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February 21, 2011

VIA ELECTRONIC FILING

Marlene H. Dortch, Secretary
Federal Communications Commission
443 12th Street, S.W.
Washington, D.C. 20554

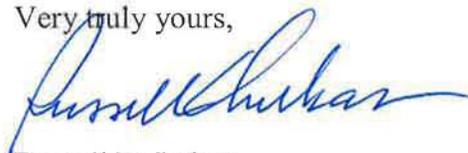
Re: Beehive Telephone Companies
Petition for Declaratory Ruling
WC Docket No. 10-36

Dear Ms. Dortch:

On February 2, 2010, the Beehive Telephone Companies ("Beehive") filed the above-referenced petition for declaratory ruling for the purpose of terminating a controversy, or removing uncertainty, that arose from the decision of the United States District Court for the District of Utah that Beehive's complaint in Case No. 2:08-cv-380 was barred by the election-of-remedies provision of 47 U.S.C. § 207. The Commission has not acted on Beehive's petition.

On January 20, 2011, the Commission released its Memorandum Opinion and Order in File No. EB-10-MD-003, which resolved issues that had been referred to it by the United States District Court for the Southern District of New York under the doctrine of primary jurisdiction. *See All American Telephone Co., Inc. v. AT&T Corp.*, 52 Communications Reg. (P&F) 233, 2011 WL 194539 (Jan. 20, 2011). The Commission's resolution of the issues in the *All American* case suffices as the declaratory ruling that Beehive is seeking. Consequently, Beehive hereby withdraws its petition for a declaratory ruling in WC Docket No. 10-36.

Very truly yours,



Russell D. Lukas
Attorney for the Beehive Telephone Companies

cc: Albert M. Lewis