



Federal Communications Commission
Washington, D.C. 20554

International Bureau

E-mail:

James.Ball@fcc.gov
George.Li@fcc.gov
(202) 418-1462
(202) 418-2824 (fax)
February 20, 2009
Ref: EB 2009-06

Hillary Morgan	(703) 607-6092	Steven W. Lett	(202) 647-5835
Stephen Heifetz	(202) 282-8973	Alex Daman	(202) 282-9940
Josephine Arnold	(202) 482-5461	Edward T. Hand	(202) 514-2464
Kenneth Schagrin	(202) 395-5663	Sally S. Wentworth	(202) 456-6085
Richard Sofield	(202) 514-0945	Douglas A. Klein	(202) 324-0853

Re: Section 214 applications

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 **Noon March 11, 2009**, 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/ibis and searching by the file number.**

ITC-214-20090206-00085 (e-file)

Canyon. TV Inc.'s application for authority to provide facilities-based and resale services between the United States and permissible international points. Applicant is incorporated and located in Alberta, **Canada**. A citizen of **South Africa** owns 100% of the applicant.

ITC-214-20090212-00088 (e-file)

NetTalk.Com, Inc.'s application for authority to provide facilities-based and resale services between the United States and permissible international points. A citizen of **Argentina** owns 10% or greater of the applicant.

If we do not hear from you by **Noon March 11, 2009**, we will assume that you do not have any concerns with these applications.

Withdrawal

ITC-214-20070102-00002 Flint Telecom, Inc.

By letter dated Feb. 11, 2009, Applicant notified the Commission of the withdrawal of its application.

ITC-214-20081023-00477 TELFX, LLC

By letter dated Feb. 4, 2009, Applicant notified the Commission of the withdrawal of its application.

Sincerely,

George Li, Deputy Chief, Policy Division

Janeese Parker

From: Janeese Parker
Sent: Friday, February 20, 2009 10:50 AM
To: 'douglas.klein@ic.fbi.gov'; 'edward.hand@usdoj.gov'; 'hillary.Morgan@dlsa.mil'; 'jarnold@ntia.doc.gov'; 'vbarrish@askcalea.net'; 'maydc@state.gov'; 'letts@state.gov'; 'Stephen.heitetz@dhs.gov'; 'Christopher.Siefken@ic.fbi.gov'; 'swentworth@ostp.eop.gov'; 'Erica.Bomsey@dhs.gov'; 'Christina.saari@associates.hq.dhs.gov'; 'margaret.Dudek@dhs.gov'; 'CarrollD@state.gov'; 'Brian.williams@associates.dhs.gov'; 'greg.pinto@dhs.gov'; 'TTelecom@usdoj.gov'; 'Thomas.Doyle@associates.dhs.gov'; 'mary.wheaton2@usdoj.gov'; 'Siobhan.Dupuy@usdoj.gov'; 'alex.daman@dhs.gov'; 'Douglas.Daniels@dhs.gov'; 'Joanne.Orgman@usdoj.gov'; 'Jennifer.Rockoff@usdoj.gov'; 'jimchale@ustr.gov'; 'Richard.Sofield2@usdoj.gov'; 'Navin.Jaffer@dhs.gov'; 'glenn.kaminsky@hq.dhs.gov'
Cc: James Ball; George Li; David Krech; JoAnn Sutton; Susan OConnell
Subject: Cover Letter Reference EB 2009-6 (Comments due: Noon March 11, 2009)
Attachments: Executive Branch 2009-6.doc

Cover Letter Reference EB 2009-6 (Comments due: Noon March 11, 2009)

Janeese Parker
Federal Communications Commission
International Bureau/Policy Division
Phone: (202) 418-0707
E-mail: Janeese.Parker@fcc.gov

2/20/2009

JoAnn Sutton

From: Susan OConnell
Sent: Thursday, March 12, 2009 9:52 AM
To: George Li
Cc: Janeese Parker; JoAnn Sutton; David Krech
Subject: RE: FCC ITC-214-20090206-00085 Canyon TV Inc.

probably a good idea.

-----Original Message-----

From: George Li
Sent: Thu 3/12/2009 8:56 AM
To: Susan OConnell
Cc: Janeese Parker; JoAnn Sutton; David Krech
Subject: RE: FCC ITC-214-20090206-00085 Canyon TV Inc.

Thank you Susan. Shall we add this (e) (3) request as informative on tomorrow's SPN ??

From: Susan OConnell
Sent: Wednesday, March 11, 2009 6:39 PM
To: 'Rockoff, Jennifer'
Cc: George Li; Janeese Parker; JoAnn Sutton; David Krech
Subject: RE: FCC ITC-214-20090206-00085 Canyon TV Inc.

Jennifer - I talked to Mr. Walsh today and he confirmed that his company may provide mobile satellite service on a resale basis or possibly at some point on a facilities basis (for which he would need to apply for an earth station license) using Inmarsat or some other satellite provider (such as GlobalStar or Iridium, e.g.). Since he may at some point do facilities-based MSS using an Inmarsat satellite, which as I mentioned in my email yesterday requires specific authority under (e) (3), we will list the service in any grant that we issue to him (subject of course to completing coordination with Team Telecom).

From: Susan OConnell
Sent: Tue 3/10/2009 5:56 PM
To: 'Rockoff, Jennifer'
Cc: George Li; Janeese Parker; JoAnn Sutton; David Krech
Subject: RE: FCC ITC-214-20090206-00085 Canyon TV Inc.

Will do!

From: Rockoff, Jennifer [mailto:Jennifer.Rockoff@usdoj.gov]
Sent: Tuesday, March 10, 2009 3:32 PM
To: Susan OConnell
Cc: George Li; Janeese Parker; JoAnn Sutton; David Krech
Subject: RE: FCC ITC-214-20090206-00085 Canyon TV Inc.

Thank you Susani! This is very helpful!

Please let us know what you find out about Canyon's plans on MSS.

From: Susan OConnell [mailto:Susan.O'Connell@fcc.gov]
Sent: Tuesday, March 10, 2009 3:22 PM
To: Rockoff, Jennifer
Cc: George Li; Janeese Parker; JoAnn Sutton; David Krech
Subject: RE: FCC ITC-214-20090206-00085 Canyon TV Inc.

Hi Jennifer. Our 214 application form is in need of updating. Under our rules as amended in 2004, the "switched services over private lines" category is obsolete: the service is now permitted under the categories for global/limited global facilities-based service [63.18(e)(1)] and global/limited global resale service [63.18(e)(2)]. The category for "individual switched services" is intended for use by applicants proposing to provide switched services only on specified routes. Canyon proposes to serve all permissible international points so shouldn't have checked that box either.

On "Inmarsat and Mobile Satellite Service," we are going to call the applicant. If he intends to resell the mobile satellite services of other authorized providers, he can do so under the (e)(2) resale authority. If he intends to provide facilities-based MSS (for which he would also need an earth station license), then we would add that category (which we overlooked when reviewing Canyon's application) to a grant of Canyon's application on our Actions Taken PN if he contemplates using an Inmarsat satellite (all of which currently are on our Exclusion List for facilities-based service providers, which need specific 214 authority under 63.18(e)(3) to communicate with Inmarsat satellites).

Thanks for bringing this oversight to our attention. Please let me know if you have further questions. I will let you know what I find out as to Canyon's intentions on MSS.

From: Rockoff, Jennifer [mailto:Jennifer.Rockoff@usdoj.gov]
Sent: Monday, March 09, 2009 4:37 PM
To: George Li; David Krech; JoAnn Sutton; Susan OConnell; Janeese Parker
Subject: RE: FCC ITC-214-20090206-00085 Canyon TV Inc.

Thank you!

From: George Li [mailto:George.Li@fcc.gov]
Sent: Monday, March 09, 2009 4:36 PM
To: Rockoff, Jennifer; David Krech; JoAnn Sutton; Susan OConnell; Janeese Parker
Cc: Wheaton, Mary (NSD); Fox, Andrew B.
Subject: RE: FCC ITC-214-20090206-00085 Canyon TV Inc.

Hope to get back to tomorrow.

From: Rockoff, Jennifer [mailto:Jennifer.Rockoff@usdoj.gov]
Sent: Monday, March 09, 2009 8:59 AM
To: David Krech; JoAnn Sutton; George Li; Susan OConnell; Janeese Parker
Cc: Wheaton, Mary (NSD); Fox, Andrew B.
Subject: FW: FCC ITC-214-20090206-00085 Canyon TV Inc.

Hello FCC,

We are reviewing the 214 application for Canyon TV, Inc., ITC-214-20090206-00085. We noticed that the Applicant checked the boxes for Individual Switched Resale, Switched Services over Private Lines, and Inmarsat and Mobile Satellite Service on its FCC application (i.e., essentially all the boxes). We asked the Applicant to confirm that it in fact did intend to provide these such services, and it indicated "yes" (see attached, page 8, questions 11-13). However, we noticed that the public notice for this Applicant suggests that the 214 license will only be for global or limited global facilities based and resale.

Would you mind clarifying for us: will the license, if awarded, be for all services checked in the Application or only for those listed on the public notice. It will help us in reviewing this application.

Thank you lots! Jennifer

From: Warren Walsh [mailto:warren@canyon.tv]
Sent: Friday, March 06, 2009 10:29 PM
To: FIRS-TT
Cc: Wheaton, Mary (NSD); Rockoff, Jennifer
Subject: FCC ITC-214-20090206-00085 Canyon TV Inc.

Hi,

I have completed and attached the form that was sent to me. Please feel free to contact me if you have any further questions.

Kind regards,
Warren Walsh
CEO
warren@canyon.tv
Canyon.TV Incorporated
www.canyon.tv <http://www.canyon.tv/>
403 604 8528

----- Forwarded Message -----
From: "Wheaton, Mary (NSD)" <Mary.Wheaton2@usdoj.gov>
To: warren@canyon.tv
Cc: "Rockoff, Jennifer" <Jennifer.Rockoff@usdoj.gov>; "Wheaton, Mary (NSD)" <Mary.Wheaton2@usdoj.gov>
Sent: Thursday, March 5, 2009 12:33:41 PM
Subject: FCC ITC-214-20090206-00085 Canyon TV Inc.

Good Afternoon,

The U.S. Department of Justice and other federal agencies routinely conduct reviews of certain applications submitted to the Federal Communications Commission (FCC). We are currently reviewing FCC application ITC-214-20090206-00085 (Canyon TV Inc.).

To assist us in this review, we request that Canyon TV Inc. provide responses to the questions in the attached document within 30 days from the date of this email. These responses will be shared with representatives of the Departments of Homeland Security and Defense and the Federal Bureau of Investigation. If we do not receive a response within this timeframe indicating a continued interest in this matter, we will assume the applicant is no longer interested in pursuing its application and will advise the FCC that we are recommending the application be dismissed without prejudice as to refiling.

<<FIRS TT#09-10 Triage Questions Updated 3-4 2009.doc>>
Return to the following address: FIRS-TT@usdoj.gov .

Should you have any questions or concerns, please contact Jennifer Rockoff at (202) 353-0008.

Thanking you in advance,
Mary Wheaton
NSD
(202) 514-5098
Mary.Wheaton2@usdoj.gov

JoAnn Sutton

From: Susan OConnell
Sent: Tuesday, April 28, 2009 4:42 PM
To: JoAnn Sutton
Cc: David Krech; George Li
Subject: RE: Team Telecom Clearance: Canyon.TV Incorporated (ITC-214-20090206-00085)
Attachments: Canyon.tv grant.doc

Attached is a revised description of the Canyon.tv application to substitute for what we originally put in IBFS for the AFFPN. As you recall, we issued an informative on Mar. 13 noting that the applicant had requested (e)(1), (e)(2) and to provide Immarsat and MSS under (e)(3). We also advised Ex. Br. we would add Immarsat/MSS to the grant and now they've cleared. JoAnn: please also add Immarsat/MSS to the "Services" line. I think we should revise the description in IBFS before pushing the grant button. Thanks!

From: George Li
Sent: Monday, April 27, 2009 12:29 PM
To: JoAnn Sutton
Cc: David Krech; Susan OConnell
Subject: RE: Team Telecom Clearance: Canyon.TV Incorporated (ITC-214-20090206-00085)

I need Dave and Susan's opinions since they want to provide Immarsat and MSS services also.

From: JoAnn Sutton
Sent: Monday, April 27, 2009 12:24 PM
To: George Li
Subject: FW: Team Telecom Clearance: Canyon.TV Incorporated (ITC-214-20090206-00085)

Are you OK if I grant this today send them and send the applicants an e-mail?

From: Sofield, Richard [mailto:Richard.Sofield2@usdoj.gov]
Sent: Monday, April 27, 2009 9:08 AM
To: Sofield, Richard; David Krech; Francis Gutierrez; George Li; Howard Griboff; James Ball; Janeese Parker; JoAnn Sutton; Jodi Cooper; Susan OConnell; Wheaton, Mary (NSD)
Cc: Rockoff, Jennifer
Subject: Team Telecom Clearance: Canyon.TV Incorporated (ITC-214-20090206-00085)

Team Telecom has no comment regarding the above-referenced matter.

If you have any questions, please contact Jennifer Rockoff (cc'd).

Thanks.

4/29/2009

Richard C. Sofield

Director

Foreign Investment Review Staff

National Security Division

United States Department of Justice

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