



Federal Communications Commission  
Washington, D.C. 20554

International Bureau

E-mail: [James.Ball@fcc.gov](mailto:James.Ball@fcc.gov)

[George.Li@fcc.gov](mailto:George.Li@fcc.gov)

(202) 418-1462

(202) 418-2824 (fax)

July 28, 2006

Ref: 2006-46

Hillary Morgan	(703) 607-6092	Monique Roth	(202) 353-6200
Steven W. Lett	(202) 647-5835	Regina Hart	(202) 205-0497
Eric Werner	(202) 772-0908	Louis Brenner	(202) 692-4235
Edward T. Hand	(202) 514-2464	Josephine Scarlett	(202) 482-5461
Tina Gabbrelli	(202) 282-8582	Kenneth Schagrin	(202) 395-5663
Helen Dornatici	(202) 456-6085	Myla S. Trotter	(202) 324-1730
Dominic Pastore	(202) 514-5607		
Laura Parsky	(202) 616-3928		

Re: Section 214 applications

Please review the following applications and advise us whether you have any national security, law enforcement, foreign policy or trade concerns by **C.O.B. August 16, 2006**, because we are prepared to take action on these applications. **Electronic filed (e-file) applications are able to be viewed by accessing [www.fcc.gov/ibfs](http://www.fcc.gov/ibfs) and searching by the file number.**

**ITC-214-20060711-00339 (e-file)**

iLink3 Pakistan (PVT) Ltd.'s application for authority to provide global facilities-based and resale services between the United States and permissible international points. Three citizens of **Pakistan** own 30%, 30%, and 10% of the applicant, respectively.

**ITC-214-20060724-00363 (e-file)**

CintheX, LLC's application for authority to provide global facilities-based and resale services between the United States and permissible international points. Applicant is 88% owned by Genie, LLC, which in turn is 50% each owned by two citizens of **Canada**.

**ITC-T/C-20060620-00326 (e-file)**

**SES-T/C-20060620-01038 (e-file)**

DataPath, Inc. has filed applications for consent to transfer control of international section 214 authority and non-common carrier earth station licenses from DPI Holdings, LLC (DPD) to DataPath, Inc. (Post-Offering). DataPath also filed applications for special temporary authority to consummate the transaction prior to Commission action on the underlying transfer of control applications. The Commission granted the section 214 and earth station STA applications on July 19 and July 18, 2006, respectively, for a period of 60 days (ITC-STA-20060620-00327; SES-STA-20060620-01032; SES-STA-20060620-01033; SES-STA-20060620-01034; and SES-STA-20060620-01035). While DataPath filed its STA applications prior to closing, it consummated the transaction before the Commission granted the STA applications. Staff had requested that DataPath submit certain additional information, which we did not receive until after closing. We acted on

the STA applications after receipt of the information, and after the applicant had already consummated.

The transaction involved the elimination of DataPath's parent holding company and a private offering of stock directly in DataPath. As a result of the transaction, approximately 20% of DataPath shares are held by individuals or entities that are citizens of, organized in, or primarily do business in foreign countries. According to DataPath, no individual or entity, whether U.S. or foreign, holds as much as 10% of the shares of the company. With respect to foreign citizens and entities, only two such shareholders have acquired interests greater than one percent. Applicant also states that no individual, or group of individuals, has acquired *de facto* control DataPath as a result of the transaction. It states that senior executive management has not changed, and it does not anticipate senior management will change during the pendency of the transfer applications.

DataPath requests confidential treatment of the identities of its foreign investors (Exhibit 1 to its July 14, 2006 Letter to the Secretary, FCC).

**ITC-214-20060727-00370 (e-file)**

Divine Telecom, Inc.'s application for authority to provide global facilities-based and resale services between the United States and permissible international points. Applicant is 100% owned by a citizen of **Bangladesh**.

If we do not hear from you by **C.O.B. August 16, 2006**, we will assume that you do not have any concerns with these applications.

Sincerely,



George Li, Deputy Chief  
Policy Division