

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

RECEIVED

DEC 19 2001

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

MCI Telecommunications Corporation)
)
Complainant,)
)
v.)
)
U S WEST Communications, Inc.)
)
Defendant.)

File No. E-97-40s

EB Docket No. 01-173

JOINT MOTION TO DISMISS WITH PREJUDICE

Pursuant to section 1.45 of the Commission's Rules, 47 C.F.R. § 1.45, complainant MCI Telecommunications Corporation, now known as MCI WORLDCOM Network Services, Inc. ("WorldCom"), and defendant U S WEST Communications, Inc., now known as Qwest Corporation ("Qwest"), hereby jointly request that the Commission dismiss with prejudice the above-captioned matter.

The parties have resolved their dispute and have reached a mutually agreeable settlement. WorldCom and Qwest submit that granting this motion to dismiss with prejudice will avoid the expenditure of scarce administrative resources. Resolution of these proceedings in this manner will clearly serve the public interest.

No. of Copies rec'd 074
List ABCDE

WHEREFORE, the parties jointly request that the Commission dismiss WorldCom's Complaint and Supplemental Complaint with prejudice.

Respectfully submitted,

MCI WORLDCOM NETWORK
SERVICES, INC.

Lisa B. Smith
Kecia Boney Lewis
WorldCom, Inc.
1133 Nineteenth Street, N.W.
Washington, D.C. 20036
(202) 736-6270
(202) 736-6359 (facsimile)

By: Anthony Epstein / KSL
Anthony C. Epstein
Steptoe & Johnson LLP
1330 Connecticut Avenue, N.W.
Washington, D.C. 20036
(202) 429-8065
(202) 429-3902 (facsimile)

Counsel for MCI WORLDCOM

QWEST CORPORATION

Sharon J. Devine
Robert B. McKenna
Suite 4900
1801 California Street
Denver, Colorado 80202
(303) 672-2861
(303) 295-6973 (facsimile)

By: John H. Harwood II / KSL
John H. Harwood II
Lynn Charytan
Linda G. Coffin
Wilmer, Cutler & Pickering
2445 M Street, N.W.
Washington, D.C. 20037
(202) 663-6000
(202) 663-6363 (facsimile)

Counsel for Qwest Corporation

Dated: December 18, 2001

Certificate of Service

I, Lonzena Rogers, do hereby certify, that on this eighteenth day of December, 2001, I have caused a true and correct copy of WorldCom, Inc. and US West Communications, Inc.'s Joint Motion to Dismiss With Prejudice in the matter of EB Docket No. 01-173 and File No. E-97-40s to be served by United States Postal Service first class mail, hand delivery and facsimile, on the following:

Magalie Roman Salas *
Secretary
Federal Communications Commission
445 Twelfth Street, SW
Room TW-B204
Washington, DC 20554

Sharon J. Devine ‡+
Robert B. McKenna
Qwest Communications
1801 California Street
Suite 4900
Denver, CO 80202

Richard L. Sippel *+
Administrative Law Judge
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

John H. Harwood, II ‡+
Lynn Charytan
Linda G. Coffin
Wilmer Cutler & Pickering
2445 M Street, NW
Washington, DC 20037

Christopher N. Olsen *+
Market Disputes Resolution Division
Enforcement Bureau
Federal Communications Commission
445 Twelfth Street, SW
Room 5A-803
Washington, DC 20554

Qualex International *
445 Twelfth Street, SW
Room CY-B402
Washington, DC 20036


Lonzena Rogers

* Denotes Hand Delivery

‡ Denotes US Mail

+ Denotes Facsimile