

GOVERNMENT OF THE VIRGIN ISLANDS
OF THE UNITED STATES

Public Services Commission

IN RE:)
) PSC DOCKET NO. 566
Rick Rossi Complaint Regarding)
Telephone's Actions and Policies Innovative) ORDER NO.: 24 /2006
re Retention and Use of Telephone)
Numbers; and Ackley Communications)
Correspondence)
_____)

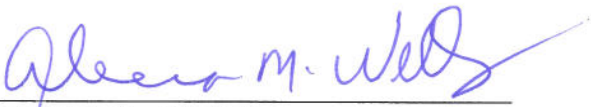
ORDER OF DISMISSAL

THIS MATTER came before the Commission, as a complaint against Vitelco d/b/a/ Innovative Telephone, lodged by Rick Rossi and Ackley Communications, regarding Innovative's practices for the transfer of a telephone number from Mr. Rossi to Ackley Communications. In response, Innovative asserted that Ackley Communications is not a telecommunications carrier and therefore not entitled to avail itself of the FCC rules regarding number portability. Ackley Communications was provided a copy of the Innovative response and did not dispute that it was not a telecommunications carrier.

After legal research on the subject the counsel for the Commission has advised that the Public Services Commission that it has no jurisdiction to entertain this complaint and the jurisdiction, if any, is before the United States Federal Communications Commission . The Commission being satisfied in the premises;

IT IS ORDERED, that the complaint is DISMISSED without prejudice.

Dated: January 25, 2006


ALECIA M. WELLS
Chairwoman

cc: Mr. Keithley Joseph, Executive Director
Frederick G. Watts, Esquire
All Counsel of Record
Innovative Telephone
Mr. Rick Rossi
Mr. Gordon P. Ackley