



Federal Communications Commission
Washington, D.C. 20554

January 19, 2016

Mr. Juan Carlos Castillo Vazquez
JuBe Communications, LLC
700 Lavaca Street, Suite 607
Austin, Texas 78701

JuBe Communications, LLC
1211 San Dano Ave #1494
Laredo, Texas 78040

Via UPS

Re: **Potential Termination of International Section 214 Application**
File No. ITC-214-20070607-00218

Dear Mr. Castillo Vazquez:

Attached for your response, we forward a letter submitted by the Department of Justice (DoJ), to include the Federal Bureau of Investigation, the Drug Enforcement Agency, and the U.S. Marshals Service (collectively, the "Executive Branch Agencies") requesting the Federal Communications Commission (Commission) terminate, declare null and void and no longer in effect, and/or revoke the current section 214 authorization, issued on July 27, 2007 to JuBe Communications, LLC (JuBe) under file number ITC-214-20070607-00218.¹ The Executive Branch Agencies allege that JuBe has been wholly nonresponsive to DOJ's multiple attempts to communicate regarding the Letter of Assurance (LOA), a condition of its authorization and is therefore unable to assess JuBe's LOA compliance.²

We request that JuBe respond to the Executive Branch Agencies allegations within 30 days from the date of this letter, by **February 18, 2016**. In your response, please describe any steps that you are taking or will take with the Executive Branch Agencies to resolve their concerns. If JuBe is no longer providing services under its granted 214 authorization, and does not intend to do so in the future, please indicate whether JuBe is surrendering the authorization.


¹ *International Authorizations Granted; Section 214 Applications (47 C.F.R. § 63.18); Section 310(b)(4) Requests*, Report No. TEL-01174, Public Notice, 22 FCC Rcd 14026 (IB 2007).

² Attach. at 1.

Federal Communications Commission

A failure to respond to this letter will be deemed as an admission of the facts alleged by the Executive Branch Agencies and will result in the issuance of an order to terminate JuBe's section 214 authorization. We are addressing this letter to the most recent addresses of record and the service or process agent designated by JuBe through the FCC's Form 499.³

Sincerely,



Denise Coca, Chief
Telecommunications & Analysis Division
International Bureau

cc: Thomas Lynch, Esq.
The Melridge Building
700 Melvin Avenue, Suite 100
Annapolis, Maryland 21401
tlynch@telecomlawyers.com

National Registered Agent
1015 15th Street NW, Suite 1000
Washington, DC 20005

³ Section 413 of the Communications Act of 1934, as amended requires every carrier to designate an agent for service through the Commission's Form 499 filing system. 47 U.S.C. § 413; 47 CFR §§ 1.47(h), 64.1195.



U.S. Department of Justice

National Security Division

Foreign Investment Review Staff

Washington, D.C. 20530

December 23, 2015

By Electronic Filing

Ms. Marlene H. Dortch
Secretary of the Federal Communications Commission
Federal Communications Commission
445 12th St. SW, Room TW-B204
Washington, DC 20554

Re: **JuBe Communications, LLC, File No. ITC-214-20070607-00218**
(DA No. 07-3505)

Dear Ms. Dortch:

The Department of Justice, with the concurrence of the Department of Homeland Security and the Federal Bureau of Investigation (collectively, the "Agencies"), hereby notifies the Federal Communications Commission (FCC) of the believed dissolution of JuBe Communications, LLC (JuBe) and the corresponding inability of JuBe to comply with the conditions of its international telecommunications certificate granted on July 27, 2007 (authorization file number **ITC-214-20070607-00218**) (DA No. 07-3505). Given such inability, the Agencies request that the FCC terminate, declare null and void and no longer in effect, and/or revoke JuBe's current authorization, file number **ITC-214-20070607-00218**.

Prior to JuBe receiving the above-identified certificate, the Agencies expressly conditioned their non-objection to the grant of international 214 telecommunications authorities on "the [FCC] condition[ing] its approval on the assurance of [JuBe] to abide by the commitments and undertakings set forth in its July 12, 2007 letter to Sigal P. Mandelker, Stewart A. Baker, and Elaine N. Lammert," which was attached to the Agencies' petition. (*See* Attachment 1 (Pet. To Adopt Cond. To Auth. and Licenses at 1 (July 26, 2007).) As stated in the public notice describing the grant of the above-referenced certificate (DA No. 07-3505), the FCC concurred with the Agencies' request and conditioned JuBe's authority to provide facilities-based service in accordance with Section 63.18(e)(1) of the FCC's rules, and also to provide resale service in accordance with Section 63.18(e)(2) of the FCC's rules, on JuBe "abiding by the commitments and undertakings contained in its July 12, 2007 letter to Sigal P. Mandelker, Stewart A. Baker, and Elaine N. Lammert." (*See* Attachment 2 at 1 (Public Notice, DA No. 07-3505) (Aug. 8, 2007).)

The Agencies have reason to believe that JuBe is no longer in existence. Specifically, according to the Texas state corporate website, JuBe was voluntarily dissolved as a corporate

entity and became inactive on October 14, 2010 (see <http://www.texascorporates.com/corp/851900>). Similarly, according to the Office of the Comptroller of Texas, “the entity’s franchise tax responsibilities ended because the entity has ceased to exist in its state or country of formation or has ceased doing business in Texas” (see https://mycpa.cpa.state.tx.us/coa/servlet/cpa.app.coa.CoaGetTp?Pg=tpid&Search_Nm=jube%20&Buttonsearch&Search_ID=32032246756). Further, in an October 19, 2015 e-mail message, Mr. Thomas Lynch, JuBe’s designated contact during the application process, advised the Agencies that he had been unable to reach JuBe after multiple attempts through all his contacts except U.S. postal service (See Attachment 3). He noted that he presumed JuBe to be out of business but was not certain. Given all of this information, the Agencies believe that JuBe is neither providing services pursuant to authorization file number **ITC-214-20070607-00218** nor still in existence.

Given the information detailed herein indicating that JuBe is no longer in existence, the Agencies respectively submit to the FCC that JuBe is unable to comply with its commitments in its July 12, 2007 letter to Sigal P. Mandelker, Stewart A. Baker, and Elaine N. Lammert and upon which the Agencies gave their non-objection to the granting of authorities and the conditions of the FCC’s July 27, 2007, grant of an international telecommunications certificate. The Agencies request that the FCC terminate, declare null and void and no longer in effect, and/or revoke the international telecommunications certificate issued to JuBe, authorization file number **ITC-214-20070607-00218**.

Thank you for your consideration.

Sincerely,

/S/ Richard C. Sofield
Richard C. Sofield
Director, Foreign Investment Review Staff
National Security Division
U.S. Department of Justice

cc: FCC-TTelecom@fcc.gov
[Denise Coca \(via email at denise.coca@fcc.gov\)](mailto:Denise.Coca@fcc.gov)
[David Krech \(via email at david.krech@fcc.gov\)](mailto:David.Krech@fcc.gov)
[Adrienne McNeil \(via email at Adrienne.McNeil@fcc.gov\)](mailto:Adrienne.McNeil@fcc.gov)
[Sumita Mukhoty \(via email at Sumita.Mukhoty@fcc.gov\)](mailto:Sumita.Mukhoty@fcc.gov)
[Gabrielle Kim \(via email at Gabrielle.Kim@fcc.gov\)](mailto:Gabrielle.Kim@fcc.gov)

In the above-captioned proceedings, JuBe has petitioned the Commission for an international authorization for authority to provide international facilities-based and resold services to all international points under Section 214 of the Communications Act of 1934, as amended.

As the Commission is aware, the Agencies have taken the position that their ability to satisfy their obligations to protect the national security, enforce the laws, and preserve the safety of the public could be impaired by transactions in which foreign entities will own or operate a part of the U.S. telecommunications system, or in which foreign-located facilities will be used to provide domestic telecommunications services to U.S. customers. After discussions with representatives of JuBe in connection with the proposed request, the Agencies have concluded that the commitments set forth in the Letter will help ensure that the Agencies and other entities with responsibility for enforcing the law, protecting the national security, and preserving public safety can proceed in a legal, secure, and confidential manner to satisfy these responsibilities. Accordingly, the Agencies hereby advise the Commission that they have no objection to the Commission granting the above-referenced petition provided that the Commission conditions its consent on compliance by JuBe with the commitments set forth in the Letter.

The Agencies are authorized to state that the Applicants do not object to the grant of this Petition.

Respectfully submitted,

/S/ SIGAL P. MANDELKER
Sigal P. Mandelker
Deputy Assistant Attorney General
Criminal Division
United States Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, DC 20530
(202) 305-8319

/S/ STEWART A. BAKER
Stewart A. Baker
Assistant Secretary for Policy
U.S. Department of Homeland Security
3801 Nebraska Avenue, N.W.
Washington, DC 20528

/S/ ELAINE N. LAMMERT
Elaine N. Lammert
Deputy General Counsel
Federal Bureau of Investigation
923 Pennsylvania Avenue, N.W.
Washington, DC 20532
(202) 324-1530

July 26, 2007

FILED/ACCEPTED

JUL 27 2007

Federal Communications Commission
Office of the Secretary

July __, 2007

Ms. Sigal Mandelker
Deputy Assistant Attorney General
Criminal Division
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Mr. Stewart A. Baker
Assistant Secretary of Policy
U.S. Department of Homeland Security
3801 Nebraska Avenue, N.W.
Washington, D.C. 20528

Ms. Elaine N. Lammert
Deputy General Counsel
Federal Bureau of Investigation
935 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Re: Pending Application by JuBe Communications, LLC for international authorization under Section 214 of the Communications Act of 1934, as amended.

Ladies and Gentlemen:

This letter outlines the commitments made by JuBe Communications, LLC to the U.S. Department of Justice ("DOJ"), including the Federal Bureau of Investigation ("FBI"), and to the U.S. Department of Homeland Security ("DHS"), in order to address national security, law enforcement, and public safety concerns raised with regard to the JuBe Communications, LLC application to the Federal Communications Commission ("FCC") for an international authorization for authority to provide international facilities-based and resold services to all international points under Section 214 of the Communications Act of 1934, as amended.

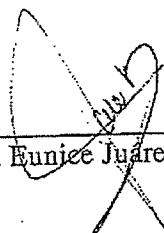
JuBe Communications, LLC agrees that, for all JuBe Communications, LLC customer billing records, subscriber information, and any other related information used, processed, or maintained in the ordinary course of business relating to communications services offered in the United States ("U.S. Records"), JuBe Communications, LLC will make such U.S. Records available in the United States in response to lawful U.S. process. For these purposes, U.S. Records shall include information subject to disclosure to a U.S. Federal or state governmental entity under the procedures specified in Sections 2703(c) and (d) and Section 2709 of Title 18 of the United States Code. JuBe Communications,

LLC agrees to ensure that U.S. Records are not made subject to mandatory destruction under any foreign laws.

We understand that, upon execution of this letter by an authorized representative or attorney for JuBe Communications, LLC, the DOJ, FBI, and DHS shall notify the FCC that the DOJ, FBI, and DHS have no objection to the FCC's grant of the JuBe Communications, LLC application filed with the FCC.

Sincerely,

JuBe Communications LLC



María Eunice Juárez Bedoya

Wheeler, Deborah (NSD)

From: Thomas Lynch <tlynch@telecomlawyers.com>
Sent: Sunday, October 25, 2015 5:29 PM
To: Cassanelli, Jennifer (NSD)
Cc: IP-CFIUS (IP-CFIUS@HQ.DHS.GOV); Anthony Redfield
Subject: Re: JuBe Communications (ITC-214-20070607-00218)

Jennifer, we have been unable to reach them after multiple attempts through all the contacts we have except snail mail. I presume they are out of business, but I am not certain.

Tom

Thomas M. Lynch, Esq.
Thomas Lynch & Associates
Attorneys at Law
(410) 349-4990 x 100
(443) 926-0574/efax
www.telecomlawyers.com

This message contains information which is confidential or privileged. If you are not the intended recipient, please notify me immediately by telephone or electronic mail and delete this e-mail. Any unauthorized disclosure, copying, distribution or use of the contents of this information is prohibited. Thank you.

On Mon, Oct 19, 2015 at 8:47 AM, Cassanelli, Jennifer (NSD) <Jennifer.Cassanelli@usdoj.gov> wrote:

Thank you Tom. Please let us know if you are unable to reach them as well. It is our understanding that JuBe is no longer in existence.

From: Thomas Lynch [<mailto:tlynch@telecomlawyers.com>]
Sent: Monday, October 19, 2015 8:31 AM
To: Cassanelli, Jennifer (NSD)
Cc: IP-CFIUS (IP-CFIUS@HQ.DHS.GOV); Anthony Redfield
Subject: Re: JuBe Communications (ITC-214-20070607-00218)

We will attempt to contact them.

Tom

Thomas M. Lynch, Esq.
Thomas Lynch & Associates

Attorneys at Law
(410) 349-4990 x 100
(443) 926-0574/efax
www.telecomlawyers.com

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On Fri, Oct 16, 2015 at 5:25 PM, Cassanelli, Jennifer (NSD) <Jennifer.Cassanelli@usdoj.gov> wrote:

Good evening Mr. Lynch,

According to the FCC's website, you are listed as the point of contact for JuBe Communications, LLC (FCC File No. ITC-214-20070607-00218). As a condition of the FCC's grant of its license, the FCC required that JuBe Communications, LLC (JuBe) comply with its July 2007 Letter of Assurances to the U.S. Department of Justice, including the Federal Bureau of investigation, and the U.S. Department of Homeland Security. Our research indicates that JuBe was dissolved in October 2010. Could you please confirm whether or not JuBe still exists as a corporate entity. If JuBe is still operational and is providing telecommunications services, we would appreciate if you could please provide current contact information for JuBe, including its address and phone number.

Many thanks in advance. Best regards, Jennifer

Jennifer Cassanelli

Foreign Investment Review Staff

U.S. Department of Justice