



**U.S. Department of Justice**

National Security Division

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*Foreign Investment Review Staff*

*Washington, D.C. 20004*

July 17, 2018

*By E-File*

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

Re: Air Channel Communications, Inc. ITC-214-20070611-00223

Dear Ms. Dortch:

The Department of Justice (“DOJ”), including the Federal Bureau of Investigation, with the concurrence of the Department of Homeland Security (“DHS”) (collectively, the “Agencies”), hereby requests that the Federal Communications Commission (“FCC”) terminate, declare null and void, and no longer in effect FCC File number ITC-214-20070611-00223 granted to Air Channel Communications, Inc. (“Air Channel”) on October 15, 2007, and the corresponding Letter of Assurance (“LOA”) for reasons stated below.

Prior to Air Channel receiving the aforementioned authorization, the Agencies issued their non-objection to the application on the condition that Air Channel will abide by the commitments and undertakings contained in its LOA dated July 31, 2007 to Sigal P. Mandelker, Stewart A. Baker, and Elaine N. Lammert.

The Agencies assess that Air Channel is no longer in business based on attempted contact with the company, evidence acquired through open source, and information provided by a former point of contact. First, the Agencies have made repeated efforts to contact the applicant, none of which have been successful since the LOA was signed. Specifically, on July 31, 2012, DHS contacted Terri Firestein, the point of contact provided by Air Channel in its FCC application. Ms. Firestein informed DHS that she had not had any contact with the company since completing the application process and concluded that the business never got off the ground.<sup>1</sup> During that exchange, Ms. Firestein provided the last known contact number for Air Channel. DHS thereafter confirmed that the number provided is no longer in service.

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<sup>1</sup> See attached email from Terri Firestein dated July 31, 2012

Second, DOJ also recently contacted Air Channel's law enforcement point of contact ("LEPOC") for purposes of verifying compliance with the Communications Assistance for Law Enforcement Act, Ms. Terri Firestein. She indicated by electronic mail dated July 5, 2017, that she did not know she had been named to that role and did not normally serve in that capacity for clients.<sup>2</sup>

Third, DOJ sent on July 3, 2017 a certified letter to Richard Taiwo, the owner of Air Channel and the person who made representations as part of the application process in 2007. That letter was returned as not deliverable.<sup>3</sup> On August 27, 2017, DOJ sent another letter to Mr. Taiwo to an address in Evanston, Illinois, which was received by an individual who signed for the letter. However, neither Mr. Taiwo nor anyone from Air Channel have contacted DOJ or DHS. Since the date of the LOA, the Agencies have had no contact with Mr. Taiwo or Air Channel.

Finally, based on open source research, DHS assesses that Air Channel is no longer in existence. A search of corporate listings maintained by the Office of the Illinois Secretary of State reflects Air Channel's business status as "revoked."<sup>4</sup> Additionally, Air Channel has never filed any report of its international traffic and revenue with the FCC.<sup>5</sup>

In light of these developments, the Agencies request the FCC to terminate, declare null and void, and no longer in effect the international Section 214 authorization issued to Air Channel (File number ITC-214-200720070611-00223) and its corresponding LOA because: (1) Air Channel is no longer in business; and (2) Air Channel's inability to provide evidence that it complies with the commitments and undertakings contained in the LOA, a condition of its international section 214 authorization.<sup>6</sup>

Should you have any questions whatsoever, please do not hesitate to contact me.

Sincerely,

/S/

Richard Sofield, Principal Deputy Chief  
Foreign Investment Review Staff  
National Security Division  
U.S. Department of Justice

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<sup>2</sup> See attached email from Terri Firestein dated July 5, 2017.

<sup>3</sup> See attached.

<sup>4</sup> A search of the Office of the Illinois Secretary of State lists Air Channel's status as "revoked."

<https://www.ilsos.gov/corporatellc/CorporateLlcController> accessed December 12, 2016.

<sup>5</sup> See International Telecommunications Data, Carriers Filing International Traffic Data for 2007-2012 (Air Channel not listed).

<sup>6</sup> FCC International Bureau, International Authorizations Granted, Report No. TEL-01197, Public Notice, 22 FCC Rcd 18581 (IB 2007).

**From:** Figueroa, Melissa (CTR)  
**To:** Figueroa, Melissa  
**Subject:** Air Channel LOA Update  
**Date:** Monday, August 6, 2012 4:26:52 PM

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**From:** Terri Firestein [REDACTED]  
**Sent:** Tuesday, July 31, 2012 7:21 PM  
**To:** Hagar, Richard  
**Cc:** [REDACTED]  
**Subject:** Re: Air Channel LOA Update

Gentlemen,

CCG Consulting, LLC has not had any contact from Mr Taiwo since just after we completed the 214 authority for him.

He is not a current client. Since we have not been able to contact him we concluded he was not able to get his

business off the ground. The last address we can find comes from the yellow pages website, it is listed below:

1601 Sherman Ave.  
Ste. 240  
Evanston, IL 60201  
847-859-1010

I do not do any work on behalf of Mr Taiwo or Air Channel Communications and therefore can not confirm that there has been no material change to the facts as presented in 2007. As a result I am not able to confirm that there have been no unauthorized disclosures of, or access to, U.S. Records.

sincerely,

Terri K. Firestein  
Sr. Director  
CCG Consulting, LLC  
[REDACTED]

[REDACTED]

**From:** [REDACTED]  
**To:** "t"  
**CC:** [REDACTED]  
**"Rich:** [REDACTED]  
**Subject:** Air Channel LOA Update  
**Date:** Tue, 31 Jul 2012 18:42:08 +0000

Ms. Firestein,

According to our records, you were listed as the point of contact for Air Channel Communications, Inc. (Air Channel) for its application for international Section 214 authorization. Pursuant to the July 31, 2007 Letter of Assurance (LOA, attached here) between Air Channel and the U.S. Department of Justice (DOJ), the Federal Bureau of Investigation (FBI) and the U.S. Department of Homeland Security (DHS) (jointly, the USG Parties), Air Channel is required to maintain a designated point of contact in the United States with the authority and responsibility for accepting and overseeing compliance with a wiretap order, pen/trap order, subpoena or other lawful demand by

**From:** Figueroa, Melissa (CTR)  
**To:** [Figueroa, Melissa](#)  
**Subject:** Air Channel LOA Update  
**Date:** Monday, August 6, 2012 4:26:52 PM

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**From:** Terri Firestein [REDACTED]  
**Sent:** Tuesday, July 31, 2012  
**To:** Hagar, Richard [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Re: Air Channel LOA Update

Gentlemen,

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Ste. 240  
Evanston, IL 60201  
847-859-1010

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sincerely,

Terri K. Firestein  
Sr. Director  
CCG Consulting, LLC  
[REDACTED]

--- [REDACTED] wrote:

**From:** "Hagar, Richard" [REDACTED]  
**To:** [REDACTED]  
**CC:** [REDACTED]  
**"Rich**  
**Subject:** Air Channel LOA Update  
**Date:** Tue, 31 Jul 2012 18:42:08 +0000

Ms. Firestein,

According to our records, you were listed as the point of contact for Air Channel Communications, Inc. (Air Channel) for its application for international Section 214 authorization. Pursuant to the July 31, 2007 Letter of Assurance (LOA, attached here) between Air Channel and the U.S. Department of Justice (DOJ), the Federal Bureau of Investigation (FBI) and the U.S. Department of Homeland Security (DHS) (jointly, the USG Parties), Air Channel is required to maintain a designated point of contact in the United States with the authority and responsibility for accepting and overseeing compliance with a wiretap order, pen/trap order, subpoena or other lawful demand by

**From:** Terri Firestein  
**To:** [Poteat, Elisabeth \(NSD\)](#)  
**Subject:** RE: Air Channel  
**Date:** Wednesday, July 5, 2017 10:58:26 AM

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I was not aware I was designated as the law enforcement contact, that is not normally a role I play on behalf of my clients.  
My last contact was when I sent them a copy of what I had filed on their behalf back in 2007.

Terri K. Firestein  
Sr. Director  
CCG Consulting  
[REDACTED]

Confidentiality Notice for Electronic Transmittal: This email, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential information. If you have received this communication in error, please immediately notify the sender.

--- Elisabeth.Poteat@usdoj.gov wrote:

**From:** "Poteat, Elisabeth (NSD)" [REDACTED]  
**To:** [REDACTED]  
**Subject:** RE: Air Channel  
**Date:** Wed, 5 Jul 2017 14:05:12 +0000

Teri:

When did you last have contact with the company or the owner?

Are you aware they designated you the law enforcement point of contact?

Attorney-Advisor

Foreign Investment Review Staff  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**From:** Terri Firestein [REDACTED]  
**Sent:** Monday, July 3, 2017 3:18 PM  
**To:** Poteat, Elisabeth (NSD) [REDACTED]

**Subject:** Re: Air Channel

Elisa,

this is the only address I have ever been provided for this company:

1. **Applicant's Name(including d/b/a, if any)**

**FEIN # 20-4479210**

**Air Channel Communications, Inc.**

**Address: Street 10 S. Riverside Plaza, Suite 1800**

**City Chicago**

**State/Zip IL 60606**

My responses to your other questions are noted in red type below. Let me know if I can do anything else.

thanks,

Terri K. Firestein  
Sr. Director  
CCG Consulting

[REDACTED]

Confidentiality Notice for Electronic Transmittal: This email, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential information. If you have received this communication in error, please immediately notify the sender.

-- [REDACTED] wrote:

From: "Poteat, Elisabeth (NSD)" [REDACTED]  
To: [REDACTED]  
Subject: Air Channel  
Date: Mon, 3 Jul 2017 14:41:25 +0000

Ms. Firestein:

When the FCC granted a telecommunications license to Air Channel in 2007 and an agreement was entered into between multiple federal agencies and Air Channel, you were listed as the point of contact for all law enforcement matters.

Are you presently the point of contact? **No**

Please provide all of the following information no later than July 11, 2017:

Your residence address. **let me know if you still need my personal contact information**

Your contact telephone number(s).

Your work address.

Your current relationship to Air Channel. **None, after the filing of the application I have had no further contact with this company.**

This work came to us as a referral so I had very little direct contact and have no information beyond what was provided for purposes of

filing the application.

Your last contact with the owner of Air Channel. **After the filing of the application I have had no further contact with this company.**

Thank you.

Elisa Poteat

Attorney-Advisor

Foreign Investment Review Staff

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

**Mr. Richard Taiwo**  
**Air Channel Communications, Inc.**  
**10 South Riverside Plaza, Suite 1800**  
**Chicago, IL 60606**

2. Article Number

(Transfer from service label)

7006 0810 0000 4607 3541

PS Form 3811, February 2004

Domestic Return Receipt

102585-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

Agent

Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes

Enter delivery address below:  No

3. Service Type

Certified Mail

Express Mail

Registered

Return Receipt for Merchandise

Insured Mail

C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes



street, NW  
ington, DC 20004

*RTS 6  
7/10/17  
UNKNOWN*

7006 0810 0000 4607 4401



US OFFICIAL I  
\$300 Penalty  
For Private U  
\$07.290  
07/05/2017  
Mailed From 20530  
US POSTAGE  
Master

*BC 7/10/17*

*Suite  
1800*

X-RAYED

JUL 24 2017

DOJ MAILROOM

*575 Main St  
Evanston IL 903  
60202*

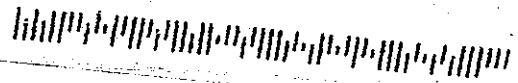
~~Mr. Richard Taiwo  
Air Channel Communications, Inc.  
10 South Riverside Plaza  
Chicago, IL 60606~~

*Suite  
1800*

To: NSD  
Building: MAIN  
Room #: PICK UP  
Department: NSD



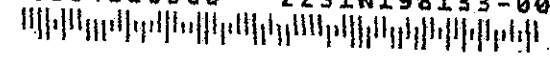
70060810000046074401



NIXIE 600 DE 1 0007/17/17

RETURN TO SENDER  
ATTEMPTED - NOT KNOWN  
UNABLE TO FORWARD

BC: 20004220300 2231N198133-00542



Elisabeth Poteat  
DOJ/NSD  
600 E Street, NW  
Room 10020  
Washington, DC 20004

*RTS*

*Handwritten signature/initials*

**CERTIFIED MAIL™**



7006 0810 0000 4607 3541

US OFFICIAL MAIL  
3300 F STREET  
FBI PHOENIX OFFICE

X-RAYED

SEP 11 2017

DOJ MAIL ROOM

### DOJ-FASS

To: BICN  
Building:  
Room # MAILROOM  
Department: BICN



70060810000046073541

~~Mr. Richard Taiwo  
Air Channel Communications, Inc.  
10 South Riverside Plaza, Suite 1800  
Chicago, IL 60606~~

*Handwritten signature/initials*

NIXIE 600 CC 1 0209/05/17

RETURN TO SENDER  
REFUSED  
UNABLE TO FORWARD

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

**Mr. Richard Taiwo**  
**Air Channel Communications, Inc.**  
**515 Main Street, #903E**  
**Evanston, Illinois 60202**

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
**X Richard Taiwo**  Agent  
 Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
enter delivery address below:  No

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number

(Transfer from service label)

7006 0810 0000 4607 3534

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540