

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of)
)
LDC Telecommunications, Inc.) File No.: ITC-214-20080523-00238
) FRN: 0003757390

REVOCATION ORDER

Adopted: October 14, 2016

Released: October 14, 2016

By the Chief, Telecommunications Consumers Division, Enforcement Bureau; Chief, Telecommunications and Analysis Division, International Bureau; and Chief, Competition Policy Division, Wireline Competition Bureau:

I. INTRODUCTION

1. By this Order, we revoke authorizations currently held by LDC Telecommunications, Inc. (LDC) for failure to pay delinquent regulatory fees owed to the Federal Communications Commission (FCC or Commission).

II. BACKGROUND

2. Under Section 9 of the Communications Act of 1934, as amended (Act), and the Commission’s implementing rules (Rules), the Commission is required to “assess and collect regulatory fees” to recover the costs of certain Commission regulatory activities, and when the required payment is received late or it is incomplete, to assess a penalty equal to “25 percent of the amount of the fee which was not paid in a timely manner.”¹ In addition to financial penalties, Section 9(c)(3) of the Act, and Section 1.1164(f) of the Rules grant the FCC the authority to revoke authorizations for failure to pay regulatory fees in a timely fashion.²

3. On December 18, 2008, LDC was granted the above-captioned authorization to provide facilities-based and resold international telecommunications services.³ On October 28, 2014, the Commission sent a Demand Letter to LDC for delinquent FY2014 regulatory fees.⁴ LDC did not respond, and thereafter, as required by 31 U.S.C. § 3711(g), 31 CFR §§ 285.12(c) and 901.1, and 47 CFR § 1.1917, the delinquent debt for the FY 2014 regulatory fees was transferred to the Secretary of Treasury for collection. As of July 1, 2016, the Commission’s records showed that LDC had unpaid regulatory

¹ 47 U.S.C. §§ 159(c)(3), (a)(1), (c)(1); 47 CFR §§ 1.1151, 1.1157(c)(1), 1.1164.

² 47 U.S.C. §§ 159(c)(3); 47 CFR § 1.1164(f).

³ International Authorizations Granted, ITC-214-20080523-00238, Public Notice, 24 FCC Rcd 16 (IB 2009). LDC, like all telecommunications carriers, has blanket Section 214 domestic authority. In 1999, the Commission granted all telecommunications carriers blanket authority under Section 214 to provide domestic interstate services and to construct or operate any domestic transmission line. Implementation of Section 402(b)(2)(A) of the Telecomm. Act of 1996, Report and Order in CC Docket No. 97-11, Second Memorandum Opinion and Order in AAD File No. 98-43, 14 FCC Rcd 11364, 11365–66, para. 2 (1999). See 47 CFR § 63.01.

⁴ Demand Letter, FCC, to Sean Connors, LDC Telecommunications, Inc. (Oct. 28, 2014).

fees of \$711.40 for FY 2014 and \$3,025.34 for FY 2012, and additional charges continued to accrue on those debts. LDC does not appear to have customers at present.⁵

4. On July 1, 2016, the Commission issued LDC an *Order to Pay or to Show Cause* and it required LDC to file with the Enforcement, International, and Wireline Competition Bureaus documented evidence within sixty (60) calendar days that full payment of all outstanding regulatory fees had been made, plus any associated penalties as calculated by the Commission and the Secretary of Treasury in accordance with Sections 1.1164(a) and 1.1940 of the Rules, or to show cause why the payment was inapplicable or should be waived or deferred.⁶ The *Order* further stated that failure to provide such evidence of payment or to show cause within the time specified could result in revocation of LDC's domestic and above-captioned international 214 authorizations.⁷

III. DISCUSSION

5. The Commission issued the *Order to Pay or to Show Cause* on July 1, 2016, and it required LDC to respond within 60 days.⁸ The *Order* specified that failure to provide evidence of payment or show cause within the time specified could result in revocation of LDC's domestic and above-captioned international 214 authorizations.⁹ LDC did not file evidence of payment of its outstanding regulatory fees or show cause why such payment is inapplicable or should be waived or deferred within the time provided.¹⁰ In these circumstances, when an entity fails to pay its regulatory fees for multiple years and fails to respond to multiple Commission inquiries into those delinquent debts, revocation is appropriate. Accordingly, we revoke LDC's domestic and international 214 authorizations.¹¹

6. This *Revocation Order* does not relieve LDC of its obligation to pay any delinquent debt, any regulatory fee, or any other financial obligation that has or may become due resulting from the authorizations held until revocation.

IV. ORDERING CLAUSES

7. Accordingly, **IT IS ORDERED** that, pursuant to Section 9(c)(3) of the Act and Sections 0.51, 0.91, 0.111, 0.261, 0.291, 0.311, 1.102(b)(1), and 1.1164(f) of the Rules,¹² the domestic and

⁵ LDC's Form 499 (Telecommunications Reporting Worksheet) filing account was no longer active as of June 25, 2013, and was closed due to inactivity for an extended period and because the administrator could not contact LDC.

⁶ *LDC Telecommunications, Inc.*, Order to Pay or to Show Cause, 31 FCC Rcd 7228, 7230, para. 6 (EB 2016) (*Order to Pay or to Show Cause* or *Order*). The *Order to Pay or to Show Cause* was served upon LDC. On July 1, 2016, we sent the *Order* by certified mail, return receipt requested, to the address LDC provided on its international section 214 application. However, the Order was returned as undeliverable. On July 18, 2016, we posted the *Order* in the Commission's Office of the Secretary. On July 19, 2016, we sent the *Order* by certified mail, return receipt requested, to the address LDC designated for service by mail on LDC's FCC Form 499 (Telecommunications Reporting Worksheet). We received confirmation of delivery by certified mail on July 22, 2016.

⁷ *Id.* at 7229, para. 3.

⁸ *Id.* at 7230, para. 6.

⁹ *Id.* at 7229, para. 3.

¹⁰ As of the date of this *Order*, LDC still has not filed evidence of payment of its outstanding regulatory fees or shown cause why such payment is inapplicable or should be waived or deferred.

¹¹ We note that LDC may have been or continue to be a respondent in other administrative proceedings. Action in this proceeding is without prejudice to action in those proceedings, and the existence of those proceedings and matters raised therein are not considered by the Commission in this proceeding.

¹² 47 U.S.C. § 159(c)(3); 47 CFR §§ 0.51, 0.91, 0.111, 0.261, 0.291, 0.311, 1.102(b)(1), 1.1164(f).

international 214 authorizations issued to LDC Telecommunications, Inc. under File No. ITC-214-20080523-00238 are hereby **REVOKED AND DECLARED NULL AND VOID**.¹³

8. **IT IS FURTHER ORDERED** that a copy of this Order shall be sent by first class mail and registered mail, return receipt requested, to Sean Connors, Acting President, LDC Telecommunications, Inc., 2451 McMullen Booth Road, Suite 200, Clearwater, FL, 33759; and to LDC Telecommunications, Inc., c/o CT Corporation, 1025 Vermont Ave., NW, Washington, DC. In addition, this Order shall be posted in the Commission's Office of the Secretary.¹⁴

FEDERAL COMMUNICATIONS COMMISSION

Richard A. Hindman
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Chief
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¹³ This *Revocation Order* is effective upon release. 47 CFR § 1.102(b)(1). Accordingly, LDC is no longer authorized to provide domestic or international telecommunications services.

¹⁴ See 47 CFR § 1.47(h).