



Federal Communications Commission
Washington, D.C. 20554

January 11, 2021

DA 21-36

Michael A. Burns
V.P. Sales
Mundetel Communications, Inc.
33 Whitehall St.
New York, NY 10004

Via Certified Mail, Return Receipt Requested

Re: Potential Reclamation of Mundetel Communications, Inc.'s International Signaling Point Code, 3-033-4 (New York, NY)

Dear Mr. Burns:

By this letter, we inform you of our intent to reclaim the above-captioned International Signaling Point Code (ISPC), provisionally assigned to Mundetel Communications, Inc. (Mundetel) unless you respond to this letter within thirty (30) days, by **February 10, 2021**.

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 Mundetel's application for an ISPC in New York, NY and provisionally assigned ISPC 3-033-4 to Mundetel.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 Mundetel to make several certifications in its application for the ISPC. First, Mundetel certified that the "[c]ode assignments held in excess of 12 months without implementation must be returned to this Administrator

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 Mundetel Communications, Inc., File No. SPC-NEW-20040312-00003 (filed March 12, 2004) (Mundetel ISPC Application).

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, FCC 20-177, para 58 (rel. Dec. 14, 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.

for reassignment.”⁵ To confirm this, the International Bureau (Bureau) in a letter granting the provisional code to Mundetel on March 24, 2004, required Mundetel to inform the Bureau of the date the code was implemented.⁶ Second, Mundetel 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, Mundetel certified that its failure to file an annual International Traffic Data 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 Mundetel informed the Bureau of the date the code was implemented or filed any International Traffic Data Reports for the years 2004-2014.⁹

In May 2020, we made several attempts to contact Mundetel to ascertain whether it is using its assigned ISPC. On May 1, 2020, Commission staff called Mundetel’s phone numbers on record, which are no longer in service.¹⁰ On May 19, 2020, the staff also sent inquiries to the email addresses on file, which were returned due to an unknown host error.¹¹ Finally, staff viewed New York’s Department of State, Division of Corporations website, and according to that website, Mundetel was dissolved in 2010.¹² Based on our inability to contact a representative for Mundetel and the records of New York’s Department of State, we believe Mundetel is no longer in business and no longer using its assigned ISPC.

We request that you respond to this letter by **February 10, 2021**, and indicate the date the code was implemented and describe the current use of Mundetel’s ISPC (3-033-4). A failure to respond to this letter is confirmation that Mundetel 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 (3-033-4) and immediately make the code available for reassignment. We are addressing this letter to the most recent contact and addresses of record provided by Mundetel.

⁵ Mundetel ISPC Application.

⁶ Letter from Cathy Hsu, Policy Division, International Bureau, FCC to Michael A. Burns, Mundetel Communications, Inc. (Mar. 24, 2004) at 2 (*Mundetel Grant Letter*) (“[Y]our implementation and notification to this office must occur on or before March 24, 2005.”).

⁷ Mundetel ISPC Application. In its *Mundetel 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.” *Mundetel Grant Letter* at 2.

⁸ Mundetel 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). Providers, including Mundetel, were required to file the final traffic and revenue data for calendar year 2015.

¹⁰ Staff called the following telephone numbers: (212) 480-5848 and (973) 680-4850).

¹¹ Emails from Arthur Lechtman, Attorney-Advisor, Telecommunications and Analysis Division, International Bureau to Joseph Betro, Michael A. Burns, Mundetel Communications, Inc. (mike@mundetel.com, joe@mundetel.com, and mike@tritelprepaid.com) (May 19, 2020, 11:24 AM); Return email from Mail Delivery Subsystem to Arthur Lechtman, Attorney-Advisor, Telecommunications and Analysis Division, International Bureau (May 19, 2020, 11:24 AM).

¹² See New York, Department of State, Division of Corporations, Search Our Corporation and Business Entity Database, https://appext20.dos.ny.gov/corp_public/CORPSEARCH.ENTITY_SEARCH_ENTRY.

If you have any questions please contact me at (202) 418-0574 or Denise.Coca@fcc.gov or Arthur Lechtman at Arthur.Lechtman@fcc.gov.

Sincerely,

/Denise Coca/

Denise Coca
Chief, Telecommunications and Analysis Division
International Bureau

cc: Michael A. Burns
Mundetel Communications, Inc.
2 Broad St.
Bloomfield, NJ 07003

Joe Betro
5 New Street, Suite 250
Gushen, NY 10924

Bolivar Soriano
96000 NW 88th Street, Suite 2008
Doral, FL 33178

CBC Innovis, Inc. (DC Agent for Service of Process)
1023 15th Street, NW
Washington, DC 20005

From: Arthur Lechtman <Arthur.Lechtman@fcc.gov>
Sent: Tuesday, May 19, 2020 11:24 AM
To: mike@mundetel.com; joe@mundetel.com; mike@tritelprepaid.com
Cc: Francis Gutierrez <Francis.Gutierrez@fcc.gov>; Stacey Ashton <Stacey.Ashton@fcc.gov>
Subject: Mundetel Communications, Inc. - International Signaling Point Code

Hello –

I am writing to inquire whether Mundetel Communications, Inc. is still using the international signaling point code that it was assigned in 2004 (3-033-4 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

*****Non-Public/For Internal Use Only*****

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

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

Sent: Tuesday, May 19, 2020 11:24 AM

To: prvs=240874b8db=arthur.lechtman@fcc.gov

Subject: Returned mail: see transcript for details

The original message was received at Tue, 19 May 2020 15:23:43 GMT from m0102174.pops.net
[127.0.0.1]

----- The following addresses had permanent fatal errors ----- <mike@mundetel.com>

(reason: 550 Host unknown)

<joe@mundetel.com>

(reason: 550 Host unknown)

<mike@tritelprepaid.com>

(reason: 550 Host unknown)

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

550 5.1.2 <joe@mundetel.com>, <mike@mundetel.com>... Host unknown (Name server: mundetel.com.:
host not found)

550 5.1.2 <mike@tritelprepaid.com>... Host unknown (Name server: tritelprepaid.com.: host not found)