



Federal Communications Commission
Washington, D.C. 20554

September 6, 2018

Carlos Miguel Alvarez Figueroa
Chief Executive Officer
Cablemas International Telecomm, LLC
Corporation Trust Center
1209 Orange Street
Wilmington, DE 19801

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Re: Potential Termination of Cablemas International Telecomm, LLC's International Section 214 Authorization, File No. ITC-214-20080718-00329

Dear Mr. Figueroa:

We are forwarding for your response the attached letter submitted on March 6, 2018 by the Department of Homeland Security (DHS).¹ DHS requests that the Federal Communications Commission (Commission) terminate, declare null and void and no longer in effect Cablemas International Telecomm, LLC's (Cablemas) international Section 214 authorization granted on November 20, 2008 and the corresponding November 19, 2008 Letter of Assurance (LOA), a condition of its international Section 214 authorization.² DHS makes this request because it believes that Cablemas is no longer in business.³

After having received an international Section 214 authorization, as required by Section 63.21(a) of the Commission's rules, a carrier "is responsible for the continuing accuracy of the certifications made in its application" and must promptly correct information no longer accurate, "and in any event, within thirty (30) days."⁴ Cablemas has failed to inform the Commission of any changes in its business status of providing international telecommunications services, as required by Section 63.21(a) of the Commission's rules.⁵

Additionally, as part of its authorization, Cablemas was required to file an annual international telecommunications traffic and revenue report, as required by Section 43.62 of the Commission's rules,

¹ Letter from Phil Ludvigson, Director, Foreign Investment Risk Management, Office of Policy, U.S. Department of Homeland Security, to Marlene H. Dortch, Secretary, FCC (March 6, 2018) (DHS Letter).

² *Id.* at 1; *International Authorizations Granted*, Report No. TEL-01331, Public Notice, 23 FCC Rcd 17386 (IB 2008); Letter from Carlos Miguel Alvarez Figueroa, Chief Executive Officer, Cablemas International Telecomm, LLC to Stewart A. Baker, Assistant Secretary of Policy, U.S. Department of Homeland Security (Nov. 19, 2008).

³ DHS Letter at 1-2 (stating that DHS assesses that Cablemas is no longer in business based on attempted contact with the company and evidence acquired through open-source research, Cablemas has submitted no deliverables under the agreement, DHS has been unable to contact Cablemas since the LOA was signed in 2008, and attempts to communicate with the point of contact and a certified mailing to Cablemas' last known address have been unsuccessful). Additionally, Cablemas did not list a registered agent in the FCC's Form 499 database. FCC, FCC Form 499 Filer Database, <http://apps.fcc.gov/cgb/form499/499a.cfm>.

⁴ 47 CFR § 63.21(a).

⁵ *Id.*; DHS Letter at 1. In addition, there is no indication that Cablemas is currently providing service pursuant to its international Section 214 authorization. If Cablemas has discontinued service, it may also be in violation of the Commission's rules requiring prior notification for such a discontinuance. 47 CFR § 63.19.

which was in effect until April 2018.⁶ Specifically, Section 43.62(b) of the Commission's rules states that "[n]ot later than July 31 of each year, each person or entity that holds an authorization pursuant to section 214 to provide international telecommunications service shall report *whether* it provided international telecommunications services during the preceding calendar year."⁷ Based on a review of our records, Cablemas did not submit traffic and revenue reports indicating whether or not it provided services for the 2014 and 2015 reporting periods and may be in violation of Section 43.62 of the Commission rules.⁸

We require that you respond to the allegations by DHS and possible violations of the Commission's rules within 30 days from the date of this letter, by **Monday, October 8, 2018**. In your response, please describe any steps that you are taking or will take with DHS to resolve its concerns. If Cablemas is no longer in business, changed its name, or is no longer providing services under its international Section 214 authorization and does not intend to do so in the future, please indicate whether Cablemas is surrendering its authorization. Finally, Cablemas must adhere to the Commission's rules designed to ensure its ability to communicate with the authorization holder and to verify if Cablemas is still providing service. Failure to do so may also warrant termination, wholly apart from Cablemas' non-compliance with the condition of its international Section 214 authorization.

A failure to respond to this letter will be deemed as an admission of the facts alleged by DHS and the Commission and will result in the issuance of an order terminating Cablemas' international Section 214 authorization and to cease and desist providing service under Sections 214 and 4(i) of the Communications Act of 1934, as amended.⁹

Sincerely,



Denise Coca
Division Chief
Telecommunications & Analysis Division
International Bureau

Enclosure: DHS Letter

⁶ 47 CFR § 43.62(b). In 2013, the Commission adopted section 43.62(b) of its rules, which went into effect on February 11, 2015. *Reporting Requirements for U.S. Providers of International Telecommunications Services; Amendment of Part 43 of the Commission Rules*, IB Docket No. 04-112, Second Report and Order, 28 FCC Rcd 575 (2013); *Reporting Requirements for U.S. Providers of International Telecommunications Services*, 80 Fed. Reg. 7547 (Feb. 11, 2015). On October 24, 2017, the Commission eliminated the annual traffic and revenue reporting requirement. *Section 43.62 Reporting Requirements for U.S. Providers of International Services; 2016 Biennial Review of Telecommunications Regulations*, IB Docket Nos. 17-55 and 16-131, Report and Order, 32 FCC Rcd 8115, 8119, paras. 8-23 (2017); *Section 43.62 Reporting Requirements for U.S. Providers of International Services; 2016 Biennial Review of Telecommunications Regulations* 83 Fed. Reg. 17931 (April 25, 2018).

⁷ 47 CFR § 43.62(b).

⁸ FCC, International Bureau, 2014 U.S. International Telecommunications Traffic and Revenue Data (IB July 2016), https://transition.fcc.gov/Daily_Releases/Daily_Business/2016/db0701/DOC-340121A3.pdf; FCC, International Bureau, Section 43.62 Online Filing (June 28, 2016), <https://www.fcc.gov/general/section-4362-online-filing>.

⁹ 47 U.S.C. §§ 154(i), 214.



Homeland
Security

March 6, 2018

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

Re: Cablemas International Telecom LLC ITC-214-20080718-00329

Dear Ms. Dortch:

The Department of Homeland Security (“DHS”) hereby requests that the Federal Communications Commission (“FCC”) terminate, declare null and void and no longer in effect file number ITC-214-20080718-00329 granted to Cablemas International Telecom LLC (“Cablemas”) on November 20, 2008, and the corresponding Letter of Assurance (“LOA”) because Cablemas is no longer in business.

Prior to Cablemas receiving the aforementioned authorization, DHS issued its non-objection on the condition that Cablemas abide by the commitments and undertakings contained in its November 19, 2008 LOA to DHS.

DHS assesses that Cablemas is no longer in business based on attempted contact with the company and evidence acquired through open-source research. The company has submitted no deliverables under the agreement, and DHS has been unable to contact Cablemas since the LOA was signed in 2008. Attempts to communicate with the point of contact provided at the time of application have been unsuccessful. The telephone number provided in Cablemas’ Section 214 application as the company and point of contact number, (202) 551-1798, is no longer registered to the point of contact provided in the application, J. Steven Rich. Research conducted by DHS indicates that Mr. Rich is no longer employed by Paul, Hastings, Janofsky & Walker LLP, and DHS was unable to locate current contact information for Mr. Rich. An email sent to the address provided in the application was never answered. On January 31, 2018, a certified letter was delivered to Cablemas’ last known address—1209 Orange Street, Wilmington, DE 19801—requesting the company confirm its compliance with the terms of the LOA. DHS has received no

response to this letter. In Grupo Televisa, S.A.B.'s¹ Annual Report, filed with the Securities Exchange Commission (SEC), Cablemas is listed as a subsidiary of Grupo Televisa, but without operations. Furthermore, Cablemas has never filed any of the FCC's required Traffic and Revenue reports between the years 2006 and 2015,² and the company is not listed in the FCC's Form 499 database.

Given the above information, DHS believes that the company is neither providing services pursuant to authorization file number ITC-214-20080718-00329 nor still in existence. In light of these developments, DHS requests the FCC terminate, declare null and void and no longer in effect the international Section 214 authorization issued to Cablemas, file number ITC-214-20080718-00329, and the corresponding LOA.

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

Sincerely,

/S/

Phil Ludvigson
Director, Foreign Investment Risk Management
Office of Policy
U.S. Department of Homeland Security

cc:

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¹ Grupo Televisa, S.A.B. is the parent company of Cablemas Telecomunicaciones, S.A.de C.V., Cablemas' parent company, as listed in its Section 214 application.

² See International Telecommunications Data, Carriers Filing International Traffic Data for 2007-2012 (Cablemas not listed).