



Federal Communications Commission
Washington, D.C. 20554

November 12, 2021

DA 21-1418

Robert Bogin, President
NuLink, Inc.
4 Scotch Mist Court
Potomac, MD 20854
rbogin@comcast.net

Via Certified Mail, Return Receipt Requested, and E-mail

Re: Potential Reclamation of NuLink, Inc.'s International Signaling Point Code, 3-053-4 (New York, NY)

Dear Mr. Bogin:

By this letter, we inform you of our intent to reclaim the above-captioned International Signaling Point Code (ISPC), provisionally assigned to NuLink, Inc. (NuLink) unless you respond to this letter within thirty (30) days, by **December 13, 2021**, and indicate whether NuLink is still using the code.

The Federal Communications Commission (Commission), as the Administrator for the United States, assigns ISPCs for Signaling System No. 7 networks under ITU-T Recommendation Q.708.¹ In 2004, the Commission granted NuLink's application for an ISPC in New York, NY and provisionally assigned it ISPC 3-053-4.² The Commission has explained that ISPCs are a scarce resource and "[a]s a result, code assignments are conditional upon their being used within one year lead time, so that the Commission can reassign unused codes to another carrier."³ Finally, ITU-T Recommendation Q.708 provides that the Commission should withdraw an ISPC assignment if the code is "no longer in use or required" by the operator, among other reasons.⁴

Pursuant to ITU-T Recommendation Q.708, the Commission also required NuLink to make several certifications in its application for the ISPC. First, NuLink certified that the "[c]ode assignments

¹ International Telecommunication Union (ITU), ITU-T Recommendation Q.708 (03/99), Series Q: Switching and Signalling, Specifications of Signalling System No. 7 – Message Transfer Part (MTP), Assignment procedures for international signalling point codes, <https://www.itu.int/rec/recommendation.asp?lang=en&parent=T-REC-Q.708-199903-I> (ITU-T Recommendation Q.708).

² NuLink, Inc., File No. SPC-NEW-20040513-00016 (filed May 13, 2004) (NuLink ISPC Application). In its application, NuLink indicated that it is an IP company without an international section 214 authorization. *Id.* at Question 7. See also Letter from Cathy Hsu, Policy Division, International Bureau, FCC to Robert Bogin, President, NuLink, Inc. (May 14, 2004) (*NuLink Grant Letter*).

³ *Reporting Requirements for U.S. Providers of International Telecommunications Services; Amendment of Part 43 of the Commission's Rules*, Notice of Proposed Rulemaking, 19 FCC Rcd 6460, 6474, para. 36, n.83 (2004); see also *China Telecom (Americas) Corporation*, GN Docket No. 20-109 *et al.*, Order Instituting Proceedings on Revocation and Termination and Memorandum Opinion and Order, 35 FCC Rcd 15006, 15040, para. 58 (2020) ("ISPCs are a scarce resource that are used by international Signaling System 7 (SS7) gateways as addresses for routing domestic voice traffic to an international provider and anyone seeking an ISPC assignment is required by rule to file an application with the Commission and comply with its procedures.").

⁴ ITU-T Recommendation Q.708 at 6.

held in excess of 12 months without implementation must be returned to this Administrator for reassignment.”⁵ To confirm this, the International Bureau (Bureau) in a letter granting the provisional code assignment to NuLink on May 14, 2004, required NuLink to inform the Bureau of the date the code was implemented.⁶ Second, NuLink certified “[it is] aware that all ISPC assignments are provisional and that nobody has a property right in [an] ISPC [and it is] aware that the Commission may take an assigned ISPC and reassign it to another person.”⁷ Third, NuLink certified that its failure to file an annual traffic and revenue report would “be interpreted as inactive operation and could, therefore, result in the loss of the carrier’s point code assignment.”⁸ Despite these certifications, we have no record that NuLink informed the Bureau of the date the code was implemented or filed any International Traffic and Revenue Reports for the years 2014-2015.⁹

In July 2020 and March 2021, Commission staff attempted to contact NuLink to ascertain whether it is using its assigned ISPC. On July 31, 2020, the staff sent inquiries to the email addresses on file for NuLink, one of which went unanswered and the second of which was returned due to an unknown host error.¹⁰ On March 17, 2021, staff sent email inquiries to the same addresses again and received the same results.¹¹ On August 3, 2020, Commission staff called NuLink’s phone numbers on record, and

⁵ NuLink ISPC Application.

⁶ *NuLink Grant Letter* at 2 (“[Y]our implementation and notification to this office must occur on or before May 14, 2005.”).

⁷ NuLink ISPC Application. In its *NuLink Grant Letter*, the Bureau reiterated the certifications, adding that “[u]nless this office is specifically notified of the actual implementation of assignments for planned future service, it will be assumed that those implementations did not occur and such assignments will expire, making those particular codes available for reassignment.” *NuLink Grant Letter* at 2.

⁸ NuLink ISPC Application.

⁹ In 2017, the Commission eliminated the requirement that U.S. providers of international telecommunications services file annual Traffic and Revenue Reports. See *Section 43.62 Reporting Requirements for U.S. Providers of International Services; 2016 Biennial Review of Telecommunications Regulations*, IB Docket Nos. 17-55, 16-131, Report and Order, 32 FCC Rcd 8115 (2017). Prior to this, the Commission required providers, including providers of international VoIP services connected to the PSTN, to file the final traffic and revenue data for calendar year 2015. See *Reporting Requirements for U.S. Providers of International Telecommunications Services, Amendment of Part 43 of the Commission's Rules*, IB Docket No. 04-112, FCC 13-6, Second Report and Order, 28 FCC Rcd. 575, 597, para. 80 (extending traffic and revenue reporting requirements to providers of interconnected VoIP services) (2013). As an IP company, NuLink was required to file traffic and revenue reports for calendar years 2014 and 2015. See *Annual International Traffic and Revenue Data as of December 31, 2015 Must be Filed Using the Section 43.62 Online Filing System from July 1, 2016 to July 31, 2016*, Public Notice, 31 FCC Rcd. 6880 (IB 2016); *Annual International Traffic and Revenue Data as of December 31, 2014 Must be Filed Using the Section 43.62 Online Filing System from August 17, 2015 to September 30, 2015*, IB Docket No. 04-112, Public Notice, 30 FCC Rcd. 8257 (IB 2015).

¹⁰ Email from Arthur Lechtman, Attorney-Advisor, Telecommunications and Analysis Division, International Bureau to Mr. Robert Bogin, NuLink, Inc., and Mr. Steven Chapman, SKC Communications (rbogin@comcast.net, steve@skc-communications.com) (July 31, 2020, 4:47 PM); Return email from Mail Delivery Subsystem to Arthur Lechtman, Attorney-Advisor, Telecommunications and Analysis Division, International Bureau (July 31, 2020, 4:47 PM). These emails are reprinted in the Attachment below.

¹¹ Email from Arthur Lechtman, Attorney-Advisor, Telecommunications and Analysis Division, International Bureau to Mr. Robert Bogin, NuLink, Inc., and Mr. Steven Chapman, SKC Communications (rbogin@comcast.net, steve@skc-communications.com) (March 17, 2021, 3:56 PM); Return email from Mail Delivery Subsystem to

found neither to be in service.¹² The Commission's Form 499 Filer database does not contain any records for NuLink. While the database does have records for a company called NuLink Digital, staff determined that it is a different company than NuLink after contacting Nulink Digital. Finally, staff viewed the State of Maryland's corporate records website and found that NuLink has been dissolved.¹³ Based on our records and our inability to contact a representative for NuLink, we believe NuLink may no longer be providing services and no longer using its assigned ISPC.

We request that you respond to this letter by **December 13, 2021**, and indicate the date the code was implemented and describe the current use of NuLink's ISPC (3-053-4). A failure to respond to this letter will serve as confirmation that NuLink is no longer using its provisionally assigned ISPC and has failed to comply with our ISPC requirements. Consistent with the terms of the ITU-T Recommendation Q.708, we will reclaim the ISPC (3-053-4) and immediately thereafter make the code available for reassignment if you fail to respond to this letter as requested. We are addressing this letter to the most recent contacts and addresses of record provided by NuLink.

If you have any questions please contact me at (202) 418-7370 or Francis.Gutierrez@fcc.gov or my colleague Arthur Lechtman at (202) 418-1465 or Arthur.Lechtman@fcc.gov.

Sincerely,

/Francis Gutierrez/

Francis Gutierrez
Deputy Chief, Telecommunications and Analysis
Division
International Bureau

cc: Steven Chapman
SKC Communications
446 Redtail Drive
Brea, CA 92823

Arthur Lechtman, Attorney-Advisor, Telecommunications and Analysis Division, International Bureau (March 17, 2021, 3:56 PM). These emails are reprinted in the Attachment below.

¹² Staff called the following telephone numbers: 301-983-2404 and 714-961-8310.

¹³ See Maryland Business Express, Registrations & Filings, Business Entity Search, <https://egov.maryland.gov/BusinessExpress/EntitySearch/> (last visited Aug. 6, 2021).

Attachment

Email Exchange 1

-----Original Message-----

From: Mail Delivery Subsystem <MAILER-DAEMON@mx0b-0024ed01.pphosted.com>

Sent: Friday, July 31, 2020 4:47 PM

To: prvs=5481c6f70f=arthur.lechtman@fcc.gov

Subject: Returned mail: see transcript for details

The original message was received at Fri, 31 Jul 2020 20:46:51 GMT from m0102171.ppop.net [127.0.0.1]

----- The following addresses had permanent fatal errors ----- <steve@xn--skccommunications-4j0k.com>

(reason: 550 Host unknown)

----- Transcript of session follows -----

550 5.1.2 <steve@xn--skccommunications-4j0k.com>... Host unknown (Name server: xn--skccommunications-4j0k.com.: host not found)

From: Arthur Lechtman <Arthur.Lechtman@fcc.gov>

Sent: Friday, July 31, 2020 4:47 PM

To: rbogin@comcast.net; steve@skc-communications.com

Cc: Francis Gutierrez <Francis.Gutierrez@fcc.gov>; Stacey Ashton <Stacey.Ashton@fcc.gov>

Subject: NuLink, Inc. International Signaling Point Code (file no. SPC-NEW-20040513-00016)

Mr. Bogin and Mr. Chapman,

I am writing to inquire whether NuLink, Inc. is still using the international signaling point code that it was assigned in 2004 (3-053-4 for use in NY, NY).

Please let me know by email or call me at the number below if you have any questions. Thank you,

Artie Lechtman

Federal Communications Commission

International Bureau

202.418.1465

Email Exchange 2

-----Original Message-----

From: Mail Delivery Subsystem <MAILER-DAEMON@mx0b-0024ed01.pphosted.com>

Sent: Wednesday, March 17, 2021 3:56 PM

To: prvs=271034a271=arthur.lechtman@fcc.gov
Subject: Returned mail: see transcript for details

The original message was received at Wed, 17 Mar 2021 19:56:17 GMT from m0102171.pops.net [127.0.0.1]

----- The following addresses had permanent fatal errors ----- <steve@xn--skcommunications-4j0k.com>

(reason: 550 Host unknown)

----- Transcript of session follows -----

550 5.1.2 <steve@xn--skcommunications-4j0k.com>... Host unknown (Name server: xn--skcommunications-4j0k.com.: host not found)

From: Arthur Lechtman <Arthur.Lechtman@fcc.gov>
Sent: Wednesday, March 17, 2021 3:56 PM
To: rbogin@comcast.net; steve@skc-communications.com
Cc: Francis Gutierrez <Francis.Gutierrez@fcc.gov>; Stacey Ashton <Stacey.Ashton@fcc.gov>
Subject: RE: NuLink, Inc. International Signaling Point Code (file no. SPC-NEW-20040513-00016)

Resending. Please contact us if you receive this. Thank you-

Artie Lechtman

Federal Communications Commission
International Bureau
202.418.1465

From: Arthur Lechtman <Arthur.Lechtman@fcc.gov>
Sent: Friday, July 31, 2020 4:47 PM
To: rbogin@comcast.net; steve@skc-communications.com
Cc: Francis Gutierrez <Francis.Gutierrez@fcc.gov>; Stacey Ashton <Stacey.Ashton@fcc.gov>
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Artie Lechtman

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