



Federal Communications Commission  
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International Bureau

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Re: Section 214 Application and Sec. 310(b)(4) Ruling

Dear Sir or Madam:

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. October 3, 2007**, 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-214-20070907-00368(e-file)**

Pacific Networks Corp.'s application for authority to provide switched resale service between the United States and permissible international points solely by reselling the switched services of unaffiliated U.S. facilities-based carriers' international switched services. Applicant is 100% directly owned by Pacific Choice International Ltd., a **British Virgin Islands** corporation which is indirectly 50% (approximately) owned and controlled by Ease Action Investment Corp., a **British Virgin Islands** company. The **Chinese Government** holds indirectly an attributable 29% ownership interest in the applicant through Ease Action Investments Corp. and numerous intervening foreign-organized holding companies.

**ISP-PDR-20070810-00010(e-file)**

Digicel (USVI), LLC (Digicel or the "Petitioner") requests a declaratory ruling that the indirect foreign ownership of Digicel in excess of the 25 percent benchmark set forth in section 310(b)(4) of the Communications Act of 1934, as amended (the "Act") will not harm the public interest. Digicel filed its petition in connection with its application for consent to assign to Digicel the Personal Communications Service (PCS) license of Elandia Technologies, Inc. WPO1804 in BTA 491 (U.S. Virgin Islands). See ULS File No. 0003136633.

Digicel and its direct, 100% parent company, Digicel (USVI Holdings) LLC (“Digicel Parent”), are both organized under the laws of the U.S. Virgin Islands. Digicel Parent is wholly owned by Digicel International Finance Limited, which is organized in St. Lucia and is wholly owned by Digicel Holdings (Bermuda) Limited (“Digicel Holdings Bermuda”). Digicel Holdings Bermuda is a direct and indirect wholly-owned subsidiary of Digicel Limited and Digicel Group Limited, respectively. Each of these three companies is organized under the laws of Bermuda. Denis O’Brien, a citizen of Ireland, owns all outstanding shares of Digicel Group Limited. According to the Petitioner, the Digicel group maintains its center of operations in Jamaica, and all officers and directors of each of the foreign-organized holding companies in the hierarchical group structure are nationals of Ireland and the United Kingdom. Thus, Petitioner states, each of the foreign jurisdictions implicated by the Digicel group’s ownership and control structure is an independent country or territory that is a Member of the World Trade Organization (“WTO”). It also states that the Digicel group includes 22 operating companies located throughout the Caribbean and Central and South America with all group revenues derived from countries and territories that are WTO Members. The Petitioner asserts that, pursuant to the rules and policies established by the Commission’s Foreign Participation Order, 12 FCC Rcd 23891 (1997), Order on Reconsideration, 15 FCC Rcd 18158 (2000), the public interest would not be harmed by permitting the indirect foreign ownership of Digicel in excess of the 25 percent benchmark in section 310(b)(4) of the Act.

If we do not hear from you by **C.O.B. October 3, 2007**, we will assume that you do not have any concerns with the above listed applications.

**For Information:**

**ITC-214-20070501-00169, VoIPInVite LLC**

The applicant requested withdrawal of its application by a letter dated August 7, 2007. This application was removed from streamlined processing per Alex Damann’s email of May 23, 2007 10:09 a.m. and is still pending under your review. A PDF copy of the letter is attached.

**ITC-T/C-20051122-00487, Quisqueyana, Inc.**

The applicant requested dismissal of its application by a letter dated September 11, 2007. This application was removed from streamlined processing per Myla Saldiver-Trotter’s email of January 4, 2006 12:44 p.m. and is still pending under your review. A PDF copy of the letter is attached.

Sincerely,



George Li, Deputy Chief  
Policy Division