

ATTACHMENT

Response to Question 9:

Global Crossing Americas Solutions, Inc. (“GCAS”), makes this notification pursuant to 47 C.F.R. § 63.11(c). GCAS’s indirect parent company, Level 3 Communications, Inc., has established a new subsidiary, Level 3 Communications RS d.o.o. (“Level 3 Serbia”), to operate as a competitive carrier in Serbia. Level 3 Serbia will own or lease facilities in Serbia.

Response to Question 13:

Level 3 Serbia was licensed on October 28, 2013, to provide Internet protocol, data transport, and related services in Serbia but has not yet commenced service. Serbia has nearly concluded its WTO accession negotiations but is not yet a WTO member.¹

Response to Question 14:

Level 3 Serbia lacks market power in Serbia. As a prospective entrant that has not yet commenced service, Level 3 Serbia currently has no customers and therefore lacks 50-percent market share in either the Serbian international transport market or the Serbian local access market. Level 3 Serbia does not appear on the Commission’s list of foreign telecommunications carriers presumed to possess market power in foreign telecommunications markets.² Level 3

¹ See World Trade Organization, Accessions – Serbia, http://www.wto.org/english/thewto_e/acc_e/a1_serbia_e.htm (last visited Feb. 18, 2014).

² See *Int’l Bureau Revises and Reissues the Comm’n’s List of Foreign Telecomm. Carriers that Are Presumed to Possess Mkt. Power in Foreign Telecomm. Mkts.*, Public Notice, 22 FCC Rcd. 945 (Int’l Bur. 2007).

Serbia therefore qualifies for presumptions of non-dominance pursuant to 47 C.F.R.

§ 63.10(a)(3) and exemptions from the dominant carrier safeguards in 47 C.F.R. § 63.10(c)-(e).

Response to Question 16:

For the reasons stated in response to Question 14 above, GCAS is entitled to retain non-dominant status on its newly affiliated route pursuant to 47 C.F.R. §§ 63.10(a)(3) and 63.11(f).

Response to Question 17:

Level 3 Serbia is described in response to Question 9 above.

Response to Question 18:

As required by 47 C.F.R. § 63.11(e)(3), GCAS certifies that it is authorized to serve Serbia pursuant to the following international Section 214 authorizations:

- FCC File Nos. ITC-214-19950717-00062 (old FCC File No. ITC-95-434), granting GCAS authority to provide certain common-carrier services using satellite facilities);
- FCC File No. ITC-214-19950831-00047 (old FCC File No. ITC-95-485), granting GCAS authority to provide global resale services pursuant to 47 C.F.R. § 63.18(e)(2); and
- FCC File No. ITC-214-19970703-00372 (old FCC File No. ITC-97-399), granting GCAS authority to provide global facilities-based and global resale services pursuant to 47 C.F.R. §§ 63.18(e)(1), (2).

Response to Question 19:

As required by 47 C.F.R. § 63.11(e)(4), GCAS certifies that it does not serve Serbia solely through the resale of international switched services of unaffiliated U.S. facilities-based carriers.

Response to Question 20:

As required by 47 C.F.R. § 63.11(e)(5), GCAS certifies that it has the following 10-percent-or-greater direct or indirect owners:

Impsat Fiber Networks, Inc.

Address: Elvira Rawson de Dellepiane, 150 Piso 8, C1107 BCA, Buenos Aires, Argentina

Citizenship: Delaware

Principal Business: holding company

Relationship: owns 100 percent of GCAS

GC Impsat Holdings II Ltd.

Address: 10 Fleet Place, 7th Floor, London EC4M 7RB, England

Citizenship: United Kingdom

Principal Business: holding company

Relationship: owns 100 percent of Impsat Fiber Networks, Inc.

GC Impsat Holdings I Ltd.

Address: 10 Fleet Place, 7th Floor, London EC4M 7RB, England

Citizenship: United Kingdom

Principal Business: holding company

Relationship: owns 100 percent of GC Impsat Holdings II Ltd.

Level 3 Communications (IMPSAT) Nederland B.V. (f/k/a GC Impsat Holdings Nederland B.V.)

Address: 10 Fleet Place, 7th Floor, London EC4M 7RB, England

Citizenship: Netherlands

Principal Business: holding company

Relationship: owns 100 percent of GC Impsat Holdings I Ltd.

Level 3 GC Limited

Address: Wessex House, 45 Reid Street, Hamilton HM12, Bermuda

Citizenship: Bermuda

Principal Business: holding company

Relationship: owns 100 percent of Level 3 Communications (IMPSAT) Nederland B.V.

Level 3 Financing, Inc.

Address: 1025 Eldorado Blvd., Broomfield, Colorado 80021

Citizenship: Delaware, USA

Principal Business: holding company

Relationship: owns 100 percent of Level 3 GCL Limited

Level 3 Communications, Inc.

Address: 1025 Eldorado Blvd., Broomfield, Colorado 80021

Citizenship: Delaware, USA

Principal Business: telecommunications

Relationship: owns 100 percent of Level 3 Financing, Inc.

Southeastern Asset Management, Inc. (“SAM”)

Address: 6410 Poplar Avenue, Suite 900, Memphis, Tennessee 38119

Citizenship: Tennessee, USA

Principal Business: investment advisory services

Relationship/Interest: SAM holds sole or shared voting rights for 21.94 percent of outstanding shares of Level 3 Communications, Inc., that are otherwise owned by other entities for whom SAM acts as an investment advisor. None of SAM’s owners holds a ten-percent-or-greater direct or indirect interest in Level 3 Communications, Inc.

STT Crossing Ltd (“STT Crossing”)

Address: 10 Frere Felix de Valois Street, Port Louis, Mauritius

Citizenship: Mauritius

Principal Business: holding company

Relationship: owns approximately 24.926 percent of Level 3 Communications, Inc.

STT Communications Ltd

Address: 51 Cuppage Road #09-01, StarHub Centre, Singapore 229469

Citizenship: Singapore

Principal Business: information communications

Relationship: owns 100 percent of STT Crossing Ltd

Singapore Technologies Telemedia Pte Ltd (“ST Telemedia”)

Address: 51 Cuppage Road #09-01, StarHub Centre, Singapore 229469

Citizenship: Singapore

Principal Business: investment holding company

Relationship: owns 100 percent of STT Communications Ltd

Temasek Holdings (Private) Limited (“Temasek”)

Address: 60B Orchard Road #06-18, The Atrium@Orchard, Singapore 238891

Citizenship: Singapore

Principal Business: investment holding company

Relationship: owns 100 percent of ST Telemedia

Temasek is wholly owned by the Government of Singapore through the Minister for Finance

Response to Question 21:

GCAS has no interlocking directorates with the foreign affiliates identified in this notification.