



U.S. Department of Justice

National Security Division

Foreign Investment Review Staff

Washington, D.C. 20530

November 8, 2017

By Electronic Filing

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

Re: **Alrus telecom, Inc., File No. ITC-214-20091201-00520**

Dear Ms. Dortch:

The Department of Justice (“DOJ”), including the Federal Bureau of Investigations, with the concurrence of the Department of Homeland Security (“DHS”) (collectively, the “Agencies), hereby notify the Federal Communications Commission (“FCC”) of the inability by the applicant in the above-referenced proceedings to provide evidence that it complies with the FCC’s terms in granting an international global or limited global resale authority to all international points under Section 214 of the Telecommunications Act of 1934, as amended. Given such inability, the Agencies request that the FCC terminate, declare null and void and no longer in effect, and/or revoke file number, **ITC-214-20091201-00520**, the current authorization granted to Alrus Telecom, Inc. (“Alrus”).

Prior to Alrus receiving the above-identified certificate, the Agencies expressly conditioned their non-objection to Alrus being granted any correlating authorities provided that the FCC condition its approval on the assurance that Alrus “abide by the commitments and undertakings set forth in the October 1, 2010 Letter of Assurance (“LOA”).’ As stated in the public notice disclosing the grant of the above-referenced authorization, the FCC conditioned the Applicant’s authority to provide Global or Limited Global Resale Service and Global Facilities-Based Service in accordance with Sections 63.18 (e)(1) and (2) of the FCC’s rules, on the Applicant abiding by the commitments and undertakings set forth in the LOA.

The Agencies have reason to believe that Alrus has not abided by the commitments and undertakings contained in the LOA. Specifically, the Agencies have been unable to communicate with Alrus in over ten months. Specifically, on Friday, December 30, 2016, DOJ contacted Alrus via email to verify that the company does not maintain U.S. records because it does not have U.S. end users; there were no changes to its business model; the company does not provide VoIP services to U.S. end users; given the company only works with telecommunications companies and carriers; and there have been no changes of ownership of

Alrus since 2010. Upon receiving no response, DOJ called Alrus, and upon the U.S. DOJ attorney identifying himself, the individual at Alrus slammed down the phone. Another e-mail was sent to Alrus asking them to respond to the December 30, 2016 email no later than June 14, 2017. DOJ has not received a response to any of its emails, and none the emails were returned to DOJ as undeliverable. Alrus has also not responded to urgent voicemail messages left with the company. The FBI field office in Miami, Florida subsequently attempted to physically locate the company and Company personnel in August 2017. They discovered that two people listed as Alrus officers, Ruslan Demchenko and Olena Nastych, do not have active visas for entry in the United States and no confirmation could be found that they were ever in the United States. Oleksii Vynogradov, listed as a member of the Alrus team, could not be located. Moreover, addresses for Alrus were determined to be merely addresses for virtual (or rental) office space, not specific to the company. DOJ sent a certified letter to Alrus in October 2017, asking that they respond to our inquiries, but no response was from Alrus. Our certified letter was not returned. Given all of this information, the Agencies believe that Alrus is not providing services pursuant to authorization file number, **ITC-214-20091201-00520**, nor still is in existence.

The information detailed herein suggests that Alrus is not abiding by the terms of its LOA and cannot satisfy the terms upon which the Agencies gave their non-objection to the granting of authorities to Alrus which was an express condition of the Agencies' non-objection to the granting of authority and of the FCC's grant of authority to Alrus. Because Alrus is unwilling or unable to act in accordance with its LOA and cannot abide by the FCC's requirements in issuing the authorization, and given that such compliance was an express condition of the Agencies' non-objection to the granting of authority and of the FCC's grant of authority to Alrus, the Agencies request that the FCC terminate, declare null and void and no longer in effect, and/or revoke the international authorization issued to Alrus, file number, **ITC-214-20091201-00520**.

Thank you for your consideration.

Sincerely,

____s/Richard Sofield_____
Richard Sofield
Director, Foreign Investment Review Staff
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