

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

In the Matter of	)	
	)	
Universal Service Contribution Methodology	)	WC Docket No. 06-122
	)	
Federal-State Joint Board on Universal Service	)	CC Docket No. 96-45
	)	
Requests for Review of Decisions of Universal Service Administrator by Airband Communications, Inc. <i>et al.</i>	)	

**ORDER**

**Adopted: August 13, 2010**

**Released: August 13, 2010**

By the Chief, Wireline Competition Bureau:

**I. INTRODUCTION**

1. In this order, we deny several petitions requesting review of decisions by the Universal Service Administrative Company (USAC) that rejected late-filed revisions to FCC Forms 499.<sup>1</sup> Specifically, we find that none of the petitioners have met their burden of showing good cause to justify waiving the deadlines at issue. In so doing, we reaffirm the importance of filing revisions to FCC Forms

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<sup>1</sup> See Request for Emergency Review and Waiver of Decision of Universal Service Administrator by Airband Communications, Inc., CC Docket No. 96-45, WC Docket No. 06-122 (filed July 23, 2008) (Airband Request for Review); Request for Review of Decision of Universal Service Administrator by Airnex Communications, Inc., CC Docket Nos. 96-45, 97-21 (filed Mar. 20, 2006) (Airnex Request for Review); AT&T Petition For Review of the Universal Service Administrative Company's Rejection of Revised Form 499-A, CC Docket No. 96-45 (filed Aug. 6, 2006) (AT&T Request for Review); Letter from Jonathan S. Marashlian, Counsel, BitWise Communications, Inc. a/k/a OmniLEC, to Federal Communications Commission, Office of the Secretary, WC Docket No. 06-122 (filed June 23, 2009) (BitWise Request for Review); Request for Review by Centennial Puerto Rico Operations Corp., and Centennial USVI Operations Corp. of Decision of Universal Service Administrator, and Petition for Waiver of the Deadline for Filing Revisions to Telecommunications Reporting Worksheet (FCC Form 499-A), CC Docket No. 96-45 (filed July 13, 2006) (Centennial Request for Review); Request for Review of Decision and Request for Initiation of an Investigation into the Policies and Procedures of the Universal Service Administrative Company by Compass Global, Inc., CC Docket No. 96-45, WC Docket No. 06-122 (filed July 31, 2008) (Compass Global Request for Review); Request for Review of Decision of Universal Service Administrator and Request for Waiver of Twelve-Month Deadline for Downward Adjustment of 499A Forms, Motion for Expedited Review and Waiver of Public Notice Requirement, Request to Hold Collections in Abeyance, Pendente Lite, by Digitcom Services, Inc., CC Docket No. 96-45 (filed Jan. 5, 2010) (Digitcom Request for Review); Request for Review of Universal Service Administrator Decision by Via Talk, LLC, WC Docket No. 06-122 (filed Feb. 4, 2009) (Via Talk First Request for Review); Request for Review of Universal Service Administrator Decision by Via Talk, LLC, WC Docket No. 06-122 (filed Aug. 14, 2009) (Via Talk Second Request for Review); Request for Review of Decision of Universal Service Administrator by World-Link Solutions, Inc., CC Docket No. 96-45 (filed Aug. 8, 2005) (World-Link Request for Review). To the extent these petitioners seek additional relief—be it the waiver of public notice, *see, e.g.*, Petition for Waiver of Public Notice by Airband Communications, Inc., CC Docket No. 96-45, WC Docket No. 06-122 (filed July 23, 2008), a stay of collections, *see, e.g.*, Digitcom Ex Parte Renewed Motion for Expedited Review and Request to Hold Collections in Abeyance, CC Docket No. 96-45 (filed Apr. 26, 2010), or an investigation into USAC's practices, *see* Compass Global Request for Review—we deny the requests because such requests are either moot in light of the action we take in this order or the petitioners have not met their burdens to show that such relief is necessary and in the public interest.

499 promptly and within the windows established by the Commission's rules and requirements. In order for USAC to process the thousands of forms it receives each year and for contributors to know that their contributions will not dramatically change each year on account of late-filed revision, filers must comply with the deadlines we have established for filing and revising FCC Forms 499.

## II. BACKGROUND

2. Section 254(d) of the Communications Act of 1934, as amended (the Act), directs that every telecommunications carrier that provides interstate telecommunications services shall contribute, on an equitable and nondiscriminatory basis, to the specific, predictable, and sufficient mechanisms established by the Commission to preserve and advance universal service.<sup>2</sup> To this end, the Commission determined that contributions should be based on contributors' interstate and international end-user revenues<sup>3</sup> and adopted a methodology for contributors to use to compute their universal service contributions.<sup>4</sup> Pursuant to the Commission's rules, contributors report their revenues by filing Telecommunications Reporting Worksheets with USAC.<sup>5</sup> Contributors report historical revenue on the annual Telecommunications Reporting Worksheet (FCC Form 499-A), which is due on April 1 each year.<sup>6</sup> Contributors project future quarters' revenue on the quarterly Telecommunications Reporting Worksheets (FCC Forms 499-Q), which are due on February 1, May 1, August 1, and November 1.<sup>7</sup>

3. Prior to 2005, filers had to submit any revisions to their original FCC Form 499-A by December 1 of the same filing year.<sup>8</sup> Contributors that failed to meet the eight-month deadline were required to show good cause, including an explanation of the cause for the change and complete documentation showing how the revised figures derive from corporate financial records.<sup>9</sup> In the *FCC Form 499-A One-Year Deadline Order*, the Wireline Competition Bureau (Bureau) modified the deadline for filing revisions to the FCC Form 499-A, allowing 12 months for revisions that result in reduced contributions, and retaining the good cause showing requirement for revisions filed after the new, March

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<sup>2</sup> 47 U.S.C. § 254(d).

<sup>3</sup> *Id.*; see 47 C.F.R. § 54.706; *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Report and Order, 12 FCC Rcd 8776, 9206-07, paras. 843-44 (1997) (discussing why the Commission determined not to assess gross revenues); *Federal-State Joint Board on Universal Service; Access Charge Reform*, CC Docket Nos. 96-45, 96-262, Sixteenth Order on Reconsideration and Eighth Report and Order, Sixth Report and Order, 15 FCC Rcd 1679, 1685, para. 15 (1999) (establishing a single contribution system for all universal service support mechanisms based on interstate and international revenues).

<sup>4</sup> See *Changes to the Board of Directors of the National Exchange Carrier Association, Inc.; Federal-State Joint Board on Universal Service*, CC Docket Nos. 97-21, 96-45, Report and Order and Second Order on Reconsideration, 12 FCC Rcd 18400 (1997) (*Second Order on Reconsideration*).

<sup>5</sup> See 47 C.F.R. §§ 54.706, 54.711, 54.713 (requiring all telecommunications carriers providing interstate telecommunications services and certain other providers of interstate telecommunications to file the annual Telecommunications Reporting Worksheet (FCC Form 499-A) and the quarterly Telecommunications Reporting Worksheets (FCC Form 499-Q)).

<sup>6</sup> See Universal Service Administrative Company, Schedule of Filings, at <http://www.universalservice.org/fund-administration/contributors/revenue-reporting/schedule-filings.aspx> (last visited July 29, 2010) (USAC Form 499 Filing Schedule).

<sup>7</sup> *Id.*

<sup>8</sup> See FCC Form 499-A Telecommunications Reporting Worksheet Instructions at 11 (2004), [http://www.usac.org/\\_res/documents/about/pdf/499/499ai\\_2004.pdf](http://www.usac.org/_res/documents/about/pdf/499/499ai_2004.pdf) (2004 FCC Form 499-A Instructions). Under Commission rules, revisions are filed when they are received by USAC. See 47 C.F.R. § 1.7.

<sup>9</sup> See 2004 FCC Form 499-A Instructions at 11.

31 deadline.<sup>10</sup> The modifications to the FCC Form 499-A revision deadline became effective January 10, 2005, and are reflected in the FCC Form 499-A Instructions.<sup>11</sup>

4. The Commission allows contributors 45 days to correct errors in their revenue projections (reported quarterly on FCC Form 499-Q).<sup>12</sup> The Commission established this deadline to eliminate any incentive that contributors might have to revise their revenue projections after the announcement of the quarterly contribution factor.<sup>13</sup>

5. *Requests for Review.* Petitioners request review of USAC decisions rejecting late filed revisions to FCC Forms 499. Each of the petitioners claim that USAC should accept their respective late-filed revisions of FCC Form 499 and that the Commission should waive the relevant deadlines. One petitioner asserts that the relevant deadline should be waived in part because it misunderstood the filing deadline.<sup>14</sup> Two petitioners seek waiver to submit late-filed revisions because each was under the misimpression that filings had to be postmarked rather than received by the deadline.<sup>15</sup> Some petitioners argue that the late-filed revision should be accepted because their initial filings were themselves untimely.<sup>16</sup> Others argue that some combination of employee error and mistakes on the part of hired consultants were the cause of the untimely filing.<sup>17</sup>

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<sup>10</sup> See *Federal-State Joint Board on Universal Service, 1998 Biennial Regulatory Review—Streamlined Contributor Reporting Requirements Associated with Administration of Telecommunications Relay Service, North American Numbering Plan, Local Number Portability, and Universal Service Support Mechanisms, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, CC Docket Nos. 96-45, 98-171, 97-21, Order, 20 FCC Rcd 1012, 1016, para. 10 (Wireline Comp. Bur. 2004) (*FCC Form 499-A One-Year Deadline Order*). The Bureau has delegated authority to waive, reduce, or eliminate the contributor reporting requirements associated with the universal service support mechanisms and to consider requests for review of decisions by USAC. See *Second Order on Reconsideration*, 12 FCC Rcd at 18442, para. 81; see also 47 C.F.R. §§ 54.711(c), 54.722(a). This authority includes making changes to the administrative aspects of the contributor reporting requirements, such as “where and when [Telecommunications Reporting Worksheets] are filed.” *1998 Biennial Regulatory Review—Streamlined Contributor Reporting Requirements Associated with Administration of Telecommunications Relay Service, North American Numbering Plan, Local Number Portability, and Universal Service Support Mechanisms*, CC Docket No. 98-171, Report and Order, 14 FCC Rcd 16602, 16621, para. 39 (1999). In the *FCC Form 499-A One-Year Deadline Order*, the Bureau did not adopt a similar deadline for revisions that result in increased contributions.

<sup>11</sup> See *Federal-State Joint Board on Universal Service, 1998 Biennial Regulatory Review; Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, 69 Fed. Reg. 71,812 (Dec. 10, 2005); FCC Form 499-A Telecommunications Reporting Worksheet Instructions at 12 (2010), [http://www.usac.org/\\_res/documents/fund-administration/pdf/forms/form-499A-fy2010-instructions.pdf](http://www.usac.org/_res/documents/fund-administration/pdf/forms/form-499A-fy2010-instructions.pdf) (2010 FCC Form 499-A Instructions).

<sup>12</sup> See *2002 Interim Contribution Methodology Order*, 17 FCC Rcd at 24972, para. 36.

<sup>13</sup> *Id.*

<sup>14</sup> See Centennial Request for Review at 2–4.

<sup>15</sup> See Airband Request for Review at 5; Centennial Request for Review at 2–4.

<sup>16</sup> Compass Global Request for Review at 20–21; Digitcom Request for Review at 4–6; Via Talk First Request for Review at 2–4; Via Talk Second Request for Review.

<sup>17</sup> See AT&T Request for Review at 3 (arguing that its employees mistakenly sent the revised form to another branch of the company rather than USAC); Airnex Request for Review, Exh. 5 at 2–4 (arguing that its revisions were delayed due to a consultant’s errors and staff turnover); BitWise Request for Review at 2 (claiming that the company was “simply overwhelmed and understaffed” and did not realize its errors until the deadline had passed); World-Link Request for Review Exh. 5 (arguing that the software used by the company made reporting difficult, that an employee incorrectly completed the form, and that the “error was discovered after” the revision deadline).

### III. DISCUSSION

6. We find that the petitioners have not demonstrated good cause to grant their requested relief.<sup>18</sup> Accordingly, we deny the subject requests for review and all accompanying requests for waiver of the relevant deadlines for revising FCC Forms 499.<sup>19</sup>

7. The Commission may waive any provision of its rules only for good cause shown.<sup>20</sup> Waiver is appropriate only if special circumstances warrant a deviation from the general rule, and such deviation would better serve the public interest than strict adherence to the general rule.<sup>21</sup> It is the responsibility of contributors to familiarize themselves with any applicable regulations and to ensure that filings are received by the deadline.<sup>22</sup> As such, and in accordance with federal law, simple negligence on the part of a filer is insufficiently unique to justify waiver of the deadlines for revising FCC Forms 499.<sup>23</sup>

8. We find that each petitioners' claim of good cause amounts to no more than simple negligence, petitioner error, or circumstances squarely within the petitioner's control.<sup>24</sup> Accordingly, none of the petitioners' circumstances present sufficiently unique situations to justify waiver of the FCC Forms 499 revision deadlines.<sup>25</sup>

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<sup>18</sup> To the extent that BitWise argues that its 2008 revision was timely filed, we disagree. *See* BitWise Request for Review at 2 (“BitWise filed its revised 2008 Form 499-A, signed by an officer, on March 27, 2009. Even if the Pony Express delivered the revised 2008 Form 499-A from Peoria to Washington, D.C., the filing would have arrived before or on April 1, 2009 . . .”). FCC Form 499 filings must be received by the filing deadline, and USAC did not receive the revision until April 1, 2009, one day after the March 31 deadline. *See* 47 C.F.R. § 1.7. We note also that USAC has provided us with the tracking receipt associated with the filing, showing that it was not dropped off to Federal Express in Peoria until March 30, 2009.

<sup>19</sup> We note that even if USAC found that a petitioner met the good-cause standard, we must address that question *de novo*. 47 C.F.R. § 54.723(a). Furthermore, we disagree with any argument that late revisions filed before the *FCC Form 499-A One-Year Deadline Order* only needed to explain the “cause” of the delay rather than show the “good cause” required for waiver of a deadline. If a filer only needed to explain the reason for the revision without reference to the Commission’s good cause standard, any cause, no matter how valid or invalid, would be sufficient; such a *pro forma* standard, merely requiring the filing of such information with no opportunity for substantive review of the reason, would essentially be no standard at all. Such a reading of our instructions in light of the general waiver standard is, we believe, untenable. We accordingly review the late filings in light of the good-cause standard the Commission has long applied to waivers of filing deadlines. *See* 47 C.F.R. § 1.3.

<sup>20</sup> 47 C.F.R. § 1.3.

<sup>21</sup> *Northeast Cellular*, 897 F.2d at 1166; *accord NetworkIP, LLC v. FCC*, 548 F.3d 116, 127 (D.C. Cir. 2008) (stating that in addition to the public interest being well served, there must also be a sufficiently “unique situation” to grant waiver).

<sup>22</sup> *See* 47 C.F.R. § 0.406; *see also, e.g.*, 2010 FCC Form 499-A Instructions at 12 (specifying the deadline for filing revisions to the FCC Form 499-A).

<sup>23</sup> In *NetworkIP, LLC v. FCC*, the party seeking waiver had filed a timely complaint with the Commission but included a payment that was \$5 short of the recently increased filing fee; when the party’s complaint was rejected for not including the full filing fee, the party re-filed after the deadline and sought a waiver of the deadline. 548 F.3d at 125–26. The court rejected the Commission’s decision to grant a waiver, noting that “procrastination plus the universal tendency for things to go wrong (Murphy’s Law)—at the worst possible moment (Finagle’s Corollary)—is not a ‘special circumstance,’ as any junior high teacher can attest.” *Id.* at 127. We accordingly should not grant a waiver of the FCC Form 499-A revision deadline for everyday errors committed by employees or other people within the control of a petitioner.

<sup>24</sup> *See supra* para. 5 & accompanying notes.

<sup>25</sup> *Cf., e.g., Universal Service Contribution Methodology; Requests for Waiver of Decisions of the Universal Service Administrator by ComScape Telecommunications of Raleigh-Durham, Inc. and Millennium Telecom, LLC*, WC Docket No. 06-122, Order, DA 10-1050 (Wireline Comp. Bur. rel. June 11, 2010) (denying two deadline waiver (continued . . .))

9. Adherence to deadlines and the good-cause standard for waivers is especially appropriate in the context of revisions to FCC Forms 499. USAC processes thousands and thousands of forms each year, and it is administratively necessary for filers to meet the filing deadlines absent special circumstances.<sup>26</sup> Moreover, the Commission's contribution system already provides numerous safeguards for filers that miss a filing deadline. Specifically, if a contributor misses the initial deadline to file an FCC Form 499-Q, USAC will estimate that contributor's revenues. The contributor then has 45 days after the initial filing deadline to file its FCC Form 499-Q to revise USAC's initial estimates. If a contributor misses the 45-day revision deadline for an FCC Form 499-Q, the annual true-up process gives the contributor the opportunity to revise those revenues based on actual historical data. If a contributor misreports its revenues in the annual FCC Form 499-A filing, it has until March 31 of the following year to revise its filing.<sup>27</sup> As such, filers have little room to complain when they have numerous opportunities to correct erroneous filings or assessments if they miss any individual opportunity to file revised revenue information.<sup>28</sup>

10. We remind all filers that FCC Forms 499 are considered filed upon their receipt at the location designated by the Commission and that filings, including revisions, can be made electronically through USAC's website.<sup>29</sup> We also remind filers that requests for review of USAC decisions must be postmarked to the Commission or filed electronically in WC Docket No. 06-122 within 60 days of the issuance of the USAC decision.<sup>30</sup>

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requests when negligence caused the late filing); *Requests for Review of Decisions of the Universal Service Administrator by Achilles Networks, Inc., et al.*, WC Docket No. 06-122, Order, 25 FCC Rcd 4646, 4648-49, paras. 5, 8 (Wireline Comp. Bur. 2010).

<sup>26</sup> See *FCC Form 499-A One-Year Deadline Order*, 20 FCC Rcd at 1017, para. 10; *FiberNet, LLC, Petition for Waiver of Section 54.307(c) of the Commission's Rules and Regulations*, CC Docket No. 96-45, Order, 19 FCC Rcd 8202, 8204, para. 5 (Wireline Comp. Bur. 2004). Firm deadlines also avoid unexpected increases in contribution amounts resulting from late-filed revenue adjustments. See *FCC Form 499-A One-Year Deadline Order*, 20 FCC Rcd at 1017, para. 10.

<sup>27</sup> See Universal Service Administrative Company, Schedule of Filings, <http://www.universalservice.org/fund-administration/contributors/revenue-reporting/schedule-filings.aspx> (last visited July 15, 2010).

<sup>28</sup> Bitwise makes two additional arguments. First, it argues that USAC erred in billing BitWise based on its 2007 FCC Form 499-A because BitWise inadvertently left Line 423 of that form blank. See BitWise Request for Review at 4. Second, it argues that billing BitWise based on its reported revenues violates federal law because its contribution obligation would exceed what it contends are its actual interstate revenues. See *id.* at 3; see also World-Link Request for Review at 6-10 (making a similar argument regarding end-user revenues). We disagree with both arguments. As to the former argument, USAC was well within its discretion to perform the ministerial function of subtracting BitWise's uncollectible revenues on Line 422 from the gross universal service contribution base revenues reported on Line 420 to complete Line 423—BitWise had provided all the information needed to complete the task. As to the latter, federal law poses no bar to assessing BitWise (or any other carrier) based on the revenues it reported in compliance with our reporting requirements, rather than based on revenue information reflected in untimely Form 499 filings.

<sup>29</sup> 47 C.F.R. § 1.7; see *Request for Review by Atlantic Digital, Inc. of Decision of Universal Service Administrator*, CC Docket No. 96-45, Order, 20 FCC Rcd 4224, 4225-26, para. 5 (Wireline Comp. Bur. 2005) (finding that contributor's FCC Form 499-Q filings were not timely filed when they were postmarked but not received by USAC by the filing deadline); Universal Service Administrative Company, E-File, <https://forms.universalservice.org/usaclogin/login.asp> (last visited July 15, 2010).

<sup>30</sup> See 47 C.F.R. §§ 54.719(c), 54.720(e). Although we deny these requests for review on the merits, at least one request for review is also deficient in that it was filed outside the 60-day window or did not comply with our filing requirements. See BitWise Request for Review (filed electronically 61 days after the USAC decision and failing to comply with the filing requirements set forth in 47 C.F.R. § 54.721).

**IV. ORDERING CLAUSES**

11. ACCORDINGLY, IT IS ORDERED, pursuant to the authority contained in sections 1–4 and 254 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151–154, 254, and pursuant to sections 0.91, 0.291, 1.3, and 54.722(a) of the Commission’s rules, 47 C.F.R. §§ 0.91, 0.291, 1.3, 54.722(a), that the request for review and waiver filed by Airband Communications, Inc. on July 23, 2008 and the petition filed by Airband Communications, Inc. on July 23, 2008 ARE DENIED.

12. IT IS FURTHER ORDERED, pursuant to the authority contained in sections 1–4 and 254 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151–154, 254, and pursuant to sections 0.91, 0.291, 1.3, and 54.722(a) of the Commission’s rules, 47 C.F.R. §§ 0.91, 0.291, 1.3, 54.722(a), that the request for review filed by Airnex Communications, Inc. on March 20, 2006 IS DENIED.

13. IT IS FURTHER ORDERED, pursuant to the authority contained in sections 1–4 and 254 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151–154, 254, and pursuant to sections 0.91, 0.291, 1.3, and 54.722(a) of the Commission’s rules, 47 C.F.R. §§ 0.91, 0.291, 1.3, 54.722(a), that the request for review filed by AT&T, Inc. on August 6, 2006 IS DENIED.

14. IT IS FURTHER ORDERED, pursuant to the authority contained in sections 1–4 and 254 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151–154, 254, and pursuant to sections 0.91, 0.291, 1.3, and 54.722(a) of the Commission’s rules, 47 C.F.R. §§ 0.91, 0.291, 1.3, 54.722(a), that the request for review filed by BitWise Communications, Inc. a/k/a OmniLEC on June 23, 2009 IS DENIED.

15. IT IS FURTHER ORDERED, pursuant to the authority contained in sections 1–4 and 254 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151–154, 254, and pursuant to sections 0.91, 0.291, 1.3, and 54.722(a) of the Commission’s rules, 47 C.F.R. §§ 0.91, 0.291, 1.3, 54.722(a), that the request for review and waiver filed by Centennial Puerto Rico Operations Corp., and Centennial USVI Operations Corp. on July 13, 2006 IS DENIED.

16. IT IS FURTHER ORDERED, pursuant to the authority contained in sections 1–4 and 254 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151–154, 254, and pursuant to sections 0.91, 0.291, 1.3, and 54.722(a) of the Commission’s rules, 47 C.F.R. §§ 0.91, 0.291, 1.3, 54.722(a), that the request for review filed by Compass Global, Inc. on July 31, 2008 IS DENIED.

17. IT IS FURTHER ORDERED, pursuant to the authority contained in sections 1–4 and 254 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151–154, 254, and pursuant to sections 0.91, 0.291, 1.3, and 54.722(a) of the Commission’s rules, 47 C.F.R. §§ 0.91, 0.291, 1.3, 54.722(a), that the request for review filed by Digitcom Services, Inc. on January 5, 2010 and the motion filed by Digitcom Services, Inc. on April 26, 2010 ARE DENIED.

18. IT IS FURTHER ORDERED, pursuant to the authority contained in sections 1–4 and 254 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151–154, 254, and pursuant to sections 0.91, 0.291, 1.3, and 54.722(a) of the Commission’s rules, 47 C.F.R. §§ 0.91, 0.291, 1.3, 54.722(a), that the request for review filed by Via Talk, LLC on February 4, 2009 IS DENIED.

19. IT IS FURTHER ORDERED, pursuant to the authority contained in sections 1–4 and 254 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151–154, 254, and pursuant to sections 0.91, 0.291, 1.3, and 54.722(a) of the Commission’s rules, 47 C.F.R. §§ 0.91, 0.291, 1.3, 54.722(a), that the request for review filed by Via Talk, LLC on August 14, 2009 IS DENIED.

20. IT IS FURTHER ORDERED, pursuant to the authority contained in sections 1–4 and 254 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151–154, 254, and pursuant to sections 0.91, 0.291, 1.3, and 54.722(a) of the Commission’s rules, 47 C.F.R. §§ 0.91, 0.291, 1.3, 54.722(a), that the request for review filed by World-Link Solutions, Inc. on August 8, 2005 IS DENIED.

21. IT IS FURTHER ORDERED, pursuant to section 1.102(b)(1) of the Commission's rules, 47 C.F.R. § 1.102(b)(1), that this order SHALL BE EFFECTIVE upon release.

FEDERAL COMMUNICATIONS COMMISSION

Sharon E. Gillett  
Chief  
Wireline Competition Bureau

**APPENDIX**  
Requests for Review at Issue

<b>Company Name</b>	<b>Filer ID</b>	<b>Date Request Filed</b>	<b>Requested FCC Form 499 Revision</b>	<b>Date FCC Form 499 Revision Filed</b>
Airband Communications, Inc.	825978	July 23, 2008	2007	Apr. 3, 2008
Airnex Communications, Inc.	818610	Mar. 20, 2006	2000, 2001, 2002	Oct. 23, 2003
AT&T	805767	Aug. 6, 2006	2005	Apr. 3, 2006
BitWise Communications, Inc.	822650	June 23, 2009	2006, 2007 2008	Apr. 1, 2009
Centennial Puerto Rico Operations Corp., and Centennial USVI Operations Corp.	811030 822328	July 13, 2006	2005	Apr. 10, 2006
Compass Global	826216	July 31, 2008	2005, 2006	Sept. 4, 2007
Digitcom Services, Inc.	817130	Jan. 5, 2010	2004, 2005, 2006, 2007	Feb. 27, 2009
Via Talk, LLC	827048	Feb. 4, 2009	2007	Dec. 9, 2008
Via Talk, LLC	827048	Aug. 14, 2009	1Q2008, 2Q2008, 3Q2008	Dec. 15, 2008
World-Link Solutions, Inc.	812286	Aug. 8, 2005	2002	June 27, 2003