

ROBERT J. MUNNELLY, JR.
617.457.4062 DIRECT TELEPHONE
617.210.7062 DIRECT FACSIMILE
RMUNNELLY@MURTHALAW.COM

August 27, 2013

VIA E-FILING AND HAND DELIVERY

Catrice Williams, Secretary
Department of Telecommunications and Cable
1000 Washington Street, Suite 820
Boston, MA 02118-6500

Re: DTC Docket No. 11-1 – Petition of YourTel America, Inc. for Designation
as an Eligible Telecommunications Provider

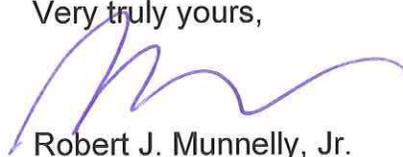
Dear Ms. Williams:

Enclosed for filing in the above-referenced matter please find an original and three copies of the following:

- (1) Motion of YourTel America, Inc. for Withdrawal of Amended ETC Petition Without Prejudice; and
- (2) Certificate of Service.

Please contact the undersigned if you have any questions.

Very truly yours,



Robert J. Munnelly, Jr.

Enclosures

cc: Service List (by mail and e-mail)

COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE

IN RE:

PETITION OF YOURTEL AMERICA, INC.)
FOR DESIGNATION AS AN ELIGIBLE)
TELECOMMUNICATIONS CARRIER)

D.T.C. Case No. 11-1

MOTION OF YOURTEL AMERICA, INC.
FOR WITHDRAWAL OF AMENDED ETC PETITION WITHOUT PREJUDICE

Pursuant to Section 1.04(4) of the 220 CMR Rules of the Department of Telecommunications and Cable (“Department” or “DTC”), YourTel America, Inc. (“YourTel”) hereby moves to withdraw its pending Amended Petition (“Petition”) for designation as an Eligible Telecommunications Carrier (Wireless Only) (“ETC”) in the Commonwealth of Massachusetts, without prejudice to a future effort to seek ETC status by YourTel.

As grounds therefor, YourTel states that the instant docket has been stayed for a lengthy period awaiting approval of YourTel’s Compliance Plan by the Federal Communications Commission (“FCC”). Insofar as (1) the factual record has become stale during the two year period since the adjudicatory hearing and one year-plus period since YourTel filed its Compliance Plan with the FCC, and (2) YourTel has no indication of imminent FCC approval, YourTel elects to withdraw the instant Petition at this time without prejudice. If FCC approval is subsequently granted and YourTel elects to proceed with an ETC filing, a new Petition may be filed with the Department at that time.

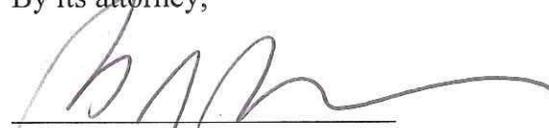
YourTel also notes that the Department still possesses certain of YourTel’s confidential information that has not yet been acted on by the Department. See Responses to Record Requests Nos. 3 and 13; Motion for Confidential Treatment (August 23, 2011). YourTel requests that the Department return them to undersigned counsel. YourTel requests that the

Department address this issue in any Order on the instant Motion or in a separate communication with counsel.

Accordingly, for the foregoing reasons, YourTel seeks leave to withdraw its Pending Amended Petition, without prejudice to a future ETC filing, and requests that the Department return confidential information held pending a ruling on the accompanying Motion for Confidential Treatment.

YOURTEL AMERICA, INC.

By its attorney,



Robert J. Munnelly, Jr.
Murtha Cullina LLP
99 High Street – 20th Floor
Boston, MA 02110
Telephone: (617) 457-4062
Fax: (617) 210-7062
rmunnelly@murthalaw.com

Dated: August 27, 2013

COMMONWEALTH OF MASSACHUSETTS

DEPARTMENT OF TELECOMMUNICATIONS AND CABLE

IN RE:

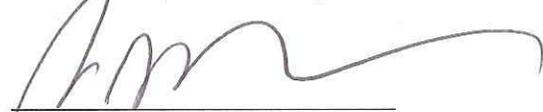
PETITION OF YOURTEL AMERICA, INC.)
FOR DESIGNATION AS AN ELIGIBLE)
TELECOMMUNICATIONS CARRIER)

D.T.C. Case No. 11-1

CERTIFICATE OF SERVICE

I hereby certify that on this day I have served a copy, by hand or first class mail, with a courtesy electronic mail copy, of Motion of YourTel America, Inc. for Withdrawal of Amended ETC Petition Without Prejudice upon each person designated on the official service list compiled by the Massachusetts Department of Telecommunications and Cable for the above-captioned proceeding in accordance with the requirements of 220 CMR 1.05(1).

YOURTEL AMERICA, INC.



Robert J. Munnely, Jr.
Murtha Cullina LLP
99 High Street – 20th Floor
Boston, MA 02110
Telephone: (617) 457-4062
Fax: (617) 210-7062
rmunnely@murthalaw.com

Date: August 27, 2013