

ATTACHMENT

Response to Question 10:

AST Telecom, LLC d/b/a Bluesky Communications (“Bluesky”), makes this notification pursuant to 47 C.F.R. § 63.11(b)(2)(i). Bluesky has established a new subsidiary, Blue Sky Holdings NZ Limited (“Bluesky NZ”), to operate as a mobile virtual network operator (“MVNO”) in New Zealand.

Response to Question 12(b):

Bluesky NZ does not own or lease facilities in New Zealand. Instead, it offers prepaid MVNO services using Spark New Zealand’s network.

Response to Question 12(c)(1):

Bluesky is entitled to retain non-dominant status on the U.S.-New Zealand route pursuant to 47 C.F.R. §§ 63.10(a)(3) and 63.11(f). Bluesky NZ lacks market power in New Zealand. As a new entrant in the New Zealand mobile market, Bluesky NZ has negligible market share, and it certainly lacks the greater-than-50-percent market share in either the international transport market or local access market of New Zealand that would result in classification of Blue Sky NZ as a dominant carrier. Bluesky NZ does not appear on the Commission’s list of foreign telecommunications carriers presumed to possess market power in foreign telecommunications

markets.¹ Bluesky therefore qualifies for presumptive 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:

Bluesky requests continued regulation as a non-dominant international carrier pursuant to 47 C.F.R. § 63.10.

Response to Question 17:

Bluesky's newly-affiliated foreign carrier is authorized to provide mobile services as an MVNO in New Zealand. Blue Sky New Zealand launched commercial service in July 2015.² New Zealand is a member of the World Trade Organization ("WTO").³

Response to Question 18:

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

- FCC File No. ITC-214-19980918-00671 (global resale authority), and
- FCC File No. ITC-214-19981207-00860 (global facilities-based authority).

¹ 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).

² The Commission's rules do not contain a clear timing requirement for notification of an affiliation acquired through the creation of a new subsidiary, as both reference timing based on the date of capital stock acquisitions. See 47 C.F.R. § 63.11(c).

³ See World Trade Organization, Members and Observers as of April 26, 2015, www.wto.org/english/thewto_e/whatis_e/tif_e/org6_e.htm.

Response to Question 19:

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

eLandia International, Inc. (“eLandia”)

Address: 8200 NW 52nd Terrace, Suite 102, Miami, Florida 33166

Citizenship: Delaware, USA

Principal Business: holding company

Relationship: eLandia owns 100 percent of Bluesky’s membership interests.

Amper S.A. (“Amper”)

Address: Calle Marconi, 3, Parque Tecnológico Madrid, 28760 Tres Cantos Madrid, Spain

Citizenship: Spain

Principal Business: telecommunications and defense

Relationship: Amper owns approximately 91.98 percent of eLandia’s shares.

Compañía de Emilienteos (“Emilienteos”)

Address: Calle Montalban, 9, 28014 Madrid, Spain

Citizenship: Spain

Principal Business: investments

Relationship: Emilienteos owns approximately 20 percent of Amper.

Jaime Espinosa de los Monteros Pitarque

Address: Calle Marconi, 3 Tres Cantos, 28760 Madrid, Spain

Citizenship: Spain

Principal Business: investments

Relationship: Mr. Espinosa is the Chairman of Amper’s board and owns 66 percent of Emilienteos.

Response to Question 21:

Bluesky has one interlocking directorate with a foreign carrier. Adolfo Montenegro, who serves as Director of Bluesky NZ, also serves as CEO of Bluesky.