

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

In the Matter of	)	
	)	
Request for Review of a Decision by the Universal Service Administrator or Alternative Relief by Equant Inc.	)	CC Docket No. 96-45
	)	
Changes to the Board of Directors of the National Exchange Carrier Association, Inc.	)	CC Docket No. 97-21
	)	
	)	

**ORDER**

**Adopted: January 28, 2010**

**Released: January 28, 2010**

By the Acting Chief, Telecommunications Access Policy Division, Wireline Competition Bureau:

1. In this order, we dismiss as moot a request by Equant Inc. (Equant).<sup>1</sup> Specifically, Equant seeks review of a decision by the Universal Service Company Administrative Company (USAC) rejecting as untimely its revised 2000 FCC Form 499-A filing, which resulted in the assessment of regulatory fees.<sup>2</sup> In the alternative, Equant requests that the Commission accept the amount of \$71,628.71 as payment in full of Equant's fiscal year 2000 regulatory fees, notwithstanding USAC's decision.<sup>3</sup> On November 1, 2006, the Commission's Office of the Managing Director sent a letter to Equant accepting its offer of alternative relief and stating that Equant would receive a refund of \$20,063.87 for overpayment of regulatory fees for fiscal year 2000.<sup>4</sup> Accordingly, we dismiss as moot the above-captioned request.

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<sup>1</sup> Petition for Review of a Decision by Universal Service Administrative Company or for Alternative Relief by Equant Inc. (Filer ID #818102), CC Docket Nos. 96-45, 97-21 (filed June 7, 2006) (Request for Review). Equant initially filed a request seeking review of USAC's decision to reject Equant's revised 2000 FCC Form 499-A, which was addressed by the Wireline Competition Bureau (Bureau) in an order released on November 19, 2004. *Federal-State Joint Board on Universal Service*, CC Docket Nos. 96-45, 98-171, 97-21, Order, 20 FCC Rcd 1012, 1017-18, para. 13 (Wireline Comp. Bur. 2004). In that order, the Bureau, among other things, directed USAC to review prior decisions rejecting revised FCC Forms 499-A as untimely and revise universal service contribution assessments, as appropriate, if the petitioner could demonstrate good cause for failing to timely file revisions. USAC ultimately acted on the Bureau's remand and rejected Equant's request finding that the company failed to establish good cause for acceptance of its revised 2000 FCC Form 499-A; this action is the subject of the instant request for review.

<sup>2</sup> Request for Review at 1. Equant paid its universal service contribution and other regulatory assessments based on the revenues shown on its accepted FCC Form 499-A filing. Equant did not, however, initially pay federal regulatory fees because it believed that, as a private carrier, it was exempt from such fees. *Id.* at 2.

<sup>3</sup> *Id.* at 1-2. On September 11, 2003, Equant paid regulatory fees amounting to \$57,302.97 and penalties of \$14,325.74 for a total of \$71,628.71. These amounts reflected regulatory fees and penalties owed based on the FCC Form 499-A that USAC rejected as untimely. *Id.*

<sup>4</sup> Letter from Mark A. Stephens, Chief Financial Officer, Office of the Managing Director, Federal Communications Commission, to Monique R. Crawford, Legal and Regulatory, Equant Inc. (Nov. 1, 2006).

2. ACCORDINGLY, IT IS ORDERED, pursuant to authority delegated under sections 0.91, 0.291, 0.204(b), and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, 0.204(b), and 54.722(a), that the request for review or alternative relief submitted by Equant, Inc., filed June 7, 2006, IS DISMISSED AS MOOT.

3. IT IS FURTHER ORDERED, pursuant to section 1.102(b)(1) of the Commission's rules, 47 C.F.R. §1.102, that this order SHALL BE EFFECTIVE upon release.

FEDERAL COMMUNICATIONS COMMISSION

Jennifer K. McKee  
Acting Chief  
Telecommunications Access Policy Division  
Wireline Competition Bureau