

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of
Habla Comunicaciones, Inc.
Apparent Liability for Forfeiture
File No. EB-06-TC-4521
NAL/Acct. No. 200732170049
FRN: 0010654929

ORDER

Adopted: May 2, 2008

Released: May 2, 2008

By the Chief, Enforcement Bureau:

I. INTRODUCTION

1. In this Order, we cancel a proposed forfeiture in the amount of four thousand dollars (\$4,000) issued to Habla Comunicaciones, Inc. ("Habla" or "Company") for its apparent willful and repeated violation of a Commission order for failure to respond to a directive of the Enforcement Bureau ("Bureau") to provide certain information and documents related to the Bureau's investigations into carrier protection of customer proprietary network information ("CPNI").

2. On December 12, 2006, the Bureau issued a Letter of Inquiry ("LOI") to Habla directing Habla to provide the company's CPNI compliance certificates for the previous five years, prepared pursuant to section 64.2009(e) of the Commission's rules. On March 30, 2007, the Bureau issued a Notice of Apparent Liability for Forfeiture ("NAL") in the amount of four thousand dollars (\$4,000) to Habla for failing to respond to a directive of the Bureau to provide certain information and documents related to the Bureau's investigation into carrier protection of CPNI. The NAL was sent by certified mail to Habla's last known address. Habla has not filed a response to the NAL nor has Habla paid the proposed forfeiture amount. Subsequent to the issuance of the NAL, the Bureau received confirmation from the Texas Public Utilities Commission that Habla had ceased its operations.

3. We find that cancellation of the NAL under these circumstances is warranted. Prosecution of the forfeiture will cause the Commission to incur costs, with no reasonable hope of recovery. However, we emphasize that our decision to rescind the proposed forfeiture in no way exonerates Habla for its apparent violation of a Commission order.

4. Accordingly, IT IS ORDERED THAT, pursuant to 47 U.S.C. § 503(b) of the Communications Act of 1934, as Amended ("Act"), and sections 0.111, 0.311 and 1.80(f)(4) of the Commission's rules, the proposed forfeiture in the amount if four thousand dollars (\$4,000) issued to

1 Letter from Marcy Greene, Deputy Division Chief, Telecommunications Consumers Division, Enforcement Bureau, Federal Communications Commission, to Randell Brooks, Vice President, Habla Comunicaciones, Inc. (Dec. 12, 2006) ("LOI").

2 Habla Comunicaciones, Inc., Notice of Apparent Liability for Forfeiture, 22 FCC Rcd 6308 (2007) ("NAL").

Habla Comunicaciones, Inc. in the March 30, 2007 Notice of Apparent Liability for Forfeiture for willful and repeated violation of a Commission directive **IS CANCELED**.

5. **IT IS FURTHER ORDERED** that a copy of this *Order* shall be sent by first class mail and certified mail return receipt requested to HABLA COMUNICACIONES, INC. to its last known address of record.

FEDERAL COMMUNICATIONS COMMISSION

Kris A. Monteith  
Chief, Enforcement Bureau