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June 28, 2013

BY ELECTRONIC SUBMISSION

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

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

Dear Ms. Dortch:

Long Distance Consolidated Billing Co. ("LDCB"), by its undersigned counsel, hereby certifies that it qualifies for an exemption from the "drop-off" requirement set forth in Section 64.1120(c)(3)(ii) of the Federal Communications Commission's ("Commission's" or "FCC's") rules.¹ The Commission established a mechanism in CC Dkt. No. 94-129 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.²

LDCB previously submitted a certification of exemption from the Commission's "drop-off" requirement on June 30, 2011. Under the *Third Order on Reconsideration*, LDCB's exemption from the "drop-off" rule is valid until June 30, 2013 – two years from the date on which LDCB'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.³ Therefore, per the requirements of the *Third Order on Reconsideration*, LDCB is re-certifying to its continuing inability to comply with the "drop-off" requirement in advance of the expiration of its June 30, 2011 certification.

¹ 47 C.F.R. § 64.1120(c)(3)(ii).

² 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) ("*Third Order on Reconsideration*").

³ See *Third Order on Reconsideration* at para. 35.

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The type of technology used by LDCB's telemarketing providers does not allow the person initiating a three-way call to "drop-off" the line without also disconnecting the three-way call. Upgrading to a system which would allow LDCB's telemarketers to "drop-off" once a three-way call is initiated would be prohibitively costly for LDCB's telemarketing providers given their small size. Thus, the telemarketing providers are unable to comply with the "drop-off" requirement. This precludes LDCB from complying with the "drop-off" rule. Enclosed is a declaration, pursuant to Section 1.16 of the FCC's rules,⁴ by Jan Lowe, President of LDCB, in support of these statements.

Questions regarding this submission should be addressed to the undersigned.

Respectfully submitted,

/s/ Cheng-yi Liu

Counsel for Long Distance
Consolidated Billing Co.

Enclosure

⁴ 47 C.F.R. § 1.16.

