



Federal Communications Commission
Washington, D.C. 20554

DA 09-858
April 17, 2009

Mr. George H. Sidman
President and CEO
V-Point Networks, LLC
150 Fayetteville Street
Suite 1600
Raleigh, NC 27601

Re: NOTICE OF DISMISSAL
FRN: 0016096653
File No. ITC-214-20080729-00358

Dear Mr. Sidman:

This letter dismisses an application filed by V-Point Networks, LLC on July 29, 2008 for an International Section 214 Authorization to provide resale services in accordance with Section 63.18(e)(2) of the Commission's rules. We dismiss this application without prejudice to re-filing because of V-Point Networks LLC's failure to pay its delinquent debt to the Commission.

Pursuant to Section 1.1910(a)(1) of the Commission's rules, the Commission examines each application to determine whether the applicant is delinquent in any non-tax debt owed to the Commission.¹ On November 19, 2008 the Commission notified your legal counsel, Mr. Marcus W. Trathen, that V-Point Networks LLC is delinquent on payment of debt owed to the Commission.² On November 19, 2008, Mr. Trathen indicated that he would let the Commission know how his client intends to handle the delinquent debt.³ On February 9, 2009, the Commission reminded Mr. Trathen about the delinquent debt and advised him that if full payment or satisfactory arrangement to pay the delinquent debt was not made by February 23,

¹ 47 C.F.R. § 1.1910(a)(1). *See Amendment of Parts 0 and 1 of the Commission's Rules – Implementation of the Debt Collection Improvement Act of 1996 and Adoption of Rules Governing Applications or Requests for Benefits by Delinquent Debtors*, Report and Order, 19 FCC 6540 (2004); 47 C.F.R. § 1.1910. For the purpose of determining if an applicant is delinquent, the Commission checks the status of all entities with whom an applicant shares the same tax payer identification number.

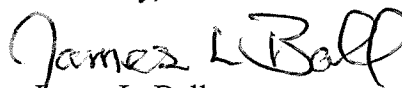
² E-mail from JoAnn Sutton, Assistant Division Chief, Policy Division, International Bureau, FCC, to Mr. Marcus W. Trathen, Brooks, Pierce, McLendon, Humphrey, & Leonard, LLP, legal counsel for V-Point Networks LLC (November 19, 2008).

³ E-mail from Mr. Marcus W. Trathen, Brooks, Pierce, McLendon, Humphrey, & Leonard, LLP, legal counsel for V-Point Networks LLC, to JoAnn Sutton, Assistant Division Chief, Policy Division, International Bureau, FCC (November 19, 2008).

2009⁴, V-Point Networks LLC's application would be dismissed pursuant to Section 1.1910(b)(3) of the rules.⁵ On February 26, 2009, The Commission notified V-Point Networks, LLC directly that their company was delinquent on the payment of debt owed to the Commission.⁶ The Commission has not received payment of the debt identified in the e-mails, nor has V-Point Networks LLC made other satisfactory payment arrangements with the Commission or responded to the Commission's February 26 notification.

Accordingly, pursuant to 47 C.F.R. § 1.1910(b)(3) and the Commission's rules on delegated authority, 47 C.F.R. § 0.261, the above-referenced application filed by V-Point Networks LLC is DISMISSED without prejudice to re-filing.

Sincerely,



James L. Ball
Chief, Policy Division
International Bureau

cc: Mr. Marcus W. Trathen
Brooks, Pierce, McLendon, Humphrey, & Leonard, LLP
150 Fayetteville Street
Suite 1600, P.O. Box 1800
Raleigh, NC 27601

⁴ E-mail from JoAnn Sutton, Assistant Division Chief, Policy Division, International Bureau, FCC, to Mr. Marcus W. Trathen, Brooks, Pierce, McLendon, Humphrey, & Leonard, LLP, legal counsel for V-Point Networks LLC (February 9, 2009).

⁵ See 47 C.F.R. § 1.1910(b)(3).

⁶ E-mail from JoAnn Sutton, Assistant Division Chief, Policy Division, International Bureau, FCC, to Mr. George H. Sidman, President & CEO, V-Point Networks LLC and their legal counsel, Mr. Marcus W. Trathen, Brooks, Pierce, McLendon, Humphrey, & Leonard, LLP (February 26, 2009).