

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

In the Matter of)	File No. EB-05-IH-0913
)	
)	NAL/Acct. No. 200632080168
Local Phone Services, Inc.)	
)	FRN No. 0008358343

ORDER

Adopted: April 21, 2010

Released: April 22, 2010

By the Chief, Investigations and Hearings Division, Enforcement Bureau:

1. In this *Order*, we grant the request¹ of Local Phone Services, Inc., d/b/a Best Phone (“LPSI”) to withdraw its petition for reconsideration² of the *Forfeiture Order* issued by the Commission on May 19, 2008.³

2. On January 25, 2010, the State Corporation Commission of the State of Kansas found that LPSI is no longer in the business of providing telecommunications services, and accordingly rescinded LPSI’s authority to provide local exchange, exchange access and interexchange services in the State of Kansas, and wrote off certain state assessments and penalties.⁴ On February 25, 2010, counsel to LPSI stated that because LPSI is no longer in business, it is unable to further pursue its petition for reconsideration, and LPSI therefore requests that the Commission withdraw the petition.⁵

3. Based on the record before us, and in the absence of material new evidence relating to this matter, we find that the public interest will be served by granting LPSI’s request.

¹ Letter from Jonathan S. Marashlian, Helein & Marashlian, LLC, Counsel to Local Phone Services, Inc., to Marlene H. Dortch, Secretary, Federal Communications Commission (dated Feb. 25, 2010) (“Request to Withdraw”).

² *Local Phone Services, Inc.*, EB-05-IH-0913, Local Phone Services, Inc, d/b/a Best Phone’s Petition for Reconsideration of Forfeiture Order (dated June 18, 2008) (“Petition for Reconsideration”).

³ *Local Phone Services, Inc.*, Order of Forfeiture Order, 23 FCC Rcd 8952 (2008) (“*Forfeiture Order*”). The *Forfeiture Order* imposed a monetary forfeiture for LPSI’s willful and repeated violations of Section 254(d) of the Communications Act of 1934, as amended, 47 U.S.C. § 254(d), and Sections 54.706(a) and 54.711(a) of the Commission’s Rules, 47 C.F.R. §§ 54.706(a), 54.711(a). The noted violations involved LPSI’s failure to timely submit certain Telecommunications Reporting Worksheets and LPSI’s failure to timely contribute to the Universal Service Fund. The granting of LPSI’s request herein does not affect the validity of the *Forfeiture Order*.

⁴ *Cancellation of the Certificate of Convenience and Authority Previously Granted Local Phone Services, Inc.*, Order Rescinding Certificates of Necessity and Authority of LPS, Instructing Fiscal to Write-Off Overdue Commission Assessments, and Instructing GVNW to Close LPS’ Account, Write-Off Penalty Amount and Remove LPS from Delinquent and Active Customer Files, Docket No. 10-LCLT-255-CCS, issued by the State Corporation Commission of the State of Kansas (Jan. 25, 2010).

⁵ Request to Withdraw at 1.

4. Accordingly, **IT IS ORDERED** that, pursuant to section 4(i) of the Communications Act of 1934, as amended,⁶ LPSI's request to withdraw its petition for reconsideration of the *Forfeiture Order* **IS GRANTED**.

5. **IT IS FURTHER ORDERED** that this *Order* shall be sent by regular mail and by certified mail, return receipt requested, to Jonathan S. Marashlian, Helein & Marashlian, LLC, Counsel to Local Phone Services, Inc., 1483 Chain Bridge Road, Suite 301, McLean, Virginia 22101.

FEDERAL COMMUNICATIONS COMMISSION

Hillary S. DeNigro
Chief
Investigations and Hearings Division
Enforcement Bureau

⁶ 47 U.S.C. § 154(i).