disputes and by eliminating the need for expenditure of further time and resources of the parties and this Commission.

4. Accordingly, IT IS ORDERED, pursuant to sections 4(i) and 4(j) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i) and 154(j), and the authority delegated in sections 0.111 and 0.311 of the Commission's rules, 47 C.F.R. §§ 0.111 and 0.311, that the Motion to Dismiss filed on behalf of Touch America in the above-captioned proceeding is GRANTED.

1 Qwest Communications International Inc., Order, 18 FCC Rcd. 10299 (2003).
2 Qwest Communications International Inc., File No. EB-02-IH-0674, Petition for Expedited Reconsideration and Further Proceedings (filed Jun. 6, 2003).
3 Qwest Communications International Inc., File No. EB-02-IH-0674, Opposition to Petition for Expedited Reconsideration and further Proceedings (filed Jun. 19, 2003).
4 Qwest Communications International Inc., File No. EB-02-IH-0674, Motion to Dismiss with Prejudice (filed Dec. 9, 2003).
5 Id. at 1.

5. IT IS FURTHER ORDERED, pursuant to section 4(i) and 4(j) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i) and 154(j), and the authority delegated in sections 0.111 and 0.311 of the Commission's rules, 47 C.F.R. §§ 0.111 and 0.311, that the Petition for Expedited Reconsideration and Further Proceedings filed in the above-captioned proceeding IS DISMISSED WITH PREJUDICE.

FEDERAL COMMUNICATIONS COMMISSION

William H. Davenport  
Deputy Chief  
Investigations and Hearings Division  
Enforcement Bureau