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October 5, 2012

**BY ELECTRONIC SUBMISSION**

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

Re: CC Dkt. No. 94-129; Certification of Exemption from “Drop-Off” Requirement

Dear Ms. Dortch:

Legent Communications Corporation, d/b/a Long Distance America and Long Distance Services (“Legent”), by its undersigned counsel, hereby certifies that it qualifies for an exemption from the “drop-off” requirement set forth in 47 C.F.R. Section 64.1120.

In its decision in CC Dkt. No. 94-129, the Commission established a mechanism by which carriers certifying as to their inability to comply with the “drop-off” rule will be exempt from that rule for a two-year period. *See* Implementation of the Subscriber Carrier Selection Changes Provisions of the Telecommunications Act of 1996; Policies and Rules Concerning Unauthorized Changes of Consumers’ Long Distance Carriers, Third Order on Reconsideration and Second Notice of Proposed Rulemaking, 18 FCC Rcd 5099 (rel. March 17, 2003).

Legent previously submitted a certification of exemption from the FCC’s “Drop-Off” requirement on October 8, 2010. Under the FCC’s Third Order on Reconsideration, Legent’s exemption from the “Drop-Off” rules is valid until October 8, 2012 – two years from the date on which Legent’s previous certification was submitted. In its Third Order on Reconsideration, the Commission stated that carriers that wished to extend their exemption must re-certify at the end of the two year period (and every two years thereafter) as to their continuing inability to comply with the “Drop-Off” requirement. *See* Third Order on Reconsideration at para. 35. Therefore, per the

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requirements of the Third Order on Reconsideration, Legent is re-certifying to its continuing inability to comply with the “Drop-Off” requirements in advance of the expiration of its October 8, 2010 certification.

Please be advised that the telemarketing companies utilized by Legent lack the technical capabilities to comply with the FCC’s “drop-off” rule. Specifically, the technologies used by Legent’s telemarketing providers do not allow the person initiating the call to “drop-off” the line without also disconnecting the three-way call. Upgrading to systems that would allow Legent’s telemarketers to “drop-off” once a three-way call is initiated would be prohibitively expensive for a company of Legent’s size, and for its telemarketers.

A Declaration signed by Scott White, President of Legent, made in support of these statements under Section 1.16 of the Commission’s rules is enclosed herewith.

Questions regarding this certification should be addressed to the undersigned.

Respectfully submitted,

*/s/ Cheng-yi Liu*

Cheng-yi Liu,  
Counsel for Legent Communications  
Corporation

Enclosure

**DECLARATION**

I, Scott White, certify that I am President of Legent Communications Corporation, d/b/a Long Distance America and Long Distance Services (“Legent”), and that I am authorized to make this certification for Legent. Further, I certify that Legent is unable to comply with the “drop off” requirement as set forth in 47 C.F.R. Section 64.1120. Specifically, the technology used by Legent’s telemarketing providers does not allow the person initiating a three-way call to “drop off” the line without disconnecting the three-way call. Upgrading to a system that would allow Legent’s telemarketers to do so would be prohibitively costly for a company of Legent’s size. I hereby certify that to the best of my knowledge and belief, under penalty of perjury, the foregoing statements are true and correct. Executed on OCT 5, 2012



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Scott White  
President, Legent Communications Corporation  
d/b/a Long Distance America and  
Long Distance Services