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

In the Matter of	)	
	)	File No. ITC-214-20091110-00468
Next-G Communication, Inc.	)	
	)	

Supplemental Comments of APCC Services, Inc

APCC Services hereby files these Supplemental Comments of APCC Services in the above referenced matter. These Supplemental Comments update the Commission with regard to developments since APCC Services submitted the Reply Comments of APCC Services, Inc, on December 28, 2009 (*"APCC Reply"*). In these Supplemental Comments, APCC Services calls to the attention of the Commission an additional violation by Next-G of the Commission's rules.

In the *APCC Reply*, APCC Services explained that Next-G's failure to pay dial around compensation for the three previous quarters for which compensation was already due could not be justified on the basis of Next-G's totally unsupported and lacking in credibility assertion that it had uncovered the fact that some of the payphone lines for which compensation claims had been filed were allegedly not payphone lines. Not only did Next-G offer no specific facts but as a substantive matter, any withholding of compensation by Next-G was substantively illegal and not in accordance with Commission procedures for handling payment disputes.[1] Moreover, asserted Next-G, its totally non-described investigation was continuing.[2]

Over a month has gone by since Next-G made those statements to the Commission. During that month, another payphone compensation payment has come due. Payments for the third quarter of 2009 were due on January 1, 2010. According to the Intermediate Reports submitted to APCC Services for the third quarter of 2009,[3] Next-G received over two hundred seventy-one thousand calls that originated from twenty-one thousand, seven hundred and ninety-nine payphone lines of APCC Services' payphone service provider ("PSP") customers. Next-G,

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[1] *See APCC Reply at 5-9.* For example, Next-G failed even to say when it had allegedly discovered the alleged claim for non-payphone lines and how that date related to the date related to the date when payments were due.

[2] *Next-G Opposition at 4* Again, there was not a single word about how this alleged investigation was being conducted or of what it consisted.

[3] *See* 47 CFR § 64.1310 (b).

however, in a new violation of the Commission rules to which it promised to adhere in the *Next-G Order,*[4] failed to submit a payment or a Completing Carrier report.[5]

Wherefore, for the reasons in these Supplemental Comments and in APCC Services' earlier filings in this matter, the Commission should deny the Application streamlined treatment, conduct an appropriate inquiry and gives parties, such as APCC Services, the opportunity to participate, and deny the Application.

Respectfully Submitted,

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January 20, 2010

[4] *Next –G* Communications, *Inc.*, Order and Consent Decree, File No. EB-05-IH-2010, DA 09-2068 (released November 12, 2009) (*Next-G Order).*

[5] *Id.* § 64.1310 (a).

CERTIFICATE OF SERVICE

I hereby certify that on January 20, 2010 I caused a copy of the foregoing Supplemental Comments of APCC Services, Inc., in Application No. ITC-214-20091110-00468, to be served by Hand Delivery, E-Mail or First-Class Mail as indicated below, to the following:

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DECLARATION OF RUTH JAEGER

1. I am President and General Manager of APCC Services, Inc. ("APCC Services"). My business address is 625 Slaters Lane, Suite 104, Alexandria, VA 22314.

2. I make this declaration in support of the Supplemental Comments of APCC Services, Inc., in the above captioned proceeding.

3. I have explained in my previous declarations in this proceeding my qualifications, experience and competence to make a declaration asserting facts in connection with the relations between APCC Services and Next-G.

4. On January 1, 2010, Intermediate Carrier reports and Completing Carrier reports for the third quarter of 2009 were due.

5. According to Intermediate Carrier reports for the third quarter of 2009, Next-G received over two hundred seventy-one thousand calls that originated from twenty-one thousand seven hundred and ninety-nine payphone lines of APCC Services' payphone service provider ("PSP") customers. Next-G, however, failed to submit a payment or a Completing Carrier report.

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on January 19, 2010.

Ruth Jaeger, President
APCC Services, Inc