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DA 03-3498
October 30, 2003

Consent Order Issued in EB Docket No. 03-96

In a *Consent Order*, FCC 03M-42, released October 29, 2003, Administrative Law Judge Arthur I. Steinberg adopted a "Consent Decree" entered into by NOS Communications, Inc., Affinity Network Incorporated, NOSVA Limited Partnership (collectively, the "Companies"), and the Enforcement Bureau of the Federal Communications Commission.

By *Order to Show Cause and Notice of Opportunity for Hearing*, 18 FCC Rcd 6952 (released April 7, 2003), the Commission designated this case for hearing. Issues were specified to determine whether the Companies engaged in a misleading and continuous telemarketing campaign in apparent violation of Section 201(b) of the Communications Act, whether the Companies' authorization pursuant to Section 214 of the Act to operate as common carriers should be revoked, and whether the Companies and/or their principals should be ordered to cease and desist from the provision of any interstate common carrier services without the prior consent of the Commission. In addition, a monetary forfeiture could have been imposed against the Companies had it been shown that certain provisions of the Act or the Commission's Rules were violated.

In the *Consent Order*, the Administrative Law Judge concluded that the public interest would be served by the approval of the "Consent Decree." Thus, it was found that the "Consent Decree" will secure the future compliance with the law by the Companies and their principals, in exchange for the prompt disposition of the hearing proceeding. In view thereof, the "Consent Decree" was adopted, the issues specified by the Commission were resolved, and the proceeding was terminated.

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