

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

In the Matter of)	File No. EB-08-TC-4257
)	
Intercel Telecoms Group, Inc.)	NAL/Acct. No. 200932170470
)	
Apparent Liability for Forfeiture)	FRN: 0014793905
)	

ORDER

Adopted: October 24, 2011

Released: October 25, 2011

By the Chief, Telecommunications Consumers Division, Enforcement Bureau:

1. In this Order, which follows upon our *Omnibus Notice of Apparent Liability for Forfeiture (Omnibus NAL)*,¹ we determine that no forfeiture penalty should be imposed on Intercel Telecoms Group, Inc. (Intercel or Company).

2. In the *Omnibus NAL*, we found Intercel apparently liable for a forfeiture for repeatedly violating section 222 of the Communications Act of 1934, as amended (the Communications Act or Act),² section 64.2009(e) of the Commission's rules,³ and the Commission's *EPIC CPNI Order*,⁴ because it appeared that the Company had not filed a timely CPNI compliance certification for calendar years 2007 and 2008. Consistent with section 503(b)(4) of the Act, Intercel was granted an opportunity to show, in writing, why no such forfeiture should be imposed.

3. Upon review of the record, and based upon additional information provided by Intercel, we agree that no forfeiture penalty should be imposed.

4. **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, the proposed forfeiture issued to Intercel **WILL NOT BE IMPOSED**.

¹ *Annual CPNI Certification*, Omnibus Notice of Apparent Liability for Forfeiture, 25 FCC Rcd 1795 (Enf. Bur. 2010).

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*, 555 F.3d 996 (D.C. Cir. 2009).

5. **IT IS FURTHER ORDERED** that a copy of this Order shall be sent by First Class Mail and Certified Mail Return Receipt Requested to Intercel Telecoms Group, Inc., Attn. Joseph Gatt, CEO, 3914 Centreville Rd., Suite 200, Chantilly, VA 20151.

FEDERAL COMMUNICATIONS COMMISSION

Richard A. Hindman
Chief
Telecommunications Consumers Division
Enforcement Bureau