

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

APCC Services, Inc.,	)	
Data Net Systems, LLC,	)	
Davel Communications, Inc.,	)	
Jaroth, Inc. dba Pacific Telemanagement	)	
Services, and	)	
Intera Communications Corp.,	)	
	)	
Complainants,	)	
	)	
v.	)	File No. EB-03-MDIC-0022
	)	
Telstar International, Inc.,	)	
	)	
Defendant.	)	

**ORDER**

**Adopted: February 10, 2004**

**Released: February 11, 2004**

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

1. On June 30, 2003, APCC Services, Inc., *et al.* (“APCC” or “Complainants”) filed an informal complaint alleging that Telstar International, Inc. (“Telstar”) is responsible for paying dial around compensation for certain types of completed calls carried by its network that originated from APCC’s payphones.<sup>1</sup> Telstar replied to the Complaint on August 16, 2003.<sup>2</sup> Therefore, pursuant to section 1.718 of the Commission’s rules, the

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<sup>1</sup> Letter from Allan C. Hubbard, Attorney for Complainants, to Marlene H. Dortch, Secretary, Federal Communications Commission, June 30, 2003).

<sup>2</sup> Letter from Menachem Ash, General Counsel, Telstar, to Sandra Gray-Fields, Staff Assistant, Market Disputes Resolution Division, Enforcement Bureau, FCC, File No. EB-03-MDIC-0022 (August 16, 2003).

Complainants must convert their informal complaint into a formal complaint by February 16, 2004, or their informal complaint will be deemed to be abandoned.<sup>3</sup>

2. Since the filing of the informal complaint, the parties have engaged in discussions in an attempt to resolve the complaint.<sup>4</sup> Consequently, on February 5, 2004, APCC filed a Request for Extension of Time to File Complainants' Formal Complaint in this matter.<sup>5</sup> APCC seeks a waiver of section 1.718 of the Commission's rules, and, in particular, requests an extension of the deadline for filing a formal complaint from February 16, 2004, to March 16, 2004.<sup>6</sup> The Waiver Request explains that the parties are attempting to resolve this dispute without further litigation, and that an extension is necessary to continue negotiations and work toward settling this matter.<sup>7</sup> Telstar has stated that it does not object to the one-month extension APCC seeks in the Waiver Request.<sup>8</sup>

3. We are satisfied that granting the Complainants' Waiver Request will serve the public interest by promoting the private resolution of disputes and by postponing the need for further litigation and expenditure of further time and resources of the parties and of this Commission until such time as may actually be necessary.

4. Accordingly, IT IS ORDERED, pursuant to sections 4(i), 4(j), and 208 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 154(j), and 208, and sections 1.3 and 1.718 of the Commission's rules, 47 C.F.R. §§ 1.3, 1.718, 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 Request for Extension of Time to File Complainants' Formal Complaint IS GRANTED.

5. IT IS FURTHER ORDERED that the deadlines that would otherwise apply under section 1.718 of our rules, 47 C.F.R. § 1.718, are hereby waived, and the date that the Complainants must convert their informal complaint against Telstar to a formal complaint

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<sup>3</sup> 47 C.F.R. § 1.718.

<sup>4</sup> See Letter from Allan C. Hubbard, Attorney for Complainants, to Jonathan Reel, Attorney, Market Disputes Resolution Division, Enforcement Bureau, FCC, File No. EB-03-MDIC-0022 (February 5, 2004) ("Waiver Request") at 2.

<sup>5</sup> *Id.* at 1.

<sup>6</sup> *Id.*

<sup>7</sup> *Id.* at 2.

<sup>8</sup> Letter from Menachem Ash, Attorney for Defendants, to Jonathan Reel, Attorney, Market Disputes Resolution Division, Enforcement Bureau, FCC, File No. EB-03-MDIC-0022 (February 9, 2004).

pursuant to section 1.718 of our rules, 47 C.F.R. § 1.718, is extended to March 16, 2004, unless otherwise extended by further order.

FEDERAL COMMUNICATIONS COMMISSION

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