

-BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH-

Business Habitat, Inc., Eric Hale, President,)
Complainant,)
vs.)
Brooks a.k.a. Phoenix Fiber a.k.a. Brooks)
Worldcom a.k.a. MCI WorldCom,)
Respondents.)

DOCKET NO. 98-2206-01

ORDER APPROVING STIPULATION
TO WITHDRAW COMPLAINT AND
COUNTERCLAIM

ISSUED: July 2, 1999

By the Commission:

On December 18, 1999, Business Habitat, Inc. and Eric J. Hale, President, filed the within Complaint against Brooks a.k.a. Phoenix Fiber a.k.a. Brooks Worldcom a.k.a. MCI WorldCom. On January 29, 1999, MCI WorldCom, Inc., on behalf of its regulated subsidiary, Brooks Fiber Communication of Utah, Inc., filed its Answer and Counterclaim to the within Complaint.

MCI WorldCom, Inc., on behalf of the named Respondents, referred to as Brooks a.k.a. Phoenix Fiber a.k.a. Brooks Worldcom a.k.a. MCI WorldCom in the within complaint, (collectively "MCIW") and Business Habitat, Inc. and Eric Hale, President of Business Habitat, Inc. (collectively "BHI") filed a stipulation to withdraw the within formal complaint filed in this action by BHI and the counterclaim filed in this action by MCIW.

MCIW and BHI assert that they have reached an agreement resolving all matters at issue and neither party wishes to pursue its claims in this proceeding.

Having been fully advised, the Commission approves the Stipulation to Withdraw Complaint and Counterclaim filed by MCIW and BHI and permits BHI to withdraw its complaint and permits MCIW to withdraw its counterclaim in this proceeding.

DATED at Salt Lake City, Utah, this 2nd day of July, 1999.

/s/ Stephen F. Mecham, Chairman

/s/ Constance B. White, Commissioner

/s/ Clark D. Jones, Commissioner

Attest:

/s/ Julie Orchard

Commission Secretary