

BINGHAM

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Via Electronic Filing

Marlene Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

**Re: NOTICE OF NON-CONSUMMATION
WC Docket No. 08-186; File Numbers ITC-T/C-20080828-00410 and ITC-T/C-
20080926-00437 - Application for the Transfer of Control of Lightyear
Network Solutions, LLC and Wherify Wireless, Inc.**

Dear Secretary Dortch:

Lightyear Network Solutions, LLC and Wherify Wireless, Inc. (“Wherify”) (together, “Applicants”) filed an Application in the above-referenced proceedings requesting approval for a transfer of control. The Commission issued approval on October 3, October 12, and October 24, 2008. On behalf of the Applicants, we hereby notify the Commission that the Applicants have reevaluated their business plans in light of current economic conditions and determined not to proceed with the proposed transaction at this time. To the extent that Applicants may in the future determine to undertake a transaction together, they will seek any necessary approval from the Commission at that time.

This letter is being filed in the Commission’s Electronic Comment Filing System (“ECFS”) and International Bureau Filing System (“IBFS”). Please direct any questions to Danielle Burt at (202) 373-6039.

Respectfully submitted,

/s/ electronically signed

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