

Before the
 Federal Communications Commission
 2004 APR 11 11:50
 Washington, D.C. 20554

In the Matter of)
)
 Petition on Defining Certain Incumbent)
 Local Exchange Carrier Affiliates) CC Docket No. 98-39
 As Successors, Assigns, or)
 Comparable Carriers under)
 Section 251(h) of the Communications Act)

ORDER

Adopted: April 5, 2001

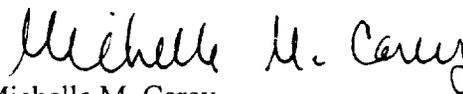
Released: April 6, 2001

By the Chief, Policy and Program Planning Division:

1. On March 23, 1998, the Competitive Telecommunications Association, Florida Competitive Carriers Association, and Southeastern Competitive Carriers Association jointly filed a petition for a declaratory ruling, or in the alternative, for a rulemaking, on defining certain incumbent local exchange carrier affiliates as successors, assigns, or comparable carriers under section 251(h) of the Communications Act of 1934, as amended.¹ On April 2, 2001, the Competitive Telecommunications Association, on behalf of itself and the Florida Competitive Carriers Association and Southeastern Competitive Carriers Association, filed a letter withdrawing their petition.²

2. Accordingly, IT IS ORDERED, pursuant to sections 0.91 and 0.291 of the Commission's rules, 47 C.F.R. §§ 0.91 and 0.291, that this proceeding, CC Docket No. 98-39, IS HEREBY TERMINATED and CC Docket No. 98-39 IS CLOSED.

FEDERAL COMMUNICATIONS COMMISSION



Michelle M. Carey
 Policy and Program Planning Division
 Common Carrier Bureau

¹ See *Petition of Competitive Telecommunications Association, Florida Competitive Carriers Association, and Southeastern Competitive Carriers Association Petition on Defining Certain Incumbent Local Exchange Carrier Affiliates as Successors, Assigns, or Comparable Carriers under Section 251(h) of the Communications Act*, CC Docket No. 98-39, filed March 23, 1998; 47 U.S.C. § 251(h). Interested parties filed comments in this proceeding on May 1, 1998, and reply comments on May 18, 1998.

² See Letter from Jonathan D. Lee, Vice President, Regulatory Affairs, CompTel, to Jessica Rosenworcel, Attorney Advisor, Federal Communications Commission, CC Docket No. 98-39 (filed April 2, 2001).