January 8, 2010

VIA E-MAIL AND EXPRESS MAIL

Messrs. Ramón González Cordero and
      Ramón González Simonet
c/o Néstor Méndez-Gómez, Esquire
Pietrantoni Mendez & Alvarez LLP
Popular Center 19ᵗʰ Floor
San Juan, PR 00918

    Re: Request for Rehearing of Denial of Ramón González Cordero's and Ramón
            González Simonet's Petition to Quash or Modify Civil Investigative Demand and
            Subpoena Ad Testificandum, File No. 091-0115

Dear Mr. Méndez-Gómez:

    This letter advises you of the Commission's disposition of Petitioners' Request for
Rehearing of Denial of Petition to Quash or Limit Compulsory Process in the Matter of Empire
Gas Inc. and Liquilux.

---

    [1] 15 U.S.C. § 45, as amended.

    [2] The Petition also requested that the subpoena be made returnable in Puerto Rico.
Petitioners do not seek a rehearing on the denial of that request. Request at 1.

---

[3] Even if Petitioners' state action arguments were jurisdictional, investigations by administrative agencies should not be bogged down unnecessarily with jurisdictional challenges. FTC v. Ken Roberts Co., 276 F. 3d 583, 584 (D.C. Cir. 2001); United States v. Construction Prods. Research, Inc., 73 F.3d 464, 470 (2d Cir. 1996) ("[A]t the subpoena enforcement stage, courts need not determine whether the subpoenaed party is within the agency's jurisdiction or covered by the sta

---

[4] Resolution Authorizing Use of Compulsory Process in Nonpublic Investigation, FTC File No. 0910115 (Sept. 15, 2009) ("Resolution"). The Resolution was attached to the CIDs and subpoenas, copies of which can be found in the Request, Appendix B.

[5] Petitioners waived any claim that the CIDs or subpoenas should be quashed because the Resolution did not comply with Rule 2.6 when they failed to raise that claim in their Petition. Wellness Support Network, FTC File No. 072-3179 at 2 (Apr. 24, 2008) (Letter Ruling dismissing appeal from denial of petition to quash CID) ("The rule is clear on its face that all grounds for challenging a CID shall be joined in the initial application, absent some extraordinary circumstances. To construe the ey   failed to ra

Conclusion and Order

For all the foregoing reasons, **IT IS ORDERED THAg**