

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

In the Matter of)	File No. EB-09-TC-169
)	
Tennessee Telephone Service, LLC d/b/a Freedom Communications USA, LLC)	NAL/Acct. No. 200932170128
)	
Apparent Liability for Forfeiture)	FRN: 0011643111
)	

ORDER

Adopted: June 10, 2010

Released: June 11, 2010

By the Acting Chief, Telecommunications Consumers Division, Enforcement Bureau:

1. In this Order, we cancel a proposed forfeiture in the amount of four thousand dollars (\$4,000) issued to Tennessee Telephone Service, LLC d/b/a Freedom Communications USA, LLC (“Freedom Communications”). On February 26, 2009, the Bureau issued to Freedom Communications a *Notice of Apparent Liability for Forfeiture* (“NAL”)¹ based on Freedom Communications’ apparent violation of section 222 of the Communications Act of 1934,² section 64.2009(e) of the Commission’s rules,³ and the Commission’s *EPIC CPNI Order*⁴ by failing to timely file an annual compliance certification with the Bureau.

2. Upon review of the record, and based on additional information provided by Freedom Communications, we agree with Freedom Communications that it had submitted, by mail, a complete CPNI certification filing for the 2007 calendar year; although several pages were not uploaded on the Commission’s database. Accordingly, we find that Freedom Communications 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, and sections 0.111, 0.311 and 1.80(f) (4) of the Commission’s rules, that the proposed forfeiture in the amount of four thousand dollars (\$4,000) issued to Tennessee

¹ *Tennessee Telephone Service, LLC d/b/a Freedom Communications USA, LLC, Apparent Liability for Forfeiture*, 24 FCC Rcd 1816 (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).

Telephone Service, LLC d/b/a Freedom Communications USA, LLC in the February 26, 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 Tennessee Telephone Service, LLC d/b/a Freedom Communications USA, LLC, attn: Pearl Lombardo, 220 Creekside Drive, Dickson, TN 37055.

FEDERAL COMMUNICATIONS COMMISSION

Kurt A. Schroeder
Acting Chief
Telecommunications Consumers Division
Enforcement Bureau