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10/30/07

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FCC Contractor  
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Re: WC Docket No. 06-210  
CCB/CPD 96-20

### **800 SERVICES, INC.'S SANCTIONS COMMENTS**

800 Services, Inc has been monitoring the FCC server filings and would like to address the sanctions requests made by AT&T and countered by petitioners and further commented on by Mr Kearney.

It is very obvious that AT&T concocted its sanctions request in an attempt to have the case dismissed when the evidence against AT&T became too onerous for even AT&T's counsel to cover-up.

Petitioners countered each concoction that AT&T counsel dreamed up. Therefore 800 Services, Inc will not waste the Commissions time rehashing AT&T's creations.

800 Services, Inc would like to address just a couple of things:

When AT&T filed its sanctions motion in June, it clearly understood that its sanction motion was sheer and utter nonsense; however AT&T also figured that even though the Commission would rule against AT&T, at least AT&T could stall the case for a few months longer.

AT&T's strategy proved correct as the entire summer was spent on AT&T's "major issues" such as:

1) CCI filing comments that were verbatim petitioners. 2) how many times petitioners used the word 'bogus'. 3) Whether petitioners filed its public comments with or without its counsel reviewing them as if counsel review was mandatory for public comments and 4) AT&T's manufacturing of what "Tips" (not even a party in the case) did with the IRS and AT&T's baseless assertion to the FCC that Mr Inga had a special favor done because he was a tax specialist.

AT&T did not contemplate that petitioners would not only defend itself but actually counter AT&T by asking the Commission for sanctions against AT&T for filing its frivolous sanctions request against petitioners and Mr Inga.

What 800 Services, Inc actually would like to address is that the FCC has recently invited AT&T to comment again on the sanctions motions. 800 Services, Inc would hope that the comments by AT&T are only to be on how much AT&T should pay for filing with the FCC the frivolous sanctions motion.

800 Services, Inc disagrees with petitioner's request of AT&T that it responds to petitioner's recent tariff analysis of 2.1.8 and 2.5.18. Frankly 800 Services, Inc. does not see the point. The last thing that the Commission needs is to have AT&T do is file new cover-ups.

The tariff analysis presented by petitioners makes perfect sense once it is pointed out. This case does not need AT&T filing any more "de minimus" cover-ups. In fact an attempt by AT&T at this point to cover-up the obvious tariff interpretations should only serve to increase the dollar amount of the sanctions that the FCC would otherwise have inflict against AT&T.

Petitioners have made its point by noting AT&T has never responded to petitioner's tariff analysis. If AT&T actually had a legitimate response it would have provided one within one day of petitioner's tariff evidence discovery. So please AT&T spare us all additional attempts to cover-up.

As far as the dollar amount of the sanctions 800 Services, Inc. has no experience in understanding what goes into such a calculation. Is the sanction suppose to penalize AT&T just for the FCC employee hours lost dealing with this entire case or just AT&T's frivolous sanctions motion?

Can the FCC sanctions against AT&T be punitive? If the FCC can inflict sanctions on a punitive basis then Mr Kearney's request for material sanctions would indeed be justified by the Commission due to AT&T's egregious misconduct.

Respectfully submitted,  
800 Services, Inc.  
/S/ Phillip Okin  
Phillip Okin President