

22 F.C.C.R. 14026, 22 FCC Rcd. 14026 (F.C.C.), 2007 WL 2212879 (F.C.C.)

Federal Communications Commission (F.C.C.)
Public Notice

INTERNATIONAL AUTHORIZATIONS GRANTED

DA No. 07-3505
Report No. TEL-01174
August 2, 2007

***14026 Section 214 Applications (47 C.F.R. § 63.18); Section 310(b)(4) Requests**

****1** The following applications have been granted pursuant to the Commission's streamlined processing procedures set forth in Section 63.12 of the Commission's rules, 47 C.F.R. § 63.12, other provisions of the Commission's rules, or procedures set forth in an earlier public notice listing applications accepted for filing.

Unless otherwise noted, these grants authorize the applicants (1) to become a facilities-based international common carrier subject to 47 C.F.R. § 63.22; and/or (2) to become a resale-based international common carrier subject to 47 C.F.R. § 63.23; or (3) to exceed the 25 percent foreign ownership benchmark applicable to common carrier radio licensees under 47 U.S.C. § 310(b)(4).

THIS PUBLIC NOTICE SERVES AS EACH NEWLY AUTHORIZED CARRIER'S SECTION 214 CERTIFICATE. It contains general and specific conditions, which are set forth below. Newly authorized carriers should carefully review the terms and conditions of their authorizations. Failure to comply with general or specific conditions of an authorization, or with other relevant Commission rules and policies, could result in fines and forfeitures.

Petitions for reconsideration under Section 1.106 or applications for review under Section 1.115 of the Commission's rules in regard to the grant of any of these applications may be filed within thirty days of this public notice (see Section 1.4(b)(2)).

An updated version of Sections 63.09--25 of the rules, and other related sections, is available at <http://www.fcc.gov/ib/pd/pf/telecomrules.html>.

For additional information, please contact the FCC Reference and Information Center, Room CY-A257, 445 12th Street SW, Washington, D.C. 20554, (202) 418-0270.

ITC-214-20061204-00538 E Space Net LLC

International Telecommunications Certificate

Service(s): Global or Limited Global Facilities-Based Service, Global or Limited Global Resale Service

Grant of Authority Date of Action: 08/01/2007

Application for authority to provide facilities-based service in accordance with Section 63.18(e)(1) of the rules, and also to provide service in accordance with Section 63.18(e)(2) of the rules.

ITC-214-20070515-00189 E Redes Modernas de la Frontera SA
de CV

International Telecommunications Certificate

Service(s): Global or Limited Global Facilities-Based Service, Global or Limited Global Resale Service

Grant of Authority Date of Action: 07/27/2007

Application for authority to provide facilities-based service in accordance with Section 63.18(e)(1) of the rules, and also to provide service in accordance with Section 63.18(e)(2) of the rules.

We grant the Petition to Adopt Conditions to Authorizations and Licenses (Petition) filed in this proceeding on July 27, 2007 by the Department of Homeland Security, with the concurrence of the Department of Justice and the Federal Bureau of Investigation. Accordingly, we condition grant of this application on Redes Modernas de la Frontera SA de CV abiding by the commitments and undertakings contained in its July 10, 2007 letter to Stewart A. Baker, Sigal P. Mandelker, and Elaine N. Lammert (July 10, 2007 Letter). A copy of the Petition and the July 10, 2007 Letter are publicly available and may be viewed on the FCC web-site through the International Bureau Filing System (IBFS) by searching for ITC-214-20070515-00189 and accessing "Other filings related to this application" from the Document Viewing area.

ITC-214-20070601-00211 E Sage VOIP Solutions Inc.

International Telecommunications Certificate

Service(s): Global or Limited Global Facilities-Based Service, Global or Limited Global Resale Service

Grant of Authority Date of Action: 07/27/2007

Application for authority to provide facilities-based service in accordance with Section 63.18(e)(1) of the rules, and also to provide service in accordance with Section 63.18(e)(2) of the rules.

We grant the Petition to Adopt Conditions to Authorizations and Licenses (Petition) filed in this proceeding on July 27, 2007 by the Department of Homeland Security, with the concurrence of the Department of Justice and the Federal Bureau of Investigation. Accordingly, we condition grant of this application on Sage VOIP Solutions, Inc. abiding by the commitments and undertakings contained in its July 11, 2007 letter to Stewart A. Baker, Sigal P. Mandelker, and Elaine N. Lammert (July 11, 2007 Letter). A copy of the Petition and the July 11, 2007 Letter are publicly available and may be viewed on the FCC web-site through the International Bureau Filing System (IBFS) by searching for ITC-214-20070601-00211 and accessing "Other filings related to this application" from the Document Viewing area.

ITC-214-20070607-00218 E JuBe Communications, LLC

International Telecommunications Certificate

Service(s): Global or Limited Global Facilities-Based Service, Global or Limited Global Resale Service

Grant of Authority Date of Action: 07/27/2007

Application for authority to provide facilities-based service in accordance with Section 63.18(e)(1) of the rules, and also to provide service in accordance with Section 63.18(e)(2) of the rules.

We grant the Petition to Adopt Conditions to Authorizations and Licenses (Petition) filed in this proceeding on July 27, 2007 by the Department of Homeland Security, with the concurrence of the Department of Justice and the Federal Bureau of Investigation. Accordingly, we condition grant of this application on JuBe Communications, LLC abiding by the commitments and undertakings contained in its July 12, 2007 letter to Stewart A. Baker, Sigal P. Mandelker, and Elaine N. Lammert (July 12, 2007 Letter). A copy of the Petition and the July 12, 2007 Letter are publicly available and may be viewed on the FCC web-site through the International Bureau Filing System (IBFS) by searching for ITC-214-20070607-00218 and accessing "Other filings related to this application" from the Document Viewing area.

ITC-214-20070607-00219 E Del Castillo Services Rental, LLC

International Telecommunications Certificate

Service(s): Global or Limited Global Facilities-Based Service, Global or Limited Global Resale Service

Grant of Authority Date of Action: 07/27/2007

Application for authority to provide facilities-based service in accordance with Section 63.18(e)(1) of the rules, and also to provide service in accordance with Section 63.18(e)(2) of the rules.

We grant the Petition to Adopt Conditions to Authorizations and Licenses (Petition) filed in this proceeding on July 27, 2007 by the Department of Homeland Security, with the concurrence of the Department of Justice and the Federal Bureau of Investigation. Accordingly, we condition grant of this application on Del Castillo Services Rental, LLC abiding by the commitments and undertakings contained in its July 17, 2007 letter to Stewart A. Baker, Sigal P. Mandelker, and Elaine N. Lammert (July 17, 2007 Letter). A copy of the Petition and the July 17, 2007 Letter are publicly available and may be viewed on the FCC web-site through the International Bureau Filing System (IBFS) by searching for ITC-214-20070607-00219 and accessing "Other filings related to this application" from the Document Viewing area.

ITC-214-20070626-00246 E SunCom Wireless Puerto Rico
License Co., LLC

International Telecommunications Certificate

Service(s): Global or Limited Global Resale Service

Grant of Authority Date of Action: 08/01/2007

Application for authority to provide service in accordance with Section 63.18(e)(2) of the rules.

ITC-214-20070626-00249 E 1888 Callfree Corp

International Telecommunications Certificate

Service(s): Global or Limited Global Facilities-Based Service, Global or Limited Global Resale Service

Grant of Authority

Date of Action: 07/27/2007

Application for authority to provide facilities-based service in accordance with Section 63.18(e)(1) of the rules, and also to provide service in accordance with Section 63.18(e)(2) of the rules.

ITC-214-20070705-00257 E West Central Telephone Assoc.

International Telecommunications Certificate

Service(s): Global or Limited Global Resale Service

Grant of Authority

Date of Action: 07/27/2007

Application for authority to provide service in accordance with Section 63.18(e)(2) of the rules.

ITC-214-20070710-00263 E RPM Telecom, Incorporated

International Telecommunications Certificate

Service(s): Global or Limited Global Facilities-Based Service, Global or Limited Global Resale Service

Grant of Authority

Date of Action: 07/27/2007

Application for authority to provide facilities-based service in accordance with Section 63.18(e)(1) of the rules, and also to provide service in accordance with Section 63.18(e)(2) of the rules.

ITC-T/C-20050621-00232 E Maskina Communications, Inc.

Transfer of Control

Grant of Authority

Date of Action: 07/27/2007

Current Licensee: Maskina Communications, Inc.**FROM:** Transcom Holdings, Inc.**TO:** Vyke AS

Application for consent to transfer control of international section 214 authorization, ITC-214-20021031-00534, held by Maskina Communications, Inc. (Maskina), from Transcom Holdings, Inc. to Vyke AS (f/k/a Maskina AS), a company organized under the laws of Norway. Pursuant to a November 2004 Stock Purchase Agreement, Vyke AS acquired 100% of the stock of Maskina. The transaction was consummated on December 2, 2004, without prior Commission approval. At the time of the transaction, Vyke AS was named Maskina AS and Maskina Communications, Inc. was named Transcom Communications, Inc. (See DA 05-1112, rel. April 21, 2005.) The following individuals and entity held 10% or greater equity and voting interests in Vyke AS (f/k/a Maskina AS) at the time of the transaction: Mr. Jan Christian Berger (13.54%) and Mr. Kjetil Bonn (12.93%), both citizens of Norway, and Transcom Holdings, Inc. (16.97%), a Texas corporation. Since consummation of the transaction, Vyke Communications PLC (f/k/a Tower PLC), a publicly-traded U.K. corporation, has acquired 100% of the stock of Vyke AS. No single individual or entity holds a 10% or greater equity or voting interest in Vyke Communications PLC. See ITC-T/C-20051006-00397 (notification of pro forma transfer of control of Maskina Communications, Inc.).

We grant the Petition to Adopt Conditions to Authorizations and Licenses (Petition) filed in this proceeding on June 28, 2007 by the Department of Homeland Security, with the concurrence of the Department of Justice and the Federal Bureau of Investigation. Accordingly, we condition grant of this application on Vyke AS (f/k/a Maskina AS) abiding by the commitments and undertakings contained in its June 14, 2007 letter to Stewart A. Baker, Sigal P. Mandelker, and Elaine N. Lammert (June 14, 2007 Letter). A copy of the Petition and its attached June 14, 2007 letter are publicly available and may be viewed on the FCC web-site through the International Bureau Filing System (IBFS) by searching for ITC-T/C-20050621-00232 and accessing "Other filings related to this application" from the Document Viewing area.

This authorization is without prejudice to any possible enforcement action or Commission action in any other related pending proceedings.

ITC-T/C-20051006-00397 E Maskina Communications, Inc.

Transfer of Control

Grant of Authority

Date of Action: 08/01/2007

Current Licensee: Maskina Communications, Inc.**FROM:** Maskina AS**TO:** Tower PLC

Notification filed October 6, 2005, of the pro forma transfer of control of the international section 214 authorization, ITC-214-20021031-00534, held by Maskina Communications, Inc. (Maskina), from Maskina AS to Tower PLC, a publicly traded U.K. company, effective June 27, 2005. Tower PLC acquired a 100% direct ownership interest in Maskina AS and a 100% indirect ownership interest in Maskina. Shareholders of Maskina AS received 67.08% of Tower PLC shares. Consequently, the former shareholders of Maskina AS continued to indirectly control Maskina through their interests in Tower PLC. Subsequent to this pro forma transaction, Maskina AS changed its name to Vyke AS and Tower PLC changed its name to Vyke Communications PLC. Grant of this authorization is without prejudice to any possible enforcement action or Commission action in any other related pending proceedings.

INFORMATIVE

ITC-214-19960726-00345

Viatel Holding (Bermuda) Limited

By letter filed July 5, 2007, Viatel Holding (Bermuda) Limited notified the Commission that effective July 5, 2007, its wholly-owned subsidiary, VTL Wavenet Limited, is providing service under authority of the international section 214 authorization held by Viatel Holding (Bermuda) Limited, ITC-214-19960726-00345 (old file number ITC-96-421), pursuant to section 63.21(h) of the Commission's rules.

ITC-214-20010308-00124

SunCom Wireless License Company, LLC

By letter filed June 28, 2007, Triton PCS License Company, LLC notified the Commission that it changed its name to SunCom Wireless License Company, LLC, effective May 31, 2007. In addition, its wholly-owned subsidiary, AWS License Newco, LLC, which provides international service under its parent's authorization, ITC-214-20010308-00124, pursuant to section 63.21(h) of the Commission's rules, 47 C.F.R. § 63.21(h), has changed its name to SunCom Wireless Puerto Rico License Co., LLC effective May 31, 2007.

ITC-214-20070420-00148

Alpheus Communications, L.P.

By letter filed June 8, 2007, Alpheus Communications, L.P. notified the Commission that effective June 8, 2007, its wholly-owned subsidiary, Alpheus Data Services, LLC, is providing service under authority of the international section 214 authorization held by Alpheus Communications, L.P., ITC-214-20070420-00148, pursuant to section 63.21(h) of the Commission's rules.

***14030 CONDITIONS APPLICABLE TO INTERNATIONAL SECTION 214 AUTHORIZATIONS**

- (1) These authorizations are subject to the Exclusion List for International Section 214 Authorizations, which identifies restrictions on providing service to particular countries or using particular facilities. The most recent Exclusion List is attached to this Public Notice. The list applies to all U.S. international carriers, including those that have previously received global or limited global Section 214 authority, whether by Public Notice or specific written order. Carriers are advised that the attached Exclusion List is subject to amendment at any time pursuant to the procedures set forth in [Streamlining the International Section 214 Authorization Process and Tariff Requirements, IB Docket No. 95-118, 11 FCC Rcd 12884 \(1996\)](#), para. 18. A copy of the current Exclusion List will be maintained in the FCC Reference and Information Center and will be available at <http://www.fcc.gov/ib/pd/pf/telecomrules.html#exclusionlist>. It also will be attached to each Public Notice that grants international Section 214 authority.
- (2) The export of telecommunications services and related payments to countries that are subject to economic sanctions may be restricted. For information concerning current restrictions, call the Office of Foreign Assets Control, U.S. Department of the Treasury, (202) 622-2520.
- (3) Carriers shall comply with the requirements of Section 63.11 of the Commission's rules, which requires notification by, and in certain circumstances prior notification by, U.S. carriers acquiring an affiliation with foreign carriers. A carrier that acquires an affiliation with a foreign carrier will be subject to possible reclassification as a dominant carrier on an affiliated route pursuant to the provisions of Section 63.10 of the rules.
- (4) Carriers shall comply with the Commission's International Settlements Policy and associated filing requirements contained in Sections 43.51, 64.1001 and 64.1002 of the Commission's Rules, [47 C.F.R. §§ 43.51, 64.1001, 64.1002](#). The Commission modified these requirements most recently in International Settlements Policy Reform: International Settlement Rates, First Report and Order, [FCC 04-53, 19 FCC Rcd 5709 \(2004\)](#). In addition, any carrier interconnecting private lines to the U.S. public

switched network at its switch, including any switch in which the carrier obtains capacity either through lease or otherwise, shall file annually with the Chief, International Bureau, a certified statement containing, on a country-specific basis, the number and type (e.g., 64 kbps circuits) of private lines interconnected in such manner. The Commission will treat the country of origin information as confidential. Carriers need not file their contracts for interconnection unless the Commission specifically requests. Carriers shall file their annual report on February 1 (covering international private lines interconnected during the preceding January 1 to December 31 period) of each year. International private lines to countries which the Commission has exempted from the International Settlements Policy at any time during a particular reporting period are exempt from this requirement. See 47 C.F.R. § 43.51(d). The Commission's list of U.S. international routes that are exempt from the International Settlements Policy may be viewed at http://www.fcc.gov/ib/pd/pf/isp_exempt.html.

(5) Carriers authorized to provide private line service either on a facilities or resale basis are limited to the provision of such private line service only between the United States and those foreign points covered by their referenced applications for Section 214 authority. A carrier may provide switched services over its authorized resold private lines in the circumstances specified in Section 63.23(d) of the rules, 47 C.F.R. § 63.23(d).

(6) A carrier may engage in “switched hubbing” to countries that do not appear on the Commission's list of U.S. international routes that are exempt from the International Settlements Policy, set forth in Section 64.1002, 47 C.F.R. § 64.1002, provided the carrier complies with the requirements of Section 63.17(b) of the rules, 47 C.F.R. § 63.17(b). The Commission's list of U.S. international routes that are exempt from the International Settlements Policy may be viewed at http://www.fcc.gov/ib/pd/pf/isp_exempt.html.

(7) Carriers shall comply with the “No Special Concessions” rule, Section 63.14, 47 C.F.R. § 63.14.

(8) Carriers regulated as dominant for the provision of a particular communications service on a particular route for any reason other than a foreign carrier affiliation under Section 63.10 of the rules shall file tariffs pursuant to Section 203 of the Communications Act, as amended, 47 U.S.C. § 203, and Part 61 of the Commission's Rules, 47 C.F.R. Part 61. Carriers shall not otherwise file tariffs except as permitted by Section 61.19 of the rules, 47 C.F.R. § 61.19. Except as specified in Section 20.15 with respect to commercial mobile radio service providers, carriers regulated as non-dominant, as defined in Section 61.3, and providing detariffed international services pursuant to Section 61.19, must comply with all applicable public disclosure and maintenance of information requirements in Sections 42.10 and 42.11.

(9) Carriers shall file the annual reports of overseas telecommunications traffic required by Section 43.61(a). Carriers shall also file the quarterly reports required by Section 43.61 in the circumstances specified in paragraphs (b) and (c) of that Section.

***14031** (10) Carriers shall file annual reports of circuit status and/or circuit additions in accordance with the requirements set forth in Rules for Filing of International Circuit Status Reports, CC Docket No. 93-157, Report and Order, 10 FCC Rcd 8605 (1995). See 47 C.F.R. § 43.82. See also §§ 63.22(e), 63.23(e). These requirements apply to facilities-based carriers and private line resellers, respectively. See also <http://www.fcc.gov/ib/pd/pf/csmanual.html>.

(11) Carriers should consult Section 63.19 of the rules when contemplating a discontinuance, reduction or impairment of service. Further, the grant of these applications shall not be construed to include authorization for the transmission of money in connection with the services the applicants have been given authority to provide. The transmission of money is not considered to be a common carrier service.

(12) If any carrier is reselling service obtained pursuant to a contract with another carrier, the services obtained by contract shall be made generally available by the underlying carrier to similarly situated customers at the same terms, conditions and rates. 47 U.S.C. § 203.

(13) To the extent the applicant is, or is affiliated with, an incumbent independent local exchange carrier, as those terms are defined in Section 64.1902 of the rules, it shall provide the authorized services in compliance with the requirements of Section 64.1903.

(14) Except as otherwise ordered by the Commission, a carrier authorized here to provide facilities-based service that (i) is classified as dominant under Section 63.10 of the rules for the provision of such service on a particular route and (ii) is affiliated with a carrier that collects settlement payments for terminating U.S. international switched traffic at the foreign end of that route may not provide facilities-based switched service on that route unless the current rates the affiliate charges U.S. international carriers to terminate traffic are at or below the Commission's relevant benchmark adopted in International Settlement Rates, IB Docket No. 96-261, Report and Order, [12 FCC Rcd 19806 \(1997\)](#). See also Report and Order on Reconsideration and Order Lifting Stay in IB Docket No. 96-261, [FCC 99-124 \(rel. June 11, 1999\)](#). For the purposes of this rule, "affiliated" and "foreign carrier" are defined in Section 63.09.

Exclusion List for International Section 214 Authorizations

-- Last Modified December 22, 1999 --

The following is a list of countries and facilities not covered by grant of global Section 214 authority under [Section 63.18\(e\)\(1\)](#) of the Commission's Rules, [47 C.F.R. § 63.18\(e\)\(1\)](#). In addition, the facilities listed shall not be used by U.S. carriers authorized under [Section 63.18](#) of the Commission's Rules unless the carrier's Section 214 authorization specifically lists the facility. Carriers desiring to serve countries or use facilities listed as excluded hereon shall file a separate Section 214 application pursuant to [Section 63.18\(e\)\(3\)](#) of the Commission's Rules. See generally [47 C.F.R. § 63.22](#).

Countries:

Cuba (Applications for service to Cuba shall comply with the separate filing requirements of the Commission's Public Notice Report No. 1-6831, dated July 27, 1993, "FCC to Accept Applications for Service to Cuba.")

Facilities:

All non-U.S.-licensed satellite systems that are not on the Permitted Space Station List, maintained at <http://www.fcc.gov/ib/sd/se/permitted.html>. See International Bureau Public Notice, DA 99-2844 (rel. Dec. 17, 1999).

This list is subject to change by the Commission when the public interest requires. Before amending the list, the Commission will first issue a public notice giving affected parties the opportunity for comment and hearing on the proposed changes. The Commission may then release an order amending the exclusion list. This list also is subject to change upon issuance of an Executive Order. See [Streamlining the Section 214 Authorization Process and Tariff Requirements](#), IB Docket No. 95-118, [FCC 96-79](#), [11 FCC Rcd 12,884](#), released March 13, 1996 ([61 Fed. Reg. 15,724](#), April 9, 1996). A current version of this list is maintained at <http://www.fcc.gov/ib/pd/pf/telecomrules.html#exclusionlist>.

For additional information, contact the International Bureau's Policy Division, (202) 418-1460.

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