



Federal Communications Commission
Washington, D.C. 20554

DA DA-09-859
April 17, 2009

Mr. A. R. Zee
Next-G communication, Inc.
6200 Savoy Street, Suite 520
Houston, TX 77036

Re: **NOTICE OF DISMISSAL**
FRN: 0010717874
File No. ITC-214-20081010-00456

Dear Mr. Zee:

This letter dismisses an application filed by Next-G communication, Inc. on October 10, 2008 for an International Section 214 Authorization to provide resale services in accordance with Section 63.18(e)(2) of the Commission's rules. We dismiss this application without prejudice to re-filing because of Next-G communication Inc.'s failure to pay its delinquent debt to the Commission.

Pursuant to Section 1.1910(a)(1) of the Commission's rules, the Commission examines each application to determine whether the applicant is delinquent in any non-tax debt owed to the Commission.¹ On September 3, 2008, prior to filing your application, your legal counsel contacted my office regarding a discrepancy to your redlight account.² When you filed your application on October 10, 2008, your application became redlighted because of delinquent debt owed to the Commission. After working with you and your legal counsel attempting to rectify a payment discrepancy, the Commission provided you final notification on January 16, 2009, advising you of the current debt you owe to the Commission.³ The e-mail stated that if full payment or satisfactory arrangement to pay the delinquent debt was not made within 15 days of the date of the e-mail, Next-G communication, Inc.'s application would be dismissed pursuant to Section 1.1910(b)(3) of the rules.⁴ The Commission has not received payment of the debt

¹ 47 C.F.R. § 1.1910(a)(1). *See Amendment of Parts 0 and 1 of the Commission's Rules – Implementation of the Debt Collection Improvement Act of 1996 and Adoption of Rules Governing Applications or Requests for Benefits by Delinquent Debtors*, Report and Order, 19 FCC 6540 (2004); 47 C.F.R. § 1.1910. For the purpose of determining if an applicant is delinquent, the Commission checks the status of all entities with whom an applicant shares the same tax payer identification number.

² E-mail from Mr. Jonathan S. Marashlian, Helein & Marashlian, LLC, to Mikelle Morra, Industry Analyst, Policy Division, International Bureau, FCC (September 3, 2008).

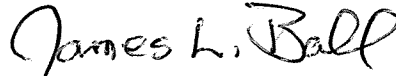
³ E-mail from JoAnn Sutton, Assistant Division Chief, Policy Division, International Bureau, FCC, to Mr. A. R. Zee of Next-G communication, Inc., and their legal counsel, Mr. Jonathan S. Marashlian, Helein & Marashlian, LLC (January 16, 2009).

⁴ *See* 47 C.F.R. § 1.1910(b)(3).

identified in the e-mail, nor has Next-G communication, Inc. made other satisfactory payment arrangements with the Commission.

Accordingly, pursuant to 47 C.F.R. § 1.1910(b)(3) and the Commission's rules on delegated authority, 47 C.F.R. § 0.261, the above-referenced application filed by Next-G communication, Inc. is DISMISSED without prejudice to re-filing.

Sincerely,



James L. Ball
Chief, Policy Division
International Bureau

cc: Mr. Jonathan S. Marashlian
Helein & Marashlian, LLC
1483 Chain Bridge Road
Suite, 301
McLean, VA 22101
