

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

In the Matter of)	File No. EB-08-SE-706
)	NAL/Acct. No. 200932100053
WorldNet, L.L.C.)	FRN 0004937116
)	

MEMORANDUM OPINION AND ORDER

Adopted: September 18, 2009

Released: September 22, 2009

By the Chief, Spectrum Enforcement Division, Enforcement Bureau:

1. In this *Memorandum Opinion and Order*, we cancel a proposed forfeiture in the amount of twenty thousand dollars (\$20,000) issued to WorldNet, L.L.C. (“WorldNet”). On April 3, 2009, the Enforcement Bureau’s Spectrum Enforcement Division (“Division”) issued to WorldNet a *Notice of Apparent Liability for Forfeiture and Order* (“NAL”)¹ based on WorldNet’s apparent willful failure to respond to a Letter of Inquiry (“LOI”) that was issued by the Division.²

2. Upon review of the record, and based on information provided by WorldNet in its response to the NAL,³ including sworn declarations from two WorldNet employees, we find that the record is insufficient to support a finding of a willful violation. Accordingly, we conclude that the NAL should be cancelled.⁴

3. **ACCORDINGLY, IT IS ORDERED** that, pursuant to Section 503(b) of the Act,⁵ and Sections 0.111, 0.311 and 1.80(f)(4) of the Rules,⁶ the April 3, 2009 *Notice of Apparent Liability for Forfeiture and Order* issued to WorldNet, L.L.C. **IS CANCELLED**.

¹ *WorldNet, L.L.C.*, Notice of Apparent Liability for Forfeiture and Order, 24 FCC Rcd 14065 (Enf. Bur., Spectrum Enf. Div. 2009).

² WorldNet was also ordered to respond fully to the LOI within ten (10) days of the release of the NAL. Pursuant to a grant of an extension of time to respond, WorldNet submitted a response to the LOI on April 23, 2009. See Letter of Edward A. Yorkgitis, Jr., Esq., Counsel for WorldNet, L.L.C., to Marlene H. Dortch, Secretary, Federal Communications Commission (April 23, 2009).

³ See Letter of Edward A. Yorkgitis, Jr., Esq., Counsel for WorldNet, L.L.C., to Marlene H. Dortch, Secretary, Federal Communications Commission (May 4, 2009); see also, Letter of Edward A. Yorkgitis, Jr., Esq., Counsel for WorldNet, L.L.C., to Marlene H. Dortch, Secretary, Federal Communications Commission (September 11, 2009).

⁴ See *Cellular Abroad, Inc.*, Order, DA 09-1884 (Enf. Bur., Sept. 1, 2009); *City of Daytona Beach*, Order, DA 09-1885 (Enf. Bur., Sept. 1, 2009).

⁵ 47 U.S.C. § 503(b).

⁶ 47 C.F.R. §§ 0.111, 0.311, 1.80(f)(4).

4. **IT IS FURTHER ORDERED** that a copy of this *Order* shall be sent by First Class Mail and by Certified Mail Return Receipt Requested to Ms. Debra R. Schmidt, Director of Telephony Services, WorldNet, L.L.C., 1 Riverfront Plaza, Suite 301, Lawrence KS 66044, and to Edward Yorkgitis, Esq., Counsel for WorldNet, L.L.C., Kelley Drye & Warren LLP, 3050 K Street, N.W., Suite 400, Washington D.C. 20007.

FEDERAL COMMUNICATIONS COMMISSION

Kathryn S. Berthot
Chief, Spectrum Enforcement Division
Enforcement Bureau