



Federal Communications Commission
Washington, D.C. 20554

July 5, 2016

Mr. Ricardo V. Mandini
IP To Go, LLC
1801 SW 22 Street, Suite 300
Miami, Florida 33145
rmandini@iptogo.net

Via UPS

**Re: Potential Termination of International Section 214 Application
File No. ITC-214-20090508-00208**

Dear Mr. Mandini:

We forward for your response the attached letter submitted by the Department of Justice (DOJ) on April 11, 2016 requesting that the Federal Communications Commission (FCC) terminate, declare null and void and no longer in effect, and/or revoke IP To Go, LLC's (IPTG) section 214 authorization granted on December 29, 2011 under file number ITC-214-20090508-00208.¹ In its letter, DOJ indicates that it believes IPTG is dissolved and claims that IPTG is therefore unable to comply with the conditions of its international section 214 authorization.² The FCC conditioned the grant of authority on IPTG abiding by the commitments and undertakings set forth in the December 5, 2011 Agreement from the president of IPTG to DHS.³

After having received an international 214 authorization, as required by section 63.21(a) of the Commission's rules, a carrier "is responsible for the continuing accuracy of the certifications made in its application" and must promptly correct information no longer accurate, "and in any event, within thirty (30) days."⁴ IPTG has failed to inform the Commission of any changes in its business status of providing international telecommunications services, as required by section 63.21(a) of the Commission's rules.⁵ Also, as part of its authorization, IPTG "must file annual international telecommunications traffic and revenue report as required by section 43.62 of the Commission's rules."⁶ Section 43.62(b) states that "[n]ot later than July 31 of each year, each person or entity that holds an authorization pursuant to section 214 to provide international telecommunications service shall report *whether* it provided international

¹ *International Authorizations Granted, Section 214 Applications* (47 C.F.R. § 63.18); *Section 310(b)(4) Requests*, Report No. TEL-01536, Public Notice, 26 FCC Rcd 17031 (IB 2011).

² Attach. at 1.

³ *Id.*

⁴ 47 C.F.R. § 63.21(a).

⁵ *Id.* In addition, there is no indication that IPTG is currently providing service pursuant to its section 214 authorization. If IPTG has discontinued service, it may also be in violation of the Commission's rules requiring prior notification for such a discontinuance. 47 C.F.R. § 63.19.

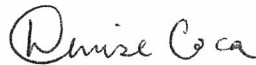
⁶ 47 CFR § 43.62.

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telecommunications services during the preceding calendar year.”⁷ Our records indicate that IPTG failed to file an annual international telecommunications traffic and revenue report indicating whether or not IPTG provided services in 2014 and may be in violation of section 43.62 of the Commission rules. Furthermore, IPTG owes fees to the Commission and consequently its account is red lighted through the Red Light Display System. Please visit the Red Light Display System’s website at www.fcc.gov/redlight to find more information on how to pay debts.⁸

We request that IPTG respond to DOJ’s allegations and possible violation of the Commission’s rules within 30 days from the date of this letter, by **Wednesday, August 3, 2016**. Please respond to our concerns and describe any steps that you are taking or will take with DOJ to resolve their concerns. A failure to respond to this letter will be deemed as an admission of the facts alleged by DOJ and the Commission, and could result in the issuance of an order to terminate IPTG’s section 214 authorization. We are addressing this letter to the most recent addresses of record and the service of process agent designated by IPTG through the FCC’s Form 499.

Sincerely,



Denise Coca
Division Chief
Telecommunications and Analysis Division
International Bureau

cc: Ricardo V. Mandini
IP To Go, LLC
6742 NW 108 Avenue
Parkland, Florida 33076

Alonzo Beyene
Regulatory Consultant
Regulatory Back Office Inc.
7925 NW 12th Street, Suite 300
Miami, Florida 33126
telecomfederal@regbackoffice.com

IP To Go LLC c/o Claudio
185 SW 7th ST, Suite 2911
Miami, Florida 33130

⁷ 47 CFR § 43.62(b) (emphasis added). In 2013, the Commission adopted section 43.62(b) of its rules, which went into effect on February 11, 2015. *Reporting Requirements for U.S. Providers of International Telecommunications Services; Amendment of Part 43 of the Commission’s Rules*, IB Docket No. 04-112, Second Report and Order, 28 FCC Rcd 575 (2013); *Reporting Requirements for U.S. Providers of International Telecommunications Services*, 80 Fed. Reg. 7547 (Feb. 11, 2015).

⁸ Access to this system requires your FCC Registration Number (FRN), and an established password. The Red Light Display System help line is 1-877-480-3201, Option 4.

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Telecom Compliance
3509 Connecticut Avenue NW, Suite 1020
Washington, DC 20008
dcagent@telecomcompliance.com

Vittorio Mandini
IP To Go, LLC
6742 NW 108 Avenue
Parkland, Florida 33076