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August 27, 2008

By Electronic Filing

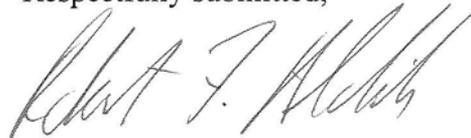
Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th St., S.W., TW-A325
Washington, DC 20554

Re: CC Docket No. 08-92

Dear Ms. Dortch:

On August 13, 2008, True LD, LLC ("True LD"), filed the enclosed response to APCC Services, Inc.'s June 30, 2008, informal complaint against True LD and its affiliated carriers and on August 27, 2008, APCC Services filed the enclosed reply to True LD's response. The response and reply illustrate further why the Commission should defer action on the pending asset transfer until the issues raised in the pending complaints and the pending notices of apparent liability ("NALs") have been satisfactorily addressed.

Respectfully submitted,



Albert H. Kramer
Robert F. Aldrich
Dickstein Shapiro LLP
1825 Eye Street, NW
Washington, DC 20006
(202) 420-2290 (tel)
(202) 420-2201 (fax)

Attorneys for Complainant

Enclosures

cc: Jodie May (via e-mail)
Dennis Johnson (via e-mail)



THOMPSON LAW GROUP
A PROFESSIONAL CORPORATION

August 13, 2008

Via Overnight Mail, Email and Facsimile – (202) 418-0435

Tracy Bridgham, Esq. - Special Counsel
Market Disputes Resolution Division
Enforcement Bureau
Federal Communications Commission
445 Twelfth St., S.W.
Washington D.C. 20554

RE: Response to Informal Complaint on behalf of True LD, LLC
File No, EB-08-MDIC-0042

Dear Ms. Bridgham:

True LD, LLC hereby responds to the Informal Complaint filed with the Federal Communications Commission by APCC Services, Inc. dated June 30, 2008 as follows:

True LD, LLC is an Arizona limited liability company in good standing with the Arizona Corporation Commission. True LD received an invoice from APCC Services, Inc. (the complainant) dated April 24, 2008 for alleged charges due (attached hereto as Exhibit A), but True LD is not aware of any contractual obligations with these completing carriers that APCC Services claim owe the charges on the invoice. Upon information and belief, True LD believes that at least one of the carriers that APCC Services claims owes these charges is no longer in business. True LD responded to APCC Services' invoice and requested documentation to prove that there was an obligation nu True LD to pay APCC Services (see attached Exhibit B). APCC Services responded via email and stated that the "underlying carriers" identified True LD as the "completing carrier", but provided no proof or documentation supporting the alleged "identification". APCC Services further requested that True LD provide a copy of its agreement with the "underlying carriers" to show the responsibility of those carriers to remit payment for payphone surcharges to APCC Services (see attached exhibit C). True LD cannot comply with this request as it is unaware of any contractual obligations with the underlying carriers listed in the invoice. Moreover, APCC Services has refused to provide any support for its allegations of charges owed by True LD. APCC Services was again contacted by counsel for True LD on June 19, 2008 seeking documentation or any type of proof of APCC Services' claims against True LD (see attached Exhibit D). Instead, the instant informal complaint was filed.

Bridgham Letter – 8/13/08

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To the extent that any monies are due and owing to APCC Services, they are owed either by the carriers listed on the invoice in Exhibit A or by the other Defendants in the informal complaint.

Sincerely,



Lisa C. Thompson, Esq.
Thompson Law Group, P.C.
Counsel for True LD, LLC

Attachments

Cc: Albert H. Kramer, Esq. – VIA OVERNIGHT MAIL AND FACSIMILE
Robert F. Aldrich, Esq.
Jacob S. Farber, Esq.
Dickstein Shapiro LLP
1825 Eye Street NW
Washington D.C. 20006-5403
Facsimile – (202) 420-2201

Tracy Bridgham – Tracy.Bridgham@fcc.gov - VIA EMAIL
Sandra Gray Fields - Sandra.Gray-Fields@fcc.gov – VIA EMAIL

Jeff Larsen – VIA OVERNIGHT MAIL
WestStar Telecommunications, LLC
8494 South 700 East, Suite 105
Sandy Utah 84070

Jeff Larsen – VIA OVERNIGHT MAIL
WestStar Telecommunications, LLC
6905 South 1300 East, #242
Midvale, UT 84047

EXHIBIT A

Statement

APCC SERVICES, INC.
 625 SLATERS LANE
 STE 104
 ALEXANDRIA, VA 22314
 703-739-1322

Date
4/24/2008

To:
14069 - True Long Distance 2470 W Majestic Pkwy #120 Tuscon AZ 85705

Due on Receipt	Amount Due	Amount Enc.
	\$159,162.72	

Date	Transaction	Amount	Balance
07/25/2007	INV #39184. Due 07/25/2007. Orig. Amount \$32,179.66. --- LATA1 IC calls, 64,536 @ \$0.494 = 31,880.78 --- DAC interest, 1 @ \$298.88 = 298.88	32,179.66	32,179.66
07/25/2007	INV #39175. Due 07/25/2007. Orig. Amount \$54,501.28. --- MERC IC calls, 1 @ \$0.494 = 0.49 --- MERC IC calls, 86,518 @ \$0.494 = 42,739.89 --- MERC IC calls, 20,372 @ \$0.494 = 10,063.77 --- DAC interest, 1 @ \$1,697.13 = 1,697.13	54,501.28	86,680.94
10/01/2007	INV #41135. Due 11/01/2007. Orig. Amount \$896.65. --- DAC interest, 1 @ \$896.65 = 896.65	896.65	87,577.59
10/01/2007	INV #41136. Due 11/01/2007. Orig. Amount \$1,485.12. --- DAC interest, 1 @ \$1,485.12 = 1,485.12	1,485.12	89,062.71
10/01/2007	INV #39883. Due 11/01/2007. Orig. Amount \$38,451.47. --- LATA1 IC calls, 64,536 @ \$0.494 = 31,880.78 --- MERC IC calls, 13,301 @ \$0.494 = 6,570.69	38,451.47	127,514.18
10/01/2007	INV #41383. Due 11/01/2007. Orig. Amount \$360.48. --- DAC interest, 1 @ \$360.48 = 360.48	360.48	127,874.66
10/01/2007	INV #41528. Due 11/01/2007. Orig. Amount \$1,081.45. --- DAC interest, 1 @ \$1,081.45 = 1,081.45	1,081.45	128,956.11
01/01/2008	INV #42081. Due 02/01/2008. Orig. Amount \$4,329.41. --- NETL IC calls, 8,763 @ \$0.494 = 4,328.92 --- NETL IC calls, 1 @ \$0.494 = 0.49	4,329.41	133,285.52
01/01/2008	INV #47025. Due 01/01/2008. Orig. Amount \$3,503.80. --- DAC interest, 1 @ \$3,503.80 = 3,503.80	3,503.80	136,789.32
04/01/2008	INV #48400. Due 05/01/2008. Orig. Amount \$18,613.92. --- NETL IC calls, 32,274 @ \$0.494 = 15,943.36 --- NETL IC calls, 1 @ \$0.494 = 0.49 --- SAVON IC calls, 5,405 @ \$0.494 = 2,670.07	18,613.92	155,403.24
04/01/2008	INV #53978. Due 05/01/2008. Orig. Amount \$3,759.48. --- DAC interest, 1 @ \$3,759.48 = 3,759.48	3,759.48	159,162.72

CURRENT	1-30 DAYS PAST DUE	31-60 DAYS PAST DUE	61-90 DAYS PAST DUE	OVER 90 DAYS PAST DUE	Amount Due
22,373.40	0.00	0.00	4,329.41	132,459.91	\$159,162.72

EXHIBIT B



May 12, 2008

Ruth Jaeger
President & General Manager
APCC Services
625 Slaters Lane, Ste 104
Alexandria VA 22314
Fax: (703)-739-1324

Re: Account 14069

Dear Ms Jaeger:

We are in receipt of your communication dated April 30, 2008 and referencing account number 14069.

After a review of your demand and our internal records it is our position that your claim is without merit against True Long Distance.

True Long Distance contracts with various carriers and our remittances to them are payments for time and services used. If there is any debt owed for the issues presented by your claim, it would rest with these carriers.

Sincerely,

A handwritten signature in black ink, appearing to read "Eva Armijo", is written over a horizontal line.

Eva Armijo

EXHIBIT C

John Vogel

From: Eva Armijo
Sent: Thursday, May 15, 2008 10:13 AM
To: John Vogel
Subject: RE: Compensation owed to APCC Services

From: Eva Armijo
Sent: Tuesday, May 13, 2008 3:08 PM
To: John Vogel
Subject: FW: Compensation owed to APCC Services

From: Ruth Jaeger [mailto:rjaeger@APCC.NET]
Sent: Tuesday, May 13, 2008 2:27 PM
To: Eva Armijo; Alex Corella
Subject: Compensation owed to APCC Services

Eva,

I received your letter, copy attached. According to your letter, you believe True Long Distance is not responsible to compensate APCC Services who represents over 1000 payphone service providers and has been authorized to collect dial around compensation on behalf of those customers. Your letter did not provide specific information as to why you believe you are not the responsible carrier.

The FCC has placed the reporting and payment responsibility on the completing carriers. Your underlying carriers have all identified True LD as the completing carrier. If you believe you are not the completing carrier and responsible for payment and reporting to APCC Services, as defined in the FCC's dial around compensation orders, please provide the reason(s) why you believe you are not the responsible party.

If you would like to discuss the responsibilities of the Intermediate and Completing Carriers, please feel free to call me at 703.739-1322 x 240. If you have made arrangements with your underlying carriers to have them collect and remit the payphone surcharge (which they are not currently doing), please provide me with a copy of your agreement with the underlying carriers that shows the responsibility to remit the payphone surcharges lies with the underlying carriers.

Thank you for your attention to this matter, I look forward to hearing from you,

Ruth Jaeger
APCC Services
703.739.1322 x 240

EXHIBIT D



THOMPSON LAW GROUP
A PROFESSIONAL CORPORATION

June 19, 2008

VIA MAIL

Ruth Jaeger
APCC Services, Inc.
625 Slaters Lane, Suite 104
Alexandria, VA 22314

COPY

RE: True LD, LLC

Dear Ms. Jaeger:

I represent True LD, LLC and I am in receipt of your invoice claiming that True LD, LLC owes APCC Services \$159,162.72. My client is not a carrier that would be responsible for these charges. APCC has not provided any information as to what carrier is claiming that these charges are owed by True LD, LLC. If you will let me know the name of the carrier or carriers that are making this claim, I can provide you with our contracts and billing with the same so that you may go after the appropriate entity for payment. Please direct any further correspondence in regards to this matter to my attention at my Tucson address listed below. Thank you.

Sincerely,

Lisa C. Thompson
Thompson Law Group, P.C.

DICKSTEINSHAPIRO_{LLP}

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E-Mail address: AldrichR@dicksteinshapiro.com

August 27, 2008

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th St., S.W., TW-A325
Washington, DC 20554

Re: APCC Services v. West Star, True LD, and Global Access, EB-08-MDIC-0042

Dear Ms. Dortch:

APCC Services, Inc. ("APCC Services" or "Complainant") hereby replies to the response of True LD to APCC Services' informal complaint (the "Complaint") against West Star Telecommunications, LLC ("West Star"), True LD ("True LD"), LLC, and Global Access LD, LLC ("Global Access") (collectively "Defendants").

True LD's abbreviated "response" is utterly *unresponsive* to the Complaint. The response not only fails to address the merits of the Complaint, but also fails even to acknowledge True LD's affiliation with the other two Defendants – whom it even points out as potentially liable – despite the ample evidence that all three Defendants are closely affiliated. *See* further below.

Regarding the merits, True LD has virtually nothing to say. True LD baldly states that it is not liable to pay "the alleged charges due," but provides no evidence or argument to support its denial of liability. Further, True LD does not even deny (or address at all) the Complaint's central factual allegation that True LD received dial-around calls from the carriers listed in Exhibit 2 to the Complaint.¹ Nor does True LD deny or address the allegation that True LD is the Completing

¹ As explained in the Complaint and as shown in Exhibit 2 to the Complaint, numerous Intermediate Carriers have reported to APCC Services that they routed dial-around calls originating from APCC Services' clients' payphones to True LD or to its alter ego/predecessor, West Star Telecommunications, LLC. The Intermediate Carriers that reported routing calls to True LD are Savon Telecom, LLC, Net Tel, LLC, LATAOne, LLC, and Mercury Telecom. The Intermediate Carriers that reported routing calls to West Star are Global Crossing Inc. and Qwest Communications Corp. Neither True LD nor West Star, nor Global Access has ever provided an Intermediate Carrier report (or any information at all) showing that they routed the calls on to another carrier. As explained in the Complaint, under the Commission's rules, if Intermediate Carriers identify a particular carrier and report that they routed dial-around calls to the identified carrier, and the identified carrier files no Intermediate Carrier report showing that it forwarded the

Carrier who completed those dial-around calls. True LD also does not identify any other carrier to whom it forwarded the calls or provide any other information that would absolve itself of liability. Finally, True LD totally disregards the issues of its noncompliance with the Commission's auditing and reporting requirements.

Even stranger than True LD's evasion of the merits is the total absence of any indication in its response that True LD has tried to inform itself of the requirements of the Commission's compensation rules. Nothing in the response indicates that True LD is even aware of those rules: The word "compensation" is not used.² The Commission's compensation rules – which define the subject matter of the Complaint -- are not cited or even mentioned.³ It is unclear whether True LD's ignorance is feigned or real. Either way, it is disturbing – not to say insulting to the Commission – that more than four years after switch-based prepaid card service providers' dial-around compensation obligations took effect, more than two years after compensation complaints were filed against True LD's *alter egos*, and six months after the Commission began issuing NALs against those *alter egos* for failure to respond to complaints, a major participant in the prepaid card industry would continue to present itself as totally uninformed about the Commission's rules.

In short, True LD's response is nothing but a continuation of the tactics of stonewalling, evasion, and head-in-the-sand that True LD and its *alter egos* have practiced from 2005 to the present, vis-à-vis both APCC Services the Commission itself.

Even more troubling than its evasion of the merits and apparent ignorance of the Commission's rules, however, is True LD's transparent effort to distance itself from the other two defendants in this proceeding while simply disregarding their close – in fact, *alter ego* – affiliate relationships.⁴ While professing, on the one hand, a "belief" that "at least one of [the other two

(Footnote continued)

calls it received to another carrier, then the identified carrier is presumptively the Completing Carrier with the compensation obligation for the reported calls.

² Instead, the response refers to "charges," as if APCC Services' claim was based on a tariff or contract rather than a Commission rule.

³ In asserting that it "is unaware of any contractual obligations with the underlying carriers" that routed calls to True LD, True also seems unaware that the absence of contractual obligations is no defense to liability. As the Completing Carrier, True LD is liable under the regulation, regardless of any contract. Indeed, True LD's asserted lack of contractual arrangements with its underlying carriers confirms True LD's own liability. As Completing Carrier, True LD could delegate the compensation payment function to an Intermediate Carrier if it had an agreement with the Intermediate Carrier to that effect. If there is no such agreement, then True LD must pay compensation directly to the PSPs (or, more specifically, to APCC Services as their representative).

⁴ The copious evidence of common ownership and control among the Defendants is discussed in APCC Services' filings in WC Docket No. 08-92, in which True LD has applied to transfer its

defendants] is no longer in business,” True LD concludes its response by stating that “any monies . . . owing to APCC Services . . . are owed either by the [Intermediate Carriers] or *by the other Defendants* in the informal complaint.” (Emphasis added.) It is obvious that True LD now holds most or all of the assets of this multi-headed enterprise, and would like to complete the sale of those assets which is currently pending Commission approval – a development which would of course, make it effectively impossible to collect the unpaid compensation and damages from any of the *Defendants*.

If ever a case cried out for the Commission to “look through corporate entities and treat the separate entities as one for purposes of regulation,”⁵ it is this one. In its comments and ex parte letters in the pending asset transfer proceeding, APCC Services has urged the Commission not to grant True LD’s asset transfer application until it has fully investigated the relationships among the various entities and their involvement in violations of Commission rules. This is the only way to ensure that these companies do not evade responsibility for misconduct that bears on their basic qualifications to hold Commission authorizations. Specifically, APCC Services has urged the Commission to defer action on the pending transfer application until, at a minimum, both Jeff Larsen and the Larsen-owned carriers (1) resolve the pending NALs, (2) correct the violations raised in those proceedings by responding to the pending informal complaints, and (3) submit to the Commission’s jurisdiction in all pending NAL and complaint proceedings.

Further, because of the history of evasion by these companies and because True LD is proposing to dispose of substantially all its assets, there is a serious danger that, by the time the pending complaints are resolved, the Larsen-owned companies will not retain sufficient assets to be able to comply with a Commission order to pay the compensation owed. Therefore, APCC Services has urged the Commission should require True LD to post security, out of the proceeds of the sale, sufficient to cover the total amount of unpaid compensation alleged in the pending complaints.

The Commission must not allow True LD to get away with its “lie in the weeds” tactics in this complaint proceeding. It should launch a full investigation and require True LD to resolve all the pending NALs and complaints against itself and its *alter egos*, before permitting any divestiture of assets. Otherwise, both the complaints and the pending NALs will become futile attempts to extract compensation and impose penalties on an empty corporate shell.

(Footnote continued)

prepaid card assets to another company. *See, e.g.*, Comments of APCC Services, WC Dkt. No. 08-92 (July 7, 2008) (“APCC Services Comments”); Letter to Marlene Dortch, FCC Secretary, from Albert H. Kramer and Robert F. Aldrich, WC Dkt. No. 08-92 (July 30, 2008). *See also* the letter of August 13, 2008, filed in this proceeding by Jeff Larsen, Chairman of True LD, in which Larsen acknowledges that he is also “manager” (*i.e.*, managing member of a limited liability corporation) of both West Star and Global Access.

⁵ *General Tel. Co. v. United States*, 449 F.2d 846, 855 (5th Cir. 1971).

DICKSTEINSHAPIROLLP

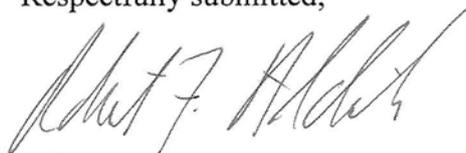
Marlene H. Dortch

August 27, 2008

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A copy of this letter has been sent by first-class mail to the individuals on the attached service list.

Respectfully submitted,



Albert H. Kramer
Robert F. Aldrich
Dickstein Shapiro LLP
1825 Eye Street, NW
Washington, DC 20006
(202) 420-2236 (tel)
(202) 420-2201 (fax)

Attorneys for Complainant

cc: Alex Starr, Chief, Market Disputes Resolution Division, Enforcement Bureau (by E-mail)
Rosemary McEnery, Market Disputes Resolution Division, Enforcement Bureau (by E-mail)
Tracy Bridgham, Market Disputes Resolution Division, Enforcement Bureau (by E-mail)
Jody May, Competition Policy Division, Wireline Competition Bureau (by E-mail)
Dennis Johnson, Competition Policy Division, Wireline Competition Bureau (by E-mail)

CERTIFICATE OF SERVICE

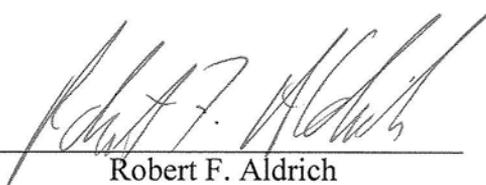
I hereby certify that on August 27, 2008, a copy of the foregoing reply was delivered via first-class mail to the following parties:

Jeff Larsen
WestStar Telecommunications, LLC
8494 South 700 East
Suite 105
Sandy, UT 84070

WestStar Telecommunications, LLC
True Long Distance, LLC
Global Access Telecom
Attn: Jeff Larsen
2470 W Majestic Parkway #120
Tucson, AZ 85705

WestStar Telecommunications, LLC
6905 South 1300 East
#242
Midvale, UT 84047

Lisa C. Thompson, Esq.
Thompson Law Group, P.C.
2321 E. Speedway Boulevard
Tucson, AZ 85719



Robert F. Aldrich