

Federal Communications Commission

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

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| In the Matter of |) | File No. EB-10-TC-467 |
| |) | |
| VoiceNet Telephone, LLC |) | NAL/Acct. No.: 201132170019 |
| |) | |
| Apparent Liability for Forfeiture |) | FRN: 0010943694 |
| |) | |

ERRATUM

Released: July 1, 2011

By the Chief, Enforcement Bureau:

On June 16, 2011, the Commission released a Notice of Apparent Liability for Forfeiture (NALF), FCC 11-91, in the above-captioned proceeding. This Erratum amends the NALF as indicated below:

1. A new sentence is added at the end of footnote 3 to read as follows:

“See Letter from Mitchell F. Brecher, Counsel for VoiceNet Telephone, LLC, to Kimberly A. Wild, Assistant Division Chief, Telecommunications Consumers Division, Enforcement Bureau, Federal Communications Commission, at Section II, Tab A and Tab B (Mar. 28, 2011) (“Response to Second LOI”).”

2. In paragraph 4, the third sentence is corrected by replacing “Billing Concepts” with “Billing Concepts/USBI” in both instances and the fourth and fifth sentence are corrected to read as follows:

“Generally, the third-party carrier supplies only a consumer’s telephone number and the amount to be charged to the billing aggregator, which directs the LEC to place the charge on the consumer’s telephone bill. Proof of consumer authorization is not provided by the third-party carrier nor required by the LEC.”

3. The second sentence and its accompanying cite is deleted from footnote 6.

4. The last sentence of paragraph 17 is corrected to read as follows:

“On these facts, if a consumer did not authorize VoiceNet’s service, the mere act of sending an email or mail without requiring a response from the consumer is not sufficient “verification.””

5. The last two sentences in paragraph 19, before the indented quote, are corrected to read as follows:

“In other cases, refunds were not provided until after the consumer filed a complaint with a state or federal regulatory authority or consumer protection agency. For example, Complainant Smith, who filed a complaint with the Better Business Bureau, explained:”

6. In paragraph 26 replace “§ 503(b)(5)” with “§ 503(b).”

7. In paragraph 31, replace “Mitchell F. Brecher, Greenberg Traurig, LLP, 2101 L Street, N.W., Washington, D.C. 20037” with “Matthew Berry, Patton Boggs LLP, 2550 M Street, NW, Washington, D.C. 20037.”

FEDERAL COMMUNICATIONS COMMISSION

P. Michele Ellison
Chief
Enforcement Bureau