

October 1, 2010

David S. Kris
Assistant Attorney General
National Security Division
US Department of Justice
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David Heyman
Assistant Secretary for Policy
US Department of Homeland Security
3801 Nebraska Avenue, NW
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Re: Pending application by Alrus Telecom Inc. for authorization under
Section 214 of the Communications Act of 1934, as amended
FCC ITC-214-20091201-00520

Sirs:

This letter outlines the commitments made by Alrus Telecom Inc. (Alrus) to the US Department of Justice (DOJ) and to the US Department of Homeland Security (DHS), in order to address national security, law enforcement, and public safety concerns raised with regard to the Alrus application to the Federal Communications Commission (FCC) for authority to provide international resold services to all international points under Section 214 of the Communications Act of 1934, as amended.

Alrus is a US corporation seeking an authorization from the FCC to provide international global or limited global resale authority (Section 63.18(e)(2)) to all international points under Section 214 of the Communications Act of 1934, as amended. Alrus customers are wholesale and retail VoIP providers; public switched telephone networks; global system for mobile communications; code division multiple access carriers; calling card service companies; call-shops; and pc2phone service providers. Alrus does not have any residential, retail, or enterprise customers and has no plans to provide any domestic US telecommunications services.

Alrus agrees that it will inform DOJ and DHS at least 30 days in advance if its business model changes to provide telecommunications services in the US, including providing services to end-user customers, either residential, business, or enterprise. Alrus confirms that for any such services, it will comply with the Communications Assistance for Law Enforcement Act (CALEA), as applicable. Moreover, if Alrus begins to provide telecommunications services in the US, the company agrees to designate a point of contact in the US, preferably a US citizen, to receive



service of process for US records and to support US law enforcement agencies' surveillance needs. This point of contact will be provided to DOJ and DHS at least 30 days prior to the date that Alrus begins to provide these services.

Alrus agrees that, for all Alrus customer billing records, subscriber information, and any other related information used, processed, or maintained in the ordinary course of business relating to telecommunications services offered in the US (US Records), Alrus will store either originals or copies of originals in the US and make such records available in response to lawful US process.¹ For these purposes, US Records shall include information subject to disclosure to a US Federal or state governmental entity under the procedures specified in Sections 2703(c) and (d) and Section 2709 of Title 18 of the US Code. Alrus also agrees to ensure that US Records are not made subject to mandatory destruction under any foreign laws. The location of the US Records storage location will be provided to DOJ and DHS at least 30 days in advance of the time in which Alrus anticipates generating US Records.

Alrus agrees that it will not, directly or indirectly, knowingly disclose or permit disclosure of or access to US Records or domestic communications or any information (including the content of communication) pertaining to a wiretap order, pen/trap order, subpoena or other lawful demand by a US law enforcement agency for US Records, to any person if the purpose of such disclosure or access is to respond to the legal process or request on behalf of a non-US government without first satisfying all pertinent requirements of US law and obtaining the express written consent of the DOJ and DHS or the authorization of a court of competent jurisdiction in the US. The term "non-US government" means any government, including an identified representative, agent, component or subdivision thereof, that is not a local, state or federal government in the US. Any such requests of legal process submitted by a non-US government to Alrus shall be referred to the DOJ and DHS as soon as possible, and in no event later than 5 business days after such request or legal process is received by or known to Alrus, unless the disclosure of the request or legal process would be in violation of US law or an order of a court of the US.

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

Sincerely,

Alrus Telecom Inc.

Date: November 2nd, 2010
By: [Signature]
Name: Ruslan Demchenko
Title: President and Chief Executive Officer

¹ This statement does not supercede or replace Alrus's other duties to comply with any applicable FCC requirements and regulations. Alrus acknowledges that it must also meet any other applicable FCC regulatory requirements, including but not limited to any requirements related to the storage and protection of Customer Proprietary Network Information.