

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

In the Matter of)	File No. EB-09-TC-181
)	
Worldwide Marketing Solutions, Incorporated)	NAL/Acct. No. 200932170140
)	
Apparent Liability for Forfeiture)	FRN: 0017238452
)	
)	

ORDER

Adopted: August 31, 2009

Released: August 31, 2009

By the Acting Chief, Enforcement Bureau:

1. In this Order, we cancel a proposed forfeiture in the amount of two thousand dollars (\$2,000) issued to Worldwide Marketing Solutions, Incorporated (“Worldwide Marketing”). On February 25, 2009, the Bureau issued to Worldwide Marketing a *Notice of Apparent Liability for Forfeiture* (“NAL”)¹ based on Worldwide Marketing’s apparent violation of section 222 of the Communications Act of 1934, as amended,² section 64.2009(e) of the Commission’s rules,³ and the Commission’s *EPIC CPNI Order*,⁴ by failing to timely file a compliant annual CPNI certification with the Bureau.

2. Upon review of the record, and based upon additional information provided by Worldwide Marketing, we agree with Worldwide Marketing that it had no telecommunications customers during the 2007 calendar year, thus an annual compliance certification for calendar year 2007 was not due. Accordingly, we find that Worldwide Marketing did not violate section 222 of the Act,⁵ section 64.2009(e) of the Commission’s rules,⁶ or the Commission’s *EPIC CPNI Order*. Consequently, we conclude that no forfeiture should be imposed.

3. **ACCORDINGLY, IT IS ORDERED** that, pursuant to section 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, that the proposed forfeiture in the amount of two thousand dollars (\$2,000) issued to

¹ *Worldwide Marketing Solutions, Incorporated*, Apparent Liability for Forfeiture, 24 FCC Rcd 1913 (Enf. Bur. 2009) (“NAL”).

² 47 U.S.C. § 222.

³ 47 C.F.R. § 64.2009(e).

⁴ *Implementation of the Telecommunications Act of 1996: Telecommunications Carriers’ Use of Customer Proprietary Network Information and Other Customer Information; IP-Enabled Services*, CC Docket No. 96-115; WC Docket No. 04-36, Report and Order and Further Notice of Proposed Rulemaking, 22 FCC Rcd 6927, 6953 (2007) (“*EPIC CPNI Order*”); *aff’d sub nom. Nat’l Cable & Telecom. Assoc. v. FCC*, No. 07-132, (D.C. Cir. decided Feb. 13, 2009).

⁵ 47 U.S.C. § 222.

⁶ 47 C.F.R. § 64.2009(e).

Worldwide Marketing Solutions, Incorporated in the February 25, 2009 *Notice of Apparent Liability for Forfeiture* **IS CANCELLED.**

4. **IT IS FURTHER ORDERED** that a copy of this Order shall be sent by First Class Mail and Certified Mail Return Receipt Requested to Worldwide Marketing, through its attorney of record, attn: Edward A. Maldonado, 7925 NW 12th Street, Suite 300, Doral, FL 33126.

FEDERAL COMMUNICATIONS COMMISSION

Suzanne M. Tetreault
Acting Chief, Enforcement Bureau