



# PUBLIC NOTICE

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1919 M STREET, N.W.  
WASHINGTON, D.C. 20554

News media information 202/418-0500 Fax-On-Demand 202/418-2830 Internet: <http://www.fcc.gov> <ftp.fcc.gov>

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## BUREAU GRANTS CLASSIC TELEPHONE, INC.'S MOTION TO DISMISS ITS PETITION FOR RECONSIDERATION

CC Docket No. 96-45  
AAD 97-73

**Release Date: January 11, 1999**

On October 16, 1997, Classic Telephone, Inc. (Classic) filed a Petition for Reconsideration of the October 9, 1997 *Memorandum Opinion and Order*,<sup>1</sup> granting the Joint Petition for Waiver of the Definition of "Study Area" contained in Part 36, Appendix-Glossary of the Commission's Rules, and of Section 61.41(c) of the Commission's rules filed by Rural Telephone Service Company and United Telephone Company of Kansas. In the Petition for Reconsideration, Classic requested that the Common Carrier Bureau (Bureau) reconsider the *Rural Telephone Order* under the public interest standard and deny the requested waiver so as to avoid rewarding Rural Telephone Service Company, Inc. for its alleged anticompetitive behavior and intentions. Rural Telephone Service Company, Inc. filed an Opposition to the Petition for Reconsideration filed by Classic Telephone, Inc. and Classic filed a reply comment.

On November 20, 1998, Classic filed a Motion to Dismiss its Petition for Reconsideration with the Commission requesting that its Petition for Reconsideration of the *Memorandum Opinion and Order* issued in the study area waiver proceeding be dismissed with prejudice. Classic explains that it has decided not to provide telephone service to the communities of Wakecney and Quinter, Kansas that were the subject of the study area waiver request and consequently, the reasons for seeking reconsideration of the Commission's action in this proceeding are now moot.

The Bureau grants Classic's motion to dismiss its petition for reconsideration with prejudice.

For further information, contact Adrian Wright, Accounting Policy Division, Common Carrier Bureau, at (202) 418-7400.

<sup>1</sup> Rural Telephone Service Company, Inc. and United Telephone Company of Kansas, Joint Petition for Waiver Concerning Section 61.41(c)(2) and the Definition of "Study Area" Contained in the Part 36, Appendix-Glossary, of the Commission's Rules, AAD 97-73, DA 97-2104, *Memorandum Opinion and Order*, 12 FCC Rcd 16343 (October 9, 1997) (*Rural Telephone Order*).