

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

In the Matter of)	
)	
Universal Service Contribution Methodology)	WC Docket No. 06-122
)	
NextGen Telephone Request for Review of a Universal Service Contribution Decision by the Universal Service Administrator)	CC Docket Nos. 96-45, 97-21

ORDER

Adopted: January 12, 2010

Released: January 12, 2010

By the Acting Chief, Telecommunications Access Policy Division, Wireline Competition Bureau:

1. On August 21, 2008, NextGen Telephone (NextGen) filed a letter requesting review of a decision by the Universal Service Company Administrative Company (USAC), in which USAC determined that NextGen should report subscriber line charges as interstate revenue subject to federal universal service fund contributions.¹ On December 8, 2009, NextGen filed a letter requesting withdrawal of its request for review.² We grant NextGen’s withdrawal request and dismiss the above-captioned pleading.

2. ACCORDINGLY, IT IS ORDERED, pursuant to authority delegated under sections 0.91, 0.204(b), 0.291, and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.204(b), 0.291, and 54.722(a), that the request for withdrawal submitted by NextGen Telephone, filed December 8, 2009, IS GRANTED.

3. IT IS FURTHER ORDERED, pursuant to authority delegated under sections 0.91, 0.204(b), 0.291, and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.204(b), 0.291, and 54.722(a), that the request for review by NextGen Telephone, filed August 21, 2008, IS DISMISSED.

¹ Letter from Timothy K. Bachert, CFO, NextGen Telephone, to Office of the Secretary, Federal Communications Commission, CC Docket Nos. 96-45, 97-21 (filed Aug. 21, 2008) (Request for Review). This request and the request for withdrawal were filed in WC Docket No. 06-122 by the Commission.

² Letter from Timothy K. Bachert, CFO, NextGen Telephone, to Marlene Dortch, Secretary, Federal Communications Commission, CC Docket Nos. 96-45, 97-21 (filed Dec. 8, 2009) (Request for Withdrawal).

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

FEDERAL COMMUNICATIONS COMMISSION

Jennifer K. McKee
Acting Chief
Telecommunications Access Policy Division
Wireline Competition Bureau