



Federal Communications Commission
Washington, D.C. 20554

December 4, 2008

Mr. Ricardo Bajandas
USA Communications, Inc.
1000 Brickell Avenue
Suite 1020
Miami, FL 33131

RE: File No. **ITC-214-20070717-00297**

Dear Mr. Bajandas:

Our records indicate that your international section 214 application (File No. ITC-214-20070717-00297) remains pending at the Commission awaiting completion of review by the Executive Branch. We forwarded the application to the Executive Branch agencies on August 3, 2007. On August 24, 2007, the Commission notified you that your application was removed from streamlined processing pending Executive Branch review and that your company may not commence operations until the section 214 authorization is granted.¹

We understand that you have been contacted by the Executive Branch requesting information about your application and you should have provided to them all necessary and requested information. On July 23, 2008, the Commission requested USA Communications, Inc. notify the Commission the status of the pending application and confirm whether the applicant continues to seek Commission action on the application.² On July 24, 2008, we received a response from your counsel requesting a contact person at the Executive Branch.³ On July 24, 2008, the Executive Branch advised the Commission that they contacted your counsel and stated that they would be sending a third set of questions to your counsel, which was done at that time. We are informed that you have not yet responded to this Executive Branch request for information about your application.

Please inform us no later than December 18, 2008, of the status of the application in the Executive Branch review process and, in particular, confirm that you have responded to the Executive Branch's request for information and the date of the response.

¹ E-mail from Mikelle Morra, Industry Analyst, Policy Division, International Bureau, FCC, to Mr. Ricardo Bajandas, USA Communications, Inc. (August 24, 2007).

² Letter from James L. Ball, Chief, Policy Division, International Bureau, FCC, to Mr. Ricardo Bajandas, USA Communications, Inc. (July 23, 2008).

³ E-mail from Jessica Perdomo, Villaneuva & Bajandas, LLP to Mikelle Morra, Industry Analyst, Policy Division, International Bureau, FCC. (July 24, 2008).

Failure to respond to this information request will subject your application to dismissal without prejudice under Sections 1.748(a) and 63.51(b) of the Commission's Rules, 47 C.F.R. §§ 1.748(a), 63.51(b).

Sincerely,



James L. Ball
Chief, Policy Division
International Bureau

cc: Jessica Perdomo
Villanueva & Bajandas, LLP
1000 Brickell Avenue,
Suite 200
Miami, FL 33131

JoAnn Sutton

From: Dupuy, Siobhan [Siobhan.Dupuy@usdoj.gov]
Sent: Wednesday, June 10, 2009 2:45 PM
To: JoAnn Sutton
Cc: George Li; James Ball; Sofield, Richard; Pinto, Greg (DHS); David Krech; Wheaton, Mary (NSD); Rockoff, Jennifer
Subject: RE: FCC ITC-214-20070717-00297 USA COMMUNICATION INC.
Importance: High

JoAnn,

Thanks for your email. I have spoken to Ms. Harduvel and we confirmed by phone that she received the questionnaire on January 13, 2009. This was the third time the questions had been sent. Responses/answers have yet to be received from the applicant. DOJ asked that the questionnaire be completed by the end of the month (Tuesday, June 30th) so this application can be processed.

Siobhan

From: JoAnn Sutton [mailto:JoAnn.Sutton@fcc.gov]
Sent: Wednesday, June 10, 2009 12:51 PM
To: JoAnn Sutton; Dupuy, Siobhan
Cc: George Li; James Ball; Sofield, Richard; Pinto, Greg (DHS); David Krech; Wheaton, Mary (NSD); Rockoff, Jennifer
Subject: RE: FCC ITC-214-20070717-00297 USA COMMUNICATION INC.

Siobhan,

I just received the attached e-mail from Ms. Simonetta indicating that she has not yet heard from you. She would like to complete the process for USA Communications Inc. so we can grant their application. I will let her know that I have asked you to contact her and you will do so soon.

Thank you,

JoAnn

From: JoAnn Sutton
Sent: Wednesday, June 03, 2009 2:08 PM
To: 'Dupuy, Siobhan'
Cc: George Li; James Ball; 'Sofield, Richard'; 'Pinto, Greg (DHS)'; David Krech; JoAnn Sutton; 'Wheaton, Mary (NSD)'
Subject: RE: FCC ITC-214-20070717-00297 USA COMMUNICATION INC.

Siobhan,

I just spoke with Ms. Simonetta P. Harduvel, Office Manager of Villaneuva & Banindas, LLP and she was under the impression from a former employee that everything regarding this application was taken care and it had been completed. Please contact Simonetta at (305) 377-0086 or e-mail her at sharduvel@bajanddas-law.com.

Thanks!

JoAnn

6/10/2009

From: JoAnn Sutton
Sent: Wednesday, May 20, 2009 2:29 PM
To: 'Wheaton, Mary (NSD)';
Cc: 'Dupuy, Siobhan'; George Li; James Ball; 'Sofield, Richard'; 'Pinto, Greg (DHS)'; David Krech
Subject: RE: FCC ITC-214-20070717-00297 USA COMMUNICATION INC.

Thanks Mary. We'll begin the dismissal process.

JoAnn

From: Wheaton, Mary (NSD) [mailto:Mary.Wheaton2@usdoj.gov]
Sent: Wednesday, May 20, 2009 2:17 PM
To: JoAnn Sutton
Cc: Dupuy, Siobhan; George Li; James Ball; Sofield, Richard; Pinto, Greg (DHS); David Krech; Wheaton, Mary (NSD)
Subject: RE: FCC ITC-214-20070717-00297 USA COMMUNICATION INC.

JoAnn,

We sent the new triage questions on January 13, 2009. We also sent them an email on May 4, 2009, requesting a response to the triage questions within 2 weeks or that we would be requesting a dismissal. We have not heard from them and therefore are requesting that this application be dismissed.

Thanking you in advance,
Mary

From: JoAnn Sutton [mailto:JoAnn.Sutton@fcc.gov]
Sent: Wednesday, May 20, 2009 12:56 PM
To: Wheaton, Mary (NSD)
Cc: Dupuy, Siobhan; George Li; James Ball; Sofield, Richard; Pinto, Greg (DHS); George Li; David Krech
Subject: RE: FCC ITC-214-20070717-00297 USA COMMUNICATION INC.

Mary,

The last I heard regarding USA Communications is an e-mail dtd 1/12/09 from Siobhan (see attached). I assume that TT has not heard from the applicant since these tailored questions were sent to them.

Please confirm.

Thanks!

JoAnn

From: Wheaton, Mary (NSD) [mailto:Mary.Wheaton2@usdoj.gov]
Sent: Wednesday, May 20, 2009 11:14 AM
To: JoAnn Sutton
Cc: Dupuy, Siobhan; George Li; James Ball; Wheaton, Mary (NSD); Sofield, Richard; Pinto, Greg (DHS)
Subject: FCC ITC-214-20070717-00297 USA COMMUNICATION INC.

Good Morning,

6/10/2009