

**ATTACHMENT**

**Response to Question 10:**

Level 3 Communications, LLC (“Level 3 LLC”) makes this notification pursuant to 47 C.F.R. § 63.11(b)(2)(i). Level 3 LLC’s indirect parent company, Level 3 Communications, Inc., established a new subsidiary which was licensed to operate as a competitive carrier in Kenya on June 19, 2015, but recently discovered that it had not made the necessary notification. Level 3 LLC regrets the delay.

**Response to Question 12(b):**

Level 3 LLC’s new foreign-carrier affiliate own or leases facilities in Kenya.

**Response to Question 12(c)(1):**

Level 3 LLC 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). Level 3 LLC’s new foreign-carrier affiliate lacks market power in Kenya. As a new entrant, Level 3 LLC’s newly-affiliated foreign carrier has negligible market share, and lacks 50 percent market share in either the international transport market or local access market in Kenya. The newly-affiliated foreign carrier does not appear on the Commission’s list of foreign telecommunications carriers presumed to possess market power in foreign telecommunications markets.<sup>1</sup> The newly-affiliate foreign carrier

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<sup>1</sup> See *International Bureau Revises and Reissues the Commission’s List of Foreign Telecommunications Carriers that Are Presumed to Possess Market Power in Foreign Telecommunications Markets*, Public Notice, 22 FCC Rcd. 945 (Int’l Bur. 2007).

therefore qualifies for the presumption of non-dominance pursuant to 47 C.F.R. § 63.10(a)(3) and exemption from the dominant carrier safeguards in 47 C.F.R. § 63.10(c)-(e).

**Response to Question 16:**

Level 3 LLC requests continued regulation as a non-dominant international carrier pursuant to 47 C.F.R. § 63.10. See response to Question 12(c)(1).

**Response to Question 17:**

Level 3 LLC’s newly-affiliated foreign carrier is authorized to provide Internet protocol, data transport, and related services in Kenya.

| <b>AFFILIATED FOREIGN CARRIER</b>            | <b>COUNTRY</b> | <b>DATE OF LICENSING/<br/>COMMENCEMENT OF<br/>SERVICE</b>           |
|--|----------------|---|
| Level Three Telecommunications Kenya Limited | Kenya          | Licensed on June 19, 2015;<br>service to commence<br>September 2015 |

Kenya is a member of the World Trade Organization (“WTO”).<sup>2</sup>

**Response to Question 18:**

As required by 47 C.F.R. § 63.11(e)(3), Level 3 LLC certifies that it is authorized to provide global facilities-based and global resale services to Kenya pursuant to FCC File No. ITC-214-19971229-00821 (previously FCC File No. ITC-98-016).<sup>3</sup>

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<sup>2</sup> See World Trade Organization, Members and Observers as of Aug. 24, 2015, [https://www.wto.org/english/thewto\\_e/whatis\\_e/tif\\_e/org6\\_e.htm](https://www.wto.org/english/thewto_e/whatis_e/tif_e/org6_e.htm).

<sup>3</sup> See *Overseas Common Carrier Section 214 Applications Actions Taken*, Public Notice, 13 FCC Rcd 3098 (Int’l Bur. 1998).

**Response to Question 19:**

As required by 47 C.F.R. § 63.11(e)(4), Level 3 LLC certifies that it does not serve Kenya 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), Level 3 LLC certifies that it has the following 10-percent-or-greater direct or indirect owners:

**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 LLC

**Level 3 Communications, Inc. (“Level 3 Parent”)**

*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 approximately 12 percent of the outstanding shares of Level 3 Parent that are otherwise owned by other entities for whom SAM acts as an investment advisor. SAM is privately-held and employee-owned and does not disclose publicly the details of its employee ownership; Level 3 Parent does not have any non-public information about SAM’s ownership.

**STT Crossing Ltd (“STT Crossing”)**

*Address:* Les Cascades Building, Edith Cavell Street, Port Louis, Mauritius  
*Citizenship:* Mauritius  
*Principal Business:* holding company

**Level 3 Communications, LLC**  
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**26 August 2015**

*Relationship:* owns approximately 18 percent of Level 3 Parent

**STT Communications Ltd (“STT Communications”)**

*Address:* 1 Temasek Avenue, #33-01 Millenia Tower, Singapore 039192

*Citizenship:* Singapore

*Principal Business:* information communications

*Relationship:* owns 100 percent of STT Crossing

**Singapore Technologies Telemedia Pte Ltd (“ST Telemedia”)**

*Address:* 1 Temasek Avenue, #33-01 Millenia Tower, Singapore 039192

*Citizenship:* Singapore

*Principal Business:* investment holding company

*Relationship:* owns 100 percent of STT Communications

**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.

This information is based on public filings with Securities and Commission and is current as of June 30, 2015.

**Response to Question 21:**

Level 3 LLC has no interlocking directorates with the foreign affiliate identified in this notification.