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July 2, 2003

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

RE: IB DOCKET NO. 02-286

Dear Madame Secretary:

Applicants in their June 26th filing claim their anti-drug certifications “are in accordance with the plain language of 47 C.F.R. § 1.2002 and are consistent with the certifications submitted in similar proceedings....”¹ ACN files this response to point out to the Commission that it either requires Applicants to identify every individual subject to certification under § 1.2002(b) or run the risk of creating a dual standard for certification in which domestic license holders or applicants are held to a higher standard than foreign applicants.

In the last eight months, on at least three occasions, the Commission ordered domestic license holders to identify and certify for *every individual* subject to certification under

¹ Consolidates Response of Global Crossing Ltd. and GC Acquisition Limited to Comments on Third Amendment filed June 26, 2003 at 2.

47 C.F.R. § 1.2002(b). See *In Re Farmers Cellular Telephone, Inc*, 18 FCC Rcd 3848 ¶ 14 (March 2003); *In re Cellular South License, Inc* 17 FCC Rcd 24393 at ¶37 (December 2002); *In re RCC Holdings, Inc* 17 FCC Rcd 23532 at ¶ 43 (November 2002).

To accept the Applicant's deficient certifications would result in a dual standard at the Commission. Such inequality was not authorized by Congress in Section 5301 of the Anti-Drug Abuse Act of 1988, not contemplated by the Commission in adoption of 47 C.F.R. § 1.2002, nor even consideration as policy in the *Foreign Participation Order*².

Respectfully submitted,

AMERICAN COMMUNICATIONS NETWORK, INC.

by _____
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² *Foreign Participation Order on Reconsideration*, 12 F.C.C. Rcd 23,891, 10 P&F C.R. 750 (1997)(“*Foreign Participation Order*”).

CERTIFICATE OF SERVICE

I hereby certify that I have caused to be mailed (and also e-mailed where indicated) this day copies of the foregoing statement to the following:

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I further certify that I have caused to be e-mailed copies of the foregoing statement to the following persons as prescribed in Part VI of Public Notice DA 02-2299:

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