

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

APR - 9 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Price Cap Performance Review)
For Local Exchange Carriers)

CC Docket No. 94-1

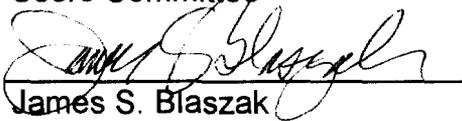
Motion to Dismiss

The Ad Hoc Telecommunications Users Committee ("the Committee") hereby requests that the Commission dismiss as moot the Petition for Expedited Partial Reconsideration that the Committee filed on May 19, 1995 in the above-captioned docket.

The Petition for Expedited Partial Reconsideration sought reconsideration of portions of the First Report and Order in this docket.¹ The Commission's Fourth Report and Order² has rendered its Petition for Expedited Partial Reconsideration of the First Report and Order moot. Accordingly, the Committee requests that the Commission dismiss its Petition for Expedited Partial Reconsideration as moot.

Respectfully submitted,

Ad Hoc Telecommunications
Users Committee

By: 

James S. Blaszak
Levine Blaszak Block & Boothby LLP
2001 L Street, N.W., Suite 900
Washington, DC 20036
202-857-2550

Its Attorneys

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¹ *Price Cap Performance Review for Local Exchange Carriers*, CC Docket No. 94-1, 10 F.C.C.R. 8,961 (1995), *aff'd sub nom. Bell Atlantic Tel. Cos. v. FCC*, 79 F.3d 1195 (D.C. Cir., 1996).

² *Price Cap Performance Review for Local Exchange Carriers*, CC Docket No. 94-1, 12 F.C.C.R. 16,642 (1997).

Certificate of Service

I, Andrew Baer, hereby certify that true and correct copies of the preceding Motion to Dismiss of the Ad Hoc Telecommunications Users Committee in CC Docket No. 94-1 were served this 9th day of April, 1998 via hand delivery upon ITS.



Andrew Baer