

ATTACHMENT 1

A. Sur Net Services, Inc. - Application for International Section 214 Authority

A. Sur Net Services, Inc. (“ASN” or “Applicant”) hereby seeks global facilities-based authority pursuant to Section 63.18(e)(1) of the Commission’s rules and global resale authority pursuant to Section 63.18(e)(2) of the rules, 47 C.F.R. §§ 63.18(e)(1) and (e)(2). Pursuant to Section 63.12 of the Commission’s rules, 47 C.F.R. § 63.12, the instant application is subject to streamlined processing.

Part I – Response to Questions 9 through 13.

Response to Question 9 – Streamlined Processing

ASN respectfully requests streamlined processing for the instant application pursuant to Section 63.12 of the Commission’s Rules. This Application qualifies for streamlined processing since 1) ASN is not affiliated with any dominant foreign or US carrier, and 2) any ASN affiliated foreign carrier qualifies for presumption of non-dominance pursuant to Section 63.10(a)(3). Please see information about the lack of market power of the affiliated foreign carriers in Part II of this Attachment. The information thereby provided supports the presumption of non-dominance stated in Section 63.10 (a)(3) of the Commission’s rules.

Response to Question 11 – Foreign Carrier Affiliation Certification

Certifications under Section 63.18(i)

ASN hereby certifies that it **is not a foreign carrier** (i.e., “any entity that is authorized within a foreign country to engage in the provision of international telecommunications services offered to the public in that country”). However, **ASN is affiliated with non-dominant foreign carriers**. Please see the list of affiliated non-dominant carriers and details about the nature of affiliation in Part II of this Attachment.

Please note that information required by Section 63.18(k) and Section 63.18(k) is provided in Part II of this Attachment.

Response to Question 12 – Certification regarding provision of services to destination countries where there is an affiliated carrier

Certifications under Section 63.18 (j)

ASN certifies that it seeks to provide international telecommunications services to destination countries for which an entity that controls and owns more than 25% of ASN also controls a foreign carrier in those countries. (ASN falls under the fact pattern of Section 63.18(j)(3)). The foreign affiliated carriers and corresponding destination countries are:

Affiliated non-dominant foreign carrier:	Destination Country:
Caribbean Crossings Ltd.	The Bahamas
Cable Bahamas, Ltd.	The Bahamas
New World Network de Colombia Limitada	Colombia
New World Network Dominicana C.por A	Dominican Republic
Caribbean Crossings (Dominicana) Ltd., S.A.	Dominican Republic
New World Network de Nicaragua y Compañía Limitada	Nicaragua
New World Network Centroamerica, S de R.L.	El Salvador
New World Network Curacao N.V.	Curaçao, Netherlands Antilles
New World Network de Venezuela, S.A.	Venezuela
New World Network Comunicaciones de Panamá, S de R.L.	Panama.
Fibralink Jamaica Ltd.	Jamaica
Columbus Communications Jamaica Limited	Jamaica
Columbus Communications (Trinidad) Ltd	Trinidad & Tobago
Columbus Networks International (Trinidad) Ltd.	Trinidad & Tobago

Please see information in support of the lack of market power of affiliated carriers in the named countries in Part II of this Attachment. Part II of this Attachment also provides the information required by Section 63.18(k) of the Commission's rules.

Response to Question 13 – Certification regarding provision of services to destination countries where there is any other type of affiliation with a foreign carrier.

ASN is not affiliated with a foreign carrier in any destination country other than those listed in Response to Question 12 above.

ASN seeks to provide international telecommunications to all destination countries (all international points), except for those countries in the Commission's Exclusion List for International 214 Authorization, namely Cuba as of today. However, ASN certifies that it does not have affiliation with any other foreign carriers or in any other destination country different from those listed in Response to Question 12 above.

In the spirit of providing the Commission with as much information as possible regarding the activities of the Applicant and its affiliated companies, ASN states that its parent corporation New World Network, Ltd (please see ownership diagram in Attachment 2)

has subsidiaries in Mexico, Guatemala, Belize, Honduras, and Costa Rica that might apply in the future for licenses or authorizations to provide telecommunications services and eventually could become affiliated carriers.

ASN and other companies under the common control and/or ownership of Columbus International, Inc (the ultimate parent corporation) maintain commercial relationships with foreign entities that might qualify as foreign carriers. However, those commercial relationships do not grant ASN or any entity part of the Columbus Group any controlling interest, directorate or official position, or equity interest of any sort; therefore those commercial relationships do not amount to “affiliation” as defined by Section 63.09(e) of the Commission’s rules.

Other Certifications Required:

Information required under Section 63.18(l)

Applicant proposes to resell international switched services of unaffiliated U.S. carriers for the purpose of providing international telecommunications services to all countries covered by this Application. Since those countries include destinations countries where ASN is affiliated with a foreign carrier (countries listed in Response to Question 12), ASN in Part II of this Attachment provides information and evidence in satisfaction of Section 63.10(a)(3) of the Commission’s rules.

Information required under Section 63.18(m)

Please find information and evidence to demonstrate that ASN qualifies to be regulated as a non-dominant carrier in Part II of this Attachment.

Certification required under Section 63.18(n)

ASN has not agreed to accept special concessions directly or indirectly from any foreign carrier with respect to any U.S. international route where the foreign carrier possesses sufficient market power on the foreign end of the route to affect competition adversely in the U.S. market and will not enter into such agreements in the future.

Certification required under Section 63.18(n)

No party to this application is subject to a denial for federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. 853 (a).

PART II – Information and evidence of lack of market power to support the presumption of non-dominance of affiliated foreign carriers.

The following information is provided to satisfy or supplement information required by Section 63.10(a)(3), 63.18(j), 63.18(l), 63.18(k)(2), 63.18(m) of the Commission's rules.

A. General Statement & Background:

ASN is a subsidiary of Columbus International, Inc (please see details in Attachment 2), which is the parent corporation of various holding companies and telecommunications network operators and service providers in the United States and Caribbean and Latin American countries. The companies under common control and/or ownership of Columbus International, Inc. will be referred to as “the Columbus Group.”

The Columbus Group aims to become an alternative provider of telecommunication services in the Caribbean basin and endeavor to gain market share in certain countries within or neighboring the Caribbean basin. The Columbus Group entities, foreign affiliates of ASN, lack sufficient market power on the corresponding countries where they operate to affect competition adversely in the United States. The Columbus Group companies have been able to secure telecommunication licenses recently and are new entrants competing or planning to compete with the corresponding incumbents, primarily providing bulk transmission capacity through leased circuits and/or indefeasible rights of use (IRUs) in submarine fiber optic cable systems co-owned and/or operated by the Columbus Group.

The liberalization processes that have allowed the Columbus Group entities to secure the licenses in the various countries specified below also allow other entrants or competitors to apply for and obtain similar authorizations and under equal conditions to those applicable to the Columbus Group. The Columbus Group entities have not enjoyed any type of privilege or special concession, and all procedural safeguards that applied to the Columbus Group are and would be applicable to any other carrier aiming to provide similar services.

The Columbus Group, through its subsidiary New World Network, is a member of the consortium that owns the submarine fiber optic cable system ARCOS-1. New World Network, through its subsidiaries ARCOS-1 USA, Inc and A-SUR NET, Inc., owns and controls the landing station of the system ARCOS-1 in the continental territory of the United States and is also the network operator responsible for maintaining the system. Other co-owners of ARCOS-1 include BATELCO, Verizon Dominicana, Interconexión Eléctrica, S.A. E.S.P. (ISA), United Telecommunications Services (UTS), Compañía Anónima Teléfonos de Venezuela (CANTV), Cable & Wireless Panama, and Empresa Nicatel Telecomunicaciones (NICATEL), most of which are landing parties in their respective countries and therefore control the corresponding access points or landing stations.

The Columbus Group also has ownership interests in the Bahamas Internet Cable System linking the Bahamas and the United States, which is owned and operated by Caribbean Crossings, Ltd. a subsidiary of Cable Bahamas, Ltd. Finally, the Columbus Group recently built a cable system

between Jamaica and the Dominican Republic known as “Fibralink.” The Columbus Group’s primary product is transmission capacity in countries that just completed or are in the process of completing liberalizing initiatives of their telecommunication markets. Those countries are also served by other similar international submarine fiber optic cable systems. In all countries where the Columbus Group has presence, the dominant market power of the incumbent compared with that of new entrants is evident and well-known. However, there are no up-to-date market surveys available or known to the Applicant as to determine the market share of the Applicant’s foreign affiliated carriers in the sub-segments in which they compete. Any reference made in this Attachment to the market participation of the most important carriers in each destination country is with respect to international switched services (international telephony), a service that none of the ASN’s affiliated carrier provides.

No entity part of the Columbus Group is a dominant carrier in the countries where they offer services. No entity that is a part of the Columbus Group has ever held a monopolistic position in any market whatsoever, or has been affiliated with a monopolistic service provider. In consequence, none of the foreign carriers affiliated with ASN and listed below is a dominant carrier and thus qualifies for a presumption of non-dominance under Section 63.10(a)(3) of the Commission’s rules.

B. List of foreign affiliated carriers, with expression of the corresponding destination countries where they operate or aim to operate, and information in support of their lack of market power:

ASN hereby certifies that it is affiliated with non-dominant foreign carriers according to the definition in Section 63.09(e), since an entity that controls ASN directly or indirectly owns 25% or more of the foreign carrier stock in the following countries: The Bahamas, Colombia, the Dominican Republic, Nicaragua, El Salvador, Island Curaçao in the Netherlands Antilles, Venezuela, Panama, Jamaica, and the Republic of Trinidad and Tobago.

1. Caribbean Crossings Ltd. – Destination Country: The Bahamas

Immediate shareholder: Cable Bahamas, Ltd.

Percentage Held: 100%

Citizenship: The Bahamas

Principal Business: Operates the Bahamas Internet Cable System (Bahamas Internet) extending between the United States and the Bahamas operated on a non-common carrier basis. Caribbean Crossings offers bulk capacity to a specific class of eligible users, including common carriers, on an original ownership, indefeasible right of use (IRU), or lease of capacity basis.

ASN is affiliated with Caribbean Crossings, which owns and controls a submarine fiber optic cable system with cable landing stations in the Bahamas and the United States, and for that reason is treated as a “foreign carrier” under Section 1.767(a)(8) of the

Commission's Rules. Caribbean Crossings was granted a Cable Landing License on June 19, 2000.¹ Caribbean Crossings also holds authority issued by The Bahamas Public Utilities Commission to lease capacity of its system and to offer telecommunications services to other authorized carriers.

Caribbean Crossings only offers bulk transmission capacity to a specific class of eligible users, meaning licensed international carriers by the Bahamian government and users of private data circuits. In the Bahamas, the only telecommunications company licensed to originate voice traffic is Bahamas Telecommunications Company, Ltd (BTC, formerly known as The Bahamas Telecommunications Corporation BATELCO) and a small voice provider Systems Resource Group and therefore the range of customers served or that might be served by Caribbean Crossings is reduced to Internet Service Providers, private network users, and the incumbent. The incumbent in the Bahamas has a clear dominant position, which is consistent with the telecommunications legal and regulatory framework limiting competition in the country.

There are other operational non-common carrier systems linking the U.S. and the Bahamas including the Bahamas I, Bahamas II, and ARCOS-1. With respect to these other cable systems, the incumbent, BTC, is the landing party and thus controls the access point at the Bahamas landing stations.² BTC has been identified by the Commission as the only entity with presumptive market power in the Bahamas.³

2. Cable Bahamas, Ltd. – Destination Country: The Bahamas

Immediate shareholder: Columbus Communications, Ltd. owns 30%. Twenty percent is owned by the Government of the Commonwealth of the Bahamas as a beneficial owner, with nominee Bahamas Electricity Corp. responsible for 10% of Cable Bahamas shares

¹ See Cable Landing License granted to CARIBBEAN CROSSINGS LTD under the Cable Landing License Act and Executive Order No. 10530, for authority to land and operate a private fiber optic submarine cable system to be called the Bahamas Internet Cable System extending. Action by: Chief, Telecommunications Division. Adopted: 06/19/2000 by ORDER (DA No. 00-1349).

² "In 1972, BaTelCo in a joint venture with AT&T established the Bahamas I Submarine Cable between New Providence and West Palm Beach with Eight Mile Rock Grand Bahama as a landing point. Again in 1997, BaTelCo in a joint venture with AT&T established the Bahamas II, a submarine cable with landing points in Vero Beach Florida, Eight Mile Rock Grand Bahama and New Providence. In 2001, BTC was a founding member of the ARCOS cable, which has three landing points in The Bahamas." For additional information, please see the transcript of the Remarks By Honourable Bradley B. Roberts, MP Minister of Works and Utilities at the Atlantic Cable Maintenance & Repair Agreement (ACMA) Conference, Monday, April 24, 2006. Available at: <http://64.233.161.104/search?q=cache:sKvtsTdRwEoJ:www.bahamas.gov.bs/bahamasweb2/home.nsf/vContentW/MPWO--Welcome--ACMA%2B%2BCONFERENCE!Opendocument+%22Bahamas+II%22+Batelco&hl=en&gl=us&ct=clnk&cd=1>

³ See the Commission's List of Foreign Telecommunications Carriers that Are Presumed to Possess Market Power in Foreign Telecommunications Markets, DA 07-233, (Document Released on January 26, 2006).

and nominee Bahamas Telecommunications Corp. responsible for the other 10%. The remaining shares of Cable Bahamas are publicly traded.

Percentage Held: 30%
Citizenship: The Bahamas
Principal Business: Non-dominant carrier licensed by The Bahamas Public Utilities Commission to lease capacity on the Caribbean Crossing System and to end users to offer public Internet services. As previously mentioned, Cable Bahamas holds 100% of the capital stock of Caribbean Crossings, Ltd. (details above), a non-dominant carrier licensed to provide telecommunications services in The Bahamas. Caribbean Crossings also holds authority issued by The Bahamas Public Utilities Commission, to lease capacity on its system, and to offer telecommunications services to other authorized carriers.

Please see support information on the lack of market power of Caribbean Crossings above (Part II, Literal B, Numeral 1), which is pertinent to the assessment of non dominance of Cable Bahamas.

Although the Bahamas is not a member of the World Trade Organization (WTO), it currently has observer status and has a pending application for full membership status (see, http://www.wto.org/english/thewto_e/acc_e/a1_bahamas_e.htm). However, Cable Bahamas and Caribbean Crossings do not have any significant market power in The Bahamas. The incumbent carrier, Bahamas Telecommunications Corporation, has been identified by the Commission as the only entity with presumptive market power in The Bahamas,⁴ and as new entrants, Cable Bahamas and Caribbean Crossings do not possess any trappings of market power in a country where the state-owned incumbent is still heavily protected by the telecommunications regulations.

3. New World Network de Colombia Limitada – Destination Country: Colombia.

Immediate shareholder holder: New World Network, Ltd.
Percentage Held: 100%
Citizenship: Colombia
Principal Business: Non-dominant carrier licensed by the Colombian Ministry of Communications to provide domestic and international carrier services in Colombia.⁵ The company mainly provides bulk transmission capacity in the system ARCOS-1 and IP/data services

⁴ *Ibid.*

⁵ Carrier License granted by Resolution N° 001744 and extended by Resolution N° 000969 dated June 4, 2004. License authorizes NWN Colombia Limitada to provide carrier services with national connection, and to install telecommunications networks to provide the authorized services to end-users. The extension granted in 2004 authorizes NWN Colombia Limitada to provide international carrier services (lease of international circuits).

This affiliated foreign carrier does not have any significant market power in Colombia. The incumbent, Empresa Nacional de Telecomunicaciones (“TELECOM”), has been identified by the Commission as the only entity with presumptive market power in Colombia.⁶ In 2003, the incumbent was liquidated and its assets transferred to a new entity, Colombia Telecomunicaciones (COLTEL), which maintained the service trademark “TELECOM,” but last year the Spanish operator *Telefónica* purchased 50% of its shares and took control of the most important service providers in Colombia. A recently published report on sub-segments of the telecommunication market prepared by the Colombian regulator (Comisión de Regulación de Telecomunicaciones - CRT) revealed that ETB, ORBITEL and COLTEL are the most important providers of international long distance services with 23%, 34% and 43% of market participation respectively,⁷ which indicates that “*Telefónica-Telecom*” (formerly COLTEL and TELECOM) continues to be the entity with the highest market participation, although the market share of their competitors evidences an important level of competition in international telecommunications services. New World Network de Colombia Limitada is not affiliated in any manner with any of these three carriers, and its services are limited to bulk transmission capacity on a non-discriminatory basis.

Colombia is served by other submarine fiber optic cable systems, besides ARCOS-1, including TELECOM and MAYA 1 (both co-owned by *Telefonica-TELECOM*), PANAMERICANO, I. S. A., and SIEMENS. In addition, the construction of other systems has been authorized, such as the South American Crossing SAC-1 System (by Global Crossings), SAM-1, ALCATEL-RACAL, and OCEANIC LTDA.⁸ ASN is not affiliated with any of these fiber optic cable systems.

New World Network de Colombia Limitada is not the landing party of ARCOS-1 in Colombian territory. The landing stations and therefore access points to this system in Colombia are controlled and operated by Interconexión Eléctrica S.A. E.S.P. (ISA). New World Network de Colombia Limitada, similarly to any other co-owner and assignee of capacity in the system has to request interconnection and collocation services to use or sell capacity in the system.

⁶ See the Commission's List of Foreign Telecommunications Carriers that Are Presumed to Possess Market Power in Foreign Telecommunications Markets, DA 07-233, (Document Released on January 26, 2006).

⁷ See Informe Sectorial de Telecomunicaciones, Comisión de Regulación de Telecomunicaciones, Bogotá D.C., Julio 2006 - No. 7. Available at: http://www.crt.gov.co/Documentos/BibliotecaVirtual/InformeSectorial/Informe_sectorial_7.pdf.

⁸ See list of authorized submarine cable systems by the Maritime Authority of Colombia available at: <http://www.dimar.mil.co/vbecontent/newsdetail.asp?id=1304&idcompany=37>

Furthermore, Colombia is a Member of the WTO since April 30, 1995. Colombia has also been recognized by the WTO as a committed country to allow foreign-owned companies to provide facility-based international services.⁹ Moreover, Colombia and the United States are negotiating a bilateral Free Trade Agreement that would elevate the protection for American investments and trade with and within Colombia.

4. New World Network Dominicana C. por A. – Destination Country: Dominican Republic.

Immediate shareholder holder: New World Network, Ltd.
Percentage Held: 99%
Citizenship: Dominican Republic
Principal Business: Non-dominant carrier licensed by INDOTEL (“*Instituto Dominicano de las Telecomunicaciones*”) to provide international carrier services through the ARCOS-1 system in the Dominican Republic.

This affiliated foreign carrier does not have market power in the Dominican Republic. The only service provided by this company is bulk transmission capacity in the ARCOS-1 system that lands in the Dominican Republic, however the dominant seller of international leased circuits and international long distance services is Verizon Dominicana,¹⁰ which owns and controls the landing station and terrestrial segment of this cable system in the territory of the Dominican Republic. Verizon Dominicana is also a member of the consortium that owns the system ARCOS-1 and dominates all segments of the telecommunication market in the Dominican Republic.

Another important telecommunications service provider in the Dominican Republic is Centennial. Centennial provides long distance services and offers international transmission capacity. In January 2000, Centennial Corp. Purchased 70% of All América Cable & Radio, Inc. sole owner of All América Cable and Radio Dominican Republic (AACR), a company authorized in the Dominican Republic to provide all telecommunications services.¹¹ AACR was the company that participated in the construction of the first submarine cable system that landed in the country. In addition, in 1997 the system Antillas-1 was placed into service to connect the Dominican Republic with Puerto Rico. The Dominican Republic is also served by the TCS-Trans Caribbean System built by AT&T to connect the United States Virgin Islands, the Dominican

⁹ See http://hraunfoss.fcc.gov/edocs_public/attachmatch/DA-01-117A1.pdf

¹⁰ On April 3, 2006, Verizon Communications, Inc reached a definitive agreements to sell its interests in its Caribbean and Latin American telecommunications operations in three separate transactions to América Móvil, S.A. de C.V. (América Móvil), a wireless service provider throughout Latin America, and a company owned jointly by Teléfonos de México, S.A. de C.V. (Telmex) and América Móvil. In those transactions, Verizon Communications agreed to sell its 100% interest in Verizon Dominicana to América Móvil. See additional details at: http://investor.verizon.com/sec/sec_frame.aspx?FilingID=4403741

¹¹ See brief corporate history of CENTENNIAL at <http://www.centennialrd.com/historia.php>

Republic, Colombia and Jamaica, although the system has been under decommission plans for several years. The Dominican Republic not only has a liberalized market, but also alternative and neutral international telecommunications infrastructure.

The incumbent carrier, Verizon Dominicana, C. por A., has been identified by the Commission as the only entity with presumptive market power in the Dominican Republic.¹² ASN's affiliated company in the Dominican Republic does not possess any significant market power. In addition, The Dominican Republic has been a member of the WTO since March 9, 1995 and is a signatory of U.S. – Central America-Dominican Republic Free Trade Agreement (DR-CAFTA), which among other benefits ensures access to and use of public telecommunications networks and services on a non-discriminatory basis, which allows U.S. businesses the ability to compete on a level playing field, and includes the implicit agreement of its signatories to join the World Trade Organization's Information Technology Agreement, which guarantees that nearly all information technology products will be permitted duty-free entry among the participating parties.¹³

5. Caribbean Crossings (Dominicana) Ltd., S.A. – Destination Country: Dominican Republic.

Immediate shareholder holder: Fibralink Barbados (Holdings) Limited
Percentage Held: 99%
Citizenship: Dominican Republic
Principal Business: Non-dominant carrier licensed by INDOTEL ("*Instituto Dominicano de las Telecomunicaciones*") to provide carrier services including international carrier services. Caribbean Crossings DR is also licensed to land a submarine fiber optic cable linking Jamaica and the Dominican Republic.

This affiliated foreign carrier was licensed to provide carrier services by the Instituto Dominicano de las Telecomunicaciones (INDOTEL) on December 21, 2005 and its operation began in 2006. The company aims to offer bulk telecommunication capacity in the "Fibralink" submarine cable fiber optic system connecting Jamaica and the Dominican Republic. This affiliated foreign carrier is a very new entrant and does not have any significant market power. As previously mentioned, the incumbent carrier, Verizon Dominicana, C. por A., is the international carrier with the highest market share and has been identified by the Commission as the only entity with presumptive market

¹² See the Commission's List of Foreign Telecommunications Carriers that Are Presumed to Possess Market Power in Foreign Telecommunications Markets, DA 07-233, (Document Released on January 26, 2006).

¹³ See some of the benefits of DR-CAFTA for the telecommunication sector as highlighted by the Telecommunications Industry Association (TIA), available at:
http://www.tiaonline.org/policy/initiatives/trade/documents/US-DR-CAFTABenefitstoTelecom_000.pdf

power in the Dominican Republic. Moreover, the Dominican Republic has been a member of the WTO since March 9, 1995 and is a signatory of DR-CAFTA.

**6. New World Network de Nicaragua y Compañía Limitada (NWN Nicaragua) –
Destination Country: Nicaragua.**

Immediate shareholder holder: New World Network, Ltd.
Percentage Held: 99%
Citizenship: Nicaragua
Principal Business: Non-dominant carrier licensed by TELCOR (*“Instituto Nicaraguense de Telecomunicaciones y Correos”*) to provide domestic and international carrier services in Nicaragua.¹⁴ This entity also owns the landing station and wet segment of the submarine fiber optic cable system ARCOS-1 in Nicaraguan territorial waters. Services provided are mostly bulk transmission capacity in the system ARCOS-1.

This affiliated foreign carrier does not have market power in Nicaragua. The incumbent carrier, Empresa Nicaraguense de Telecomunicaciones (*“ENITEL”*), a subsidiary of the Mexican telecommunications operator America Movil, is the provider of international telecommunications services with the highest market share and has been identified by the Commission as the only entity with presumptive market power in Nicaragua.¹⁵ ENITEL enjoyed an exclusivity period to provide domestic and international long distance services until April 2005. The first competitors to enter the international long distance market were mobile telephony operators.

ASN’s affiliated carrier in Nicaragua does not possess any significant market power. NWN Nicaragua mainly sells bulk transmission capacity in the ARCOS-1 system and does not provide any telecommunications service directly to the public in that country. Although the ENITEL is not the landing party for the system ARCOS-1 in Nicaragua, the company has an original ownership interest with the right to use certain percentage of transmission capacity in the system ARCOS 1. In addition, as per an agreement with NWN Nicaragua, ENITEL also provides operation and maintenance services to the access points of ARCOS-1 in this country. Other members of the consortium that own ARCOS-1 with originally assigned transmission capacity are also able to use or re-sell transmission capacity on this system.

¹⁴ Carrier services license issued by TELCOR on December 13, 2001, LIC-2001-SP-002. License to commercialize carrier services issued by TELCOR on December 13, 2001, LIC-2001-CSP-001 and Registration for providing Internet Access Services issued by TELCOR on March 30, 2004, REG-2004-AI-001.

¹⁵ See the Commission's List of Foreign Telecommunications Carriers that Are Presumed to Possess Market Power in Foreign Telecommunications Markets, DA 07-233, (Document Released on January 26, 2006).

Given the notorious dominance of ENITEL in international telecommunications services and the fact that ENITEL has an Indefeasible Right of Use (IRU) in the system ARCOS-1 – as an original member of the consortium that owns the system-, coupled with its ability to acquire additional capacity on the system if needed, it is possible to presume that ENITEL is the only entity with a significant market share that might afford the company sufficient market power to remain dominant. Nonetheless, the Instituto Nicaragüense de Telecomunicaciones y Correos (TELCOR - regulator) has not released any recent statistics about the market participation of new entrants after the liberalization of this segment in 2005.

Nicaragua has been a member of the WTO since September 3, 1995 and maintains its commitment to allow foreign investment and establish fair competition rules. Nicaragua is also a signatory of DR-CAFTA, which includes additional safeguards for new entrants in the telecommunication sector. For instance, TELCOR recently announced that it is preparing a cost reference model to facilitate the establishment interconnection fees based on costs.¹⁶

7. New World Network Centroamérica, S. de R.L. – Destination Country: El Salvador.

Immediate shareholder holder: New World Network, Ltd.
Percentage Held: 99%
Citizenship: Panama with authorization to do business in El Salvador.
Principal Business: Non-dominant carrier registered before the SIGET (“*Superintendencia General de Electricidad y Telecomunicaciones*”) to resell telecommunications services,¹⁷ which also allows this entity to lease transmission capacity, provide data circuits, offer Internet Services and “value added services.”

New World Network Centroamérica, S. de R.L. has a branch authorized to do business in El Salvador which also is registered before the Salvadorian regulator (“*Superintendencia General de Electricidad y Telecomunicaciones*”) to resell telecommunication services. The provision of transmission capacity, Internet Services and added value services (“information services”) on third party’s or self-provisioned facilities do not require a license, authorization, or concession, therefore the aforementioned registration is sufficient to engage in those commercial activities.

Nonetheless, this company does not own any telecommunications infrastructure in El Salvador and mostly resells capacity and Internet backhaul services with a very small

¹⁶ See TELCOR’s press release at: http://www.telcor.gob.ni/Noticias.asp?Accion=VerNoticia&NOT_ID=160

¹⁷ Registration as reseller of telecommunication services before the SIGET, inscription No. 5002-T1-806/2004 dated March 19, 2004.

market participation in these two sub-segments. The provision of long distance telephony (domestic and international) requires a license, which has not been granted to this subsidiary.¹⁸ Although the provision of international long distance services in El Salvador has been liberalized and there are more than ten (10) licensed carriers authorized to provide these services,¹⁹ the leading providers continues being Compañía de Telecomunicaciones de El Salvador, S.A. de C.V.,²⁰ which is also listed by the FCC as the only carrier with presumptive market power in this destination country.²¹

El Salvador has been a member of the WTO since May 7, 1995. El Salvador is also a signatory of DR-CAFTA, which includes additional safeguards for new entrants in the telecommunication sector.²²

8. Columbus Networks Netherlands Antilles N.V. – Destination Country: Island of Curaçao, the Netherlands Antilles.

Immediate shareholder holder: New World Network, Ltd.
Percentage Held: 99%
Citizenship: Island of Curaçao.
Principal Business: Licensed to land and operate a submarine fiber optic cable facility in the Island of Curaçao.

¹⁸ The list of licensees or concessionaries in El Salvador, authorized to provide telephony and/or long distance services, is available at:
http://www.siget.gob.sv/documentos/telecomunicaciones/recursos_de_telecomunicaciones/concesionarios_del_servicio_publico_de_telefonia_operando0.pdf

¹⁹ See the number of operators of long distance services in El Salvador by 2005 in the report published by the consulting firm Telecommunications Management Group, Inc. available at:
http://www.mincomunicaciones.gov.co/mincom/src/user_docs/Archivos/Sectorial/Largadistancia.pdf

²⁰ See company profile of Compañía de Telecomunicaciones de El Salvador published by FitchRatings and available at: http://www.fitchca.com/reporte_de_compania_de_telecom.html

²¹ See the Commission's List of Foreign Telecommunications Carriers that Are Presumed to Possess Market Power in Foreign Telecommunications Markets, DA 07-233, (Document Released on January 26, 2006).

²² The United States Trade Commission remarked in a news letter issued to highlights trade facts with Central America the following:

“Access to Services: The Central American countries will accord substantial market access across their entire services regime, offering new access in sectors such as telecommunications, express delivery, computer and related services, tourism, energy, transport, construction and engineering, financial services, insurance, audio/visual and entertainment, professional, environmental, and other sectors. Central American countries have agreed to change “dealer protection regimes” and loosen restrictions that lock U.S. firms into exclusive or inefficient distributor arrangements.”

Available at: http://www.ustr.gov/assets/Document_Library/Fact_Sheets/2004/asset_upload_file582_5688.pdf

On September 29, 2006, the Minister of Transport of Curaçao granted a license to Columbus Networks Netherlands Antilles N.V. to land and to operate a submarine fiber optic cable facility in the Island of Curaçao. The system thereby authorized has not been built yet. However, the system ARCOS-1, in which the Columbus Group has ownership interests, has a landing point in the Island of Curaçao. The landing station of ARCOS-1 in Curaçao is owned and operated by United Telecommunications Services (UTS), which is also a member of the consortium that owns ARCOS-1. The Columbus Group sells bulk transmission capacity in the system ARCOS-1, but does not offer collocation or interconnection to the system which is offered by the gatekeeper of the system in the island, UTS.

UTS prides itself of being the leading telecommunications carrier in Curaçao and the Netherlands Antilles.²³ It was formed in March 1999 by the merger of Antelecom N.V. and Setel N.V. in Curaçao. UTS offers fixed telephony, long distance services, mobile telephony, dial-up, broadband and wireless internet services to its residential and business customers. KPN Telecom N.V. is also a major player in the telecommunication sector of the Netherlands Antilles (considered all together).²⁴ However, the Federal Communications Commission has identified Antelecom N.V., a subsidiary of UTS,²⁵ as the entity with presumptive market power in the Netherlands Antilles.²⁶

In conclusion, no affiliated carrier of ASN has any significant market participation or control of international telecommunication facilities in the Netherlands Antilles as to presume that it has market power. In addition, the Netherlands (Kingdom in Europe and the Netherlands Antilles) has been a WTO member since January 1, 1995.

9. New World Network de Venezuela, S.A.– Destination Country: Venezuela.

Immediate shareholder holder: New World Network, Ltd.
Percentage Held: 99%

²³ See company profile of UTS at: <http://www.uts.an/company/organization.htm>

“United Telecommunication Services is the leader in long distance and Internet services as well as in transaction-based services such as collect calling, lease lines, pre-paid cards and in mobile telephony in the Netherlands Antilles.”

²⁴ See *Cover Story--In-Depth Analysis of KPN's Blue Ocean Strategy*, Issue 24. Article by By Xiang Shaoxia, Xue Hua, and Xu Peng published online by Huawei Technologies. Available at: <http://www.huawei.com/publications/view.do?id=962&cid=1202&pid=61>

²⁵ In 1996 the state owned 'Landsradio' was transformed into a corporation in preparation for its privatization. This new corporation was named Antelecom N.V and in 1999 the company started its integration or merging process with SETEL N.V. for which a parent holding company was formed, United Telecommunication Services (UTS). Antelecom N.V. continues being the UTS business entity offering international long distance services.

²⁶ See the Commission's List of Foreign Telecommunications Carriers that Are Presumed to Possess Market Power in Foreign Telecommunications Markets, DA 07-233, (Document Released on January 26, 2006).

Citizenship: Venezuela
Principal Business: Non-dominant carrier licensed by Comisión Nacional de Telecomunicaciones (“CONATEL”) to install telecommunications networks and to provide transport services in Venezuela. This entity mostly provides bulk transmission capacity in the system ARCOS-1.

This affiliated foreign carrier does not have any significant market power in Venezuela. The incumbent carrier, Compañía Anónima Nacional Teléfonos de Venezuela (“CANTV”), continues being the dominant provider of telecommunication services, except for mobile telephony. CANTV has been identified by the Commission as the only entity with presumptive market power in that country. In the application proceeding for Section 214 Authority (application File No. ITC-95-443) initiated by GTE Telecom, former controlling corporation of CANTV, the FCC discussed the market power of CANTV and its presumptive dominance.²⁷

CANTV is the dominant carrier in all segments, except for mobile telephony, which is led by MOVISTAR, a subsidiary of *Telefonica de España* (44%).²⁸ CANTV is the entity with the highest market share in the international transmission capacity sub-segment (carrier to carrier services). CANTV has ownership interests in the following submarine cable systems landing in Venezuela: Américas I, Américas II, PANAMERICANO, and ARCOS-1.²⁹ In fact, the landing station of ARCOS-1 in Venezuelan territory is controlled and operated by CANTV. Therefore, New World Network de Venezuela, S.A. in most cases has to request interconnection, collocation and backhaul services to use or sell capacity in the system in similar conditions to any other member of the consortium and assignee of capacity in the system.

Venezuela is also served by other submarine cable system in which the incumbent, CANTV, does not have participation, such as the South American Crossing SAC-1 System, PAC System (both operated by Global Crossings), and the 360Americas (operated by 360networks).

²⁷ See *Grant of Application for Authority Pursuant to Section 214 of the Communications Act of 1934, as amended, and Section 63.01 of the Commission's Rules and Regulations for International Resale Switched Service and Facilities-based Service to Various Countries. ORDER, AUTHORIZATION AND CERTIFICATE*, Adopted: September 16, 1996 GTE Telecom Incorporated –. ITC-95-443

²⁸ See *Estadísticas de Telecomunicaciones al cierre del III trimestre de 2006* available at http://www.conatel.gov.ve/indicadores/Indicadores2006/Presentacion_III_TRIMESTRE_2006.pdf

²⁹ See additional details about CANTV's participation in fiber optic cable systems worldwide at <http://www.cantv.com.ve/seccion.asp?pid=1&sid=158>

CANTV has been identified by the Commission as the only carrier with presumptive market power in Venezuela,³⁰ which appears to be a valid presumption for several years to come given the nationalization plans of the current Venezuelan government. Nonetheless, during the past decade, sufficient competition was developed and telecommunication infrastructure built to support international telecommunication services, which could contribute to maintain this sub-segment open to private participation and free competition. In any case, the applicant, ASN, is not affiliated in any manner with CANTV or with the Venezuelan government. It is important to highlight that Venezuela has been a member of the WTO since January 1, 1995.

10. New World Network Comunicaciones de Panamá, S de R.L.– Destination Country: Panama.

Immediate interest holder: New World Network, Ltd. (95%) and New World Network Sales, Ltd (5%)
Percentage Held: 95%
Citizenship: Panama
Principal Business: Non-dominant carrier licensed to provide Internet and Data Services, including bulk international transmission capacity.

New World Network Comunicaciones de Panamá, S de R.L. is licensed to provide data and Internet services. The company has not been licensed to provide international long distance services. The company offers transmission capacity in the submarine cable system ARCOS-1, although it does not control the access point or the landing stations of the system in Panama. Collocation services for interconnection equipment are provided by the gatekeeper Cable & Wireless Panama.

Cable & Wireless Panama (C&WP) is a company with mixed share capital structure. The Republic of Panama owns 49% of C&WP, Cable & Wireless Plc from the United Kingdom owns 49% of the shares and the remaining 2% is owned by the company's employees. The international service market was opened to competition only in 2003. Although many licenses have been issued to provide international long distance services since the liberalization, C&WP is still the dominant carrier. Christopher Hetherington President and General Manager expressed in a recent interview for the Asociación Hispanoamericana de Centros de Investigación y Empresas de Telecomunicaciones (AHCINET) that the company, despite the existent competition in the international telecommunications segment, is still the leading provider of domestic and international long distance services.³¹ The second company with an important market share appears to

³⁰ See the Commission's List of Foreign Telecommunications Carriers that Are Presumed to Possess Market Power in Foreign Telecommunications Markets, DA 07-233, (Document Released on January 26, 2006).

³¹ See the full ext of the interview at <http://www.ahciet.net/actualidad/entrevistas/default.asp?idm=10006&id=10456&pg=1>

be CLAROCOM, followed by Telecarrier.³² No statistics have been published by the regulator regarding the composition of the international service market after the liberalization. The incumbent carrier, Cable & Wireless Panama, has been identified by the Commission as the only entity with presumptive market power in Panama.³³

As with respect to the international transmission facilities, Cable & Wireless Panama S.A. is the landing party for the submarine fiber optic cable system ARCOS-1 and consequently owns and controls the two landing stations of the system in Panamanian territory. In addition, Panama is served by other submarine cable systems in which the Columbus Group does not have any ownership interest, such as the Pan American Crossing cable system (PAC), Pan American, MAC, and Maya 1. Panama when compared to other Central American countries, enjoys one of the best international telecommunications infrastructure, which might help to facilitate and foster the market participation of new entrants and thus promote competition. Furthermore, Panama is also a member of the WTO since September 6, 1997.

11. Fibralink Jamaica Ltd. Destination Country: Jamaica

Immediate Shareholder: Fibralink (Barbados) Holdings Limited
Percentage Held: 100%
Citizenship: Jamaica
Principal Business: Non-dominant carrier recently licensed by the Office of Utilities Regulation for the country of Jamaica. Fibralink provides Transmission Capacity, Private Lines, IP services, and Co-location services.

The liberalization process in Jamaica is still ongoing and competition is not yet present in most segments. The Jamaican Telecommunications Act came into effect on March 1, 2000. This Act empowered the Office of Utilities Regulations (OUR) to regulate interconnection, including assessing the Reference Interconnection Offers (RIOs) developed by the incumbent and dominant carrier (Cable & Wireless Jamaica, C&WJ). In

³² “Forty-seven new licenses have been issued to new operators of ILD. This used to be the most profitable market segment, requiring a lower infrastructure investment... Most of the new players are relying on third party network infrastructure and carriers to transport voice traffic. Interconnection agreements, service level agreements and local loop availability are the most important issues being faced by new entrants in this segment, and the dominant operator is trying very hard not to facilitate the entry of new competitors. The market winner is CLAROCOM who is take away a large chunk of the market from Cable & Wireless and making an alliance with TRICOM and Net2Phone with an as yet unclear status but with a huge quantity of traffic and customers, no data is yet available from Telecarrier or other challengers.” See Nils Petterson. *Panama - The New Digital Frontier*, The American Chamber of Commerce (AMCHAM) and Dell Inc., published by FENIX Panama (business consultants) and available at <http://www.fenixpanama.com/panama-internet-business.html>.

³³ See the Commission's List of Foreign Telecommunications Carriers that Are Presumed to Possess Market Power in Foreign Telecommunications Markets, DA 07-233, (Document Released on January 26, 2006).

February 2001, Jamaica's Office of Utilities Regulation (OUR) approved Cable & Wireless Jamaica's first Reference Interconnection Offer (RIO).³⁴ The last phase (third phase) of the liberalization process was to open the international service segment to competition starting in 2003. Between 2003 and 2004, the OUR granted 68 licenses for International Carriers, but C&WJ continues to be the only carrier with market power in the country.³⁵ Fibralink was awarded a license in January 2005, which makes of this affiliated foreign carrier one of the most recent licensees and newest entrants in Jamaica. The only segment led by a competitor of the incumbent is mobile telephony, with DIGICEL possessing the largest market share.

FibraLink Jamaica is a telecommunications company that owns and operates a sub-sea fiber optic network that links Jamaica with the Dominican Republic. The construction of this system, with three landing stations in Jamaica, was completed in early 2006. C&WJ operates a fiber ring around the island consisting of the Cayman Jamaica Fiber System (CJFS) and the South Coast Fiber System (SCFS). This fiber ring around the island has been supplemented by an enhanced digital microwave network allowing the necessary redundancy. The Fibralink submarine fiber optic system offers alternative access and transmission capability to Jamaica. The other submarine cable system connecting Jamaica are the Cayman-Jamaica Fibre System installed in 1997 and the Transcaribbean Cable System (TCS-1), one of the first submarine fiber optic cables in the region, which has been under plans of decommission for several years.³⁶ However, the Office of Utilities Regulations granted a cable landing license to Trans-Caribbean Cable Company to land the projected Trans-Caribbean Cable Network (TCCN) on December 20, 2004.³⁷

The incumbent carrier, Cable & Wireless Jamaica Limited, has been identified by the Commission as the only entity with presumptive market power in Jamaica.³⁸ In addition, Jamaica has been a member of the WTO since March 9, 1995.

³⁴ See "*Readiness for the Networked World: Jamaica Assessment*," The Berkman Center for Internet & Society, Harvard School of Law. Research Publication No. 2002-015/2002. Available at: <http://cyber.law.harvard.edu/home/uploads/191/2002-01.pdf>

³⁵ See "*When an Ex-Monopoly Stays a Monopoly: The Jamaican Example*," T SOJA & ASSOCIATES, INC., Volume 2, Issue 3 May/June 2003. Available at <http://www.our.org.jm/PDF-FILES/CPT200303.pdf>

³⁶ See *Analysis of the Caribbean Submarine Cable Market*, presentation prepared by Michael Ruddy, Managing Director of Terabit Consulting, Inc., June 2006. Available at <http://www.canto.org/doc/CANTO2006/20/20060620%20CANTO%20Punta%20Cana%20Presentation%20Michael%20Ruddy.ppt#37>

³⁷ See additional information about the projected Trans-Caribbean Cable Network (TCCN) at <http://www.trans-caribbeancable.com/>

³⁸ See the Commission's List of Foreign Telecommunications Carriers that Are Presumed to Possess Market Power in Foreign Telecommunications Markets, DA 07-233, (Document Released on January 26, 2006).

12. Columbus Communications Jamaica Limited – Destination Country: Jamaica

Immediate Shareholder: Ironbound Capital (Barbados) Limited
Percentage Held: 100%
Citizenship: Jamaica
Principal Business: Columbus Communications Jamaica offers Cable TV, domestic and international voice services, broadband Internet access, and domestic and international circuits under the service trademark “FLOW.”

Columbus Communications Jamaica Limited, formerly Merit Communications Ltd. and initially named Jamaica Prepaid, Ltd., entered the Jamaican market with Internet and Cable TV services. In February 2005, Columbus Communications acquired Merit Communications. The company also offers domestic and international voice telephony. Merit Communications was licensed to provide international carrier services during the third phase of the liberalization process and is therefore a new entrant in this segment dominated by Cable & Wireless Jamaica (C&WJ). Please see details on C&WJ’s dominance above. Columbus Communications Jamaica Limited does not have any significant market power in Jamaica.

13. Columbus Communications (Trinidad) Ltd. – Destination Country: Trinidad and Tobago.

Immediate shareholder holder: Columbus Trinidad (Barbados), Inc.
Percentage Held: 100%
Citizenship: Republic of Trinidad & Tobago
Principal Business: Non-dominant carrier recently licensed by the Trinidad and Tobago Telecommunications Authority (“TATT”) for telecommunications services in Trinidad.

Telecommunications services in Trinidad & Tobago are provided by Telecommunications Services of Trinidad and Tobago Limited (TSTT). The company is a partnership between Cable and Wireless of the UK and the Government of Trinidad and Tobago. The country’s international communications are primarily supported by the submarine fiber optic cable systems Americas I and Americas II.³⁹ The incumbent carrier, TSTT, has been identified by the Commission as the only entity with presumptive market power in Trinidad & Tobago.⁴⁰

³⁹ Americas I & II fibre-optic cable account for 76% of TSTT international capacity. See “*Trinidad and Tobago Competitive Advantages*” published by the Tourism and Industrial Development Company of Trinidad and Tobago. Available at: http://www.investtnt.com/competitiveadv/ICT_CallCenter_opportunities.pdf

⁴⁰ See the Commission's List of Foreign Telecommunications Carriers that Are Presumed to Possess Market Power in Foreign Telecommunications Markets, DA 07-233, (Document Released on January 26, 2006).

In addition, the Republic of Trinidad and Tobago has been a member of the WTO since March 1, 1995. ASN's affiliated carrier in Trinidad was just licensed and its commercial operations are commencing. Consequently, it does not have any significant market power in the Republic of Trinidad and Tobago. Moreover, the Columbus Group presently does not have ownership interests in any international telecommunications infrastructure interconnecting Trinidad and Tobago with other countries.

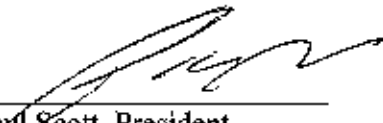
**14. Columbus Networks International (Trinidad) Ltd.– Destination Country:
Trinidad and Tobago.**

Immediate shareholder holder: NWN (Barbados) Limited
Percentage Held: 100%
Citizenship: Republic of Trinidad & Tobago
Principal Business: This entity was recently licensed to build and operate an international network in Trinidad and Tobago and to offer international services.

Although the Columbus Group does not own any international facility interconnecting Trinidad and Tobago, the Group through its subsidiary Columbus Networks International (Trinidad) Limited has plans to build a submarine fiber optic system to link Trinidad and Tobago with the rest of the world. Said project has not been finalized yet and consequently the construction phase has not commenced. Nonetheless, on February 2, 2007, Columbus Networks International (Trinidad) Limited was granted a Type 2 Concession for the construction of the international network and the provision of international services.

Based on the foregoing, ASN must be categorized as a non dominant common carrier, thus this Application is eligible for streamline processing. ASN's affiliated foreign carriers are recent entrants in the corresponding destination countries and do not have market power in any geographic or product market. The international market is led by incumbents that, in the majority of these countries, until recently enjoyed monopolistic positions or periods of exclusivity. Therefore, there is not risk of anticompetitive effects in the U.S. telecommunications market from ASN's entry as a facilities-based carrier on routes between the United States and those destination countries. Moreover, if any such risk would exist, which is not the case, it is readily controlled by the Commission's rules and the nondiscrimination safeguards implemented by liberalization legislation and regulations enacted in those destination countries to promote competition in the telecommunications sector, as well as by international agreements including those under the World Trade Organization, trade bilateral agreements and the very recent DR-CAFTA.

The undersigned hereby certifies, on behalf of A. Sur Net Services, Inc. (the Applicant), with respect to the foregoing application for authority to provide international services, that all statements and information above are truthful to the best of his knowledge.



Paul Scott, President
A. Sur Net Services, Inc.
Date: 2/13/07