

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

In the Matter of
United Corporation of Southern California,
and
James A. Kay, Jr.,
Complainants,
v.
Jim Doering d/b/a J. Doering Communications,
and
Harold Pick d/b/a Communications Consultants
Systems,
Defendants.
File No. WB/ENF-F-99-0006

ORDER ON REVIEW

Adopted: May 22, 2001

Released: May 24, 2001

By the Commission: Commissioner Tristani concurring in the result.

I. INTRODUCTION

1. In this Order, we deny an Application for Review filed by James A. Kay, Jr. ("Kay"), pursuant to section 1.115 of the Commission's rules. Kay requests review of an October 21, 1999, letter order by the Wireless Telecommunications Bureau, which dismissed a complaint filed by him and United Corporation of Southern California against Jim Doering d/b/a Doering Communications and Harold Pick d/b/a Communications Consultants Systems (collectively, "Respondents") pursuant to section 208 of the Communications Act of 1934, as amended ("the Act"). The Bureau determined in the Letter Order that the

1 Application for Review, File No. WB/ENF-F-99-0006 (filed Nov. 22, 1999).

2 47 C.F.R. §1.115.

3 United Corporation of Southern California v. Jim Doering d/b/a Doering Communications, Letter Order, WTB/ENF-F-99-006 (Wireless Tel. Bur. Oct 21, 1999) ("Letter Order").

4 47 U.S.C. §208.

complaint did not allege that any specific provisions of the Act or the Commission's rules had been violated by the Respondents. The Bureau also concluded that the matters raised in the complaint did not warrant exercise of the Commission's discretion to initiate enforcement actions against the Respondents.

2. Upon careful review of the Application for Review and the entire record herein, we conclude that Kay has failed to demonstrate that the Wireless Telecommunications Bureau erred. The Wireless Telecommunications Bureau properly decided the matters raised below, and we uphold its decision for the reasons stated in its Letter Order.

3. Accordingly, IT IS ORDERED, pursuant to section 4(i), 4(j), 208, and 503 of the Act, 47 U.S.C. §§ 154(i), 154(j), 208, 503, and section 1.115(g) of the Commission's rules, 47 C.F.R. § 1.115(g), that the Application for Review by United Corporation of Southern California and James A. Kay, Jr. IS DENIED and this proceeding IS TERMINATED WITH PREJUDICE.

FEDERAL COMMUNICATIONS COMMISSION

Magalie Roman Salas  
Secretary