

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)
)
Luminus Telecom, LLC.)
)
Application for authority pursuant) **File No.: ITC-214 _____**
to Section 214 of the)
Communications Act of 1934,)
as amended, for global authority)
to operate as an international)
facilities-based and resale carrier)

APPLICATION FOR AUTHORITY

Luminus Telecom, LLC., (hereafter also called “Applicant”) hereby requests authority, pursuant to Section 214 of the Communications Act of 1934, as amended, 47 U.S.C. Section 214 *et. al.* (1982), and Section 63.18 of the Federal Communication Commission's (hereafter called “Commission”) Rules, 47 C.F.R. Section 63.18, to provide global or limited international facilities-based and resale services between the United States and international points, except those international point not authorized by the Commission and updated from time to time on the Commission’s Exclusion List. **Luminus Telecom, LLC** is a U.S. company organized in the State of Florida to provide international telecommunications services. **Luminus Telecom, LLC.** has no foreign affiliations. **Luminus Telecom, LLC** will serve customers throughout the United States. By granting this application, the Commission will serve the public interest, convenience and necessity by promoting competition in the international services market. Competition will benefit U.S. consumers by increasing service options and lowering prices. Thus, the public interest will be served by the grant of Section 214 authority to **Luminus Telecom, LLC.**

Similarly, streamline processing of this application is proper as the sole owner and 100% shareholder of the Applicant, **Mr. Diego Nunez Zambrano**, has previously obtained the Commission’s authority and after consent by Team Telecom of Mr. Nunez Zambrano, for another company holding International Section 214 Authority, **M Telecom, LLC** (ITC-214-20060601-00297). In support of this application, **Luminus Telecom, LLC** respectfully submits the following:

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Application Attachment I.
(Information pursuant to 47 CFR § 63.12)

The following information is submitted, as required by 47 CFR § 63.12 of the Commission's Rules, in support of **Luminus Telecom**' request for authorization:

In Response to Question 9 of the FCC 214 Application:

Luminus Telecom, LLC. respectfully requests streamline processing pursuant to 47 CFR § 63.12 and certifies that:

1. It is not affiliated with a foreign carrier in a destination market it seeks authority to serve;
2. It has no affiliation with a dominant U.S. carrier whose international switched or private line services **Luminus Telecom, LLC.** seeks authority to resell, either directly or indirectly through the resale of another reseller's services;
3. It does not seek authority to provide switched basic services over private lines to a country for which the Commission has not previously authorized the provision of switched services over private lines.
4. The Commission has not informed **Luminus Telecom, LLC.** in writing that this Application is not eligible for streamlined processing.

In Response to Question 10 of FCC 214 Application: Not Applicable to Luminus Telecom, LLC.

In Response to Question 11 of FCC 214 Application: Not Applicable to Luminus Telecom, LLC.

In Response to Question 12 of FCC 214 Application: Not Applicable to Luminus Telecom, LLC.

In Response to Question 13 of FCC 214 Application: Not Applicable to Luminus Telecom, LLC.

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Application Attachment II.
(Information pursuant to 47 CFR § 63.18)

The following information is submitted, as required by 47 CFR § 63.18 of the Commission's Rules, in support of Luminus Telecom's request for authorization:

47 CFR § 63.18(a): The name, address and telephone number of the Applicant is:

Name:	Luminus Telecom, LLC.
Address:	1221 Brickell Avenue, Suite 900
State, City, Zip Code:	Miami, Florida 33131
Tel:	(305) 665-4011 ex 103

47 CFR § 63.18(b): Luminus Telecom, LLC. is a limited liability corporation organized under the laws of the State of Florida.

48 CFR § 63.18(c): Correspondence concerning this application should be sent to:

Name:	Mr. Diego Nunez Zambrano, Managing Member/President Luminus Telecom, LLC.
Address:	1221 Brickell Avenue, Suite 900
State, City, Zip Code:	Miami, Florida 33131
Tel:	(305) 665-4011 ex 103

With a copy to Contact:	Edward A. Maldonado, Esq. Regulatory Counsel for Applicant MALDONADO LAW GROUP LAW OFFICES OF EDWARD A. MALDONADO, P.A. 815 Ponce de Leon Blvd. Suite 304 Coral Gables, Florida, 33134 Tel: (305) 477-7580 Fax: (305) 477-7504
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In Response to Question 14 and 15 of the FCC 214 Application:

47 CFR § 63.18(d): Luminus Telecom, LLC. has not previously received authority under Section 214 of the Act.

47 CFR § 63.18(e): Not Applicable. At this time, **Luminus Telecom, LLC.** seeks no other authorization available under Section 63.18(e). **Luminus Telecom, LLC.** requests global or limited facilities-based and resale Section 214 authority pursuant to the terms and conditions of Section 63.18(e)(1) and (e)(2) of the Commission's Rules. Applicant is not applying for authority to acquire facilities or to provide services not covered by paragraphs (e)(1) through (e)(3) of Section 63.18. Applicant is not seeking facilities-based authority under paragraph (e)(4) of Section 63.18.

47 CFR § 63.18(g): Not Applicable.

47 CFR § 63.18(h): In support of this certification, the name, address, citizenship and principal business of the shareholders of **Luminus Telecom, LLC.** that control ten percent (10%) or more of are as follows:

Name:	Mr. Diego Nunez Zambrano
Address:	1221 Brickell Avenue, Suite 900
State, City, Zip Code:	Miami, Florida 33131
Ownership Percentage:	100% (There are no interlocking directorates.)
Citizenship:	Colombian Citizen¹
Business:	Telecommunications

47 CFR § 63.18(i): Luminus Telecom, LLC. certifies that it is not affiliated with any foreign facilities-based carriers or US dominant carriers.

47 CFR § 63.18(j): certifies that it does not seek to provide international telecommunication services to any destination country for which any of the following are true:

1. **Luminus Telecom, LLC.** is a foreign carrier in that country; or
2. **Luminus Telecom, LLC.** controls a foreign carrier in that country; or
3. Any entity that owns more than twenty-five percent (25%) of **Luminus Telecom, LLC.**, or that controls **Luminus Telecom, LLC.**, controls a foreign carrier in that country.

¹ Mr. Diego Nunez Zambrano, a Colombian national and owner of the Applicant, has been previously approved by the Commission for M Telecom, LLC (ITC-214-20060601-00297). In furtherance of this Application, Mr. Nunez Zambrano has executed an Affidavit of Assurances as to the Commission and/or Team Telecom (herein incorporated by reference under Attachment III), in relation to customer billing records, subscriber information, and any other related information used, processed, or that may be maintained in the ordinary course of business relating to future telecommunication services of the Applicant offered in the U.S. after grant of the Commission's Authorization of International Section 214 Authority under this Application.

47 CFR § 63.18(k): Not Applicable to Luminus Telecom, LLC.

47 CFR § 63.18(l): Not Applicable to Luminus Telecom, LLC.

47 CFR § 63.18(m): Not Applicable to Luminus Telecom, LLC.

47 CFR § 63.18(n): **Luminus Telecom, LLC** herein certifies that it has not agreed and will not agree in the future to accept any direct or indirect special concessions from a foreign carrier or administration with regards to traffic or revenue flows between the United States and any foreign countries the company is authorized to serve.

47 CFR § 63.18(o): **Luminus Telecom, LLC** herein certifies that no party to this application has been denied federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988.

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Application Attachment III.
(Affidavit of Assurances)

I, **Diego Nunez Zambrano**, owner and sole shareholder of **Luminus Telecom, LLC (LUMINUS)** make the following assurances to the Federal Communication Commission and to the United States Department of Justice to address any concerns of national security, law enforcement, and public safety with regard to this application to the Federal Communications Commission for authority to provide global facilities-based and resale services to all international points, not excluded by the Commission, pursuant to Section 214 of the Communications Act of 1934, as amended.

LUMINUS is a Florida corporation that herein seeks authorization from the Commission to provide international global or limited global facilities-based authority, and global or limited global resale authority (47 C.F.R. § 63.18(e)(1) and § 63.18(e)(2)) to all international points under Section 214 of the Communications Act of 1934, as amended. As a part of this application, **LUMINUS** herein agrees that:

1. **LUMINUS** shall comply with all applicable lawful interception statutes, regulations, and requirements, including the Communications Assistance for Law Enforcement Act (CALEA) and underlying regulations, and to all lawful court orders or other lawful process(es) for authorized electronic surveillance.
2. To the extent required, **LUMINUS** shall implement a solution that meets the capability requirements of CALEA and its implementing regulations, and will provide the Department of Justice with a report on the status of such implementation within sixty (60) days of the grant of its International Section 214 Authority.
3. **LUMINUS** shall designate a lawful United States Citizen residing in the United States as its point of contact for any and all law enforcement agencies.
4. **LUMINUS** further agrees that, for all 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 United States, **LUMINUS** shall store either originals or copies of originals (Records) within the United States and make such records available in response to any lawful U.S. process.
5. **LUMINUS** further agrees that such Records shall include information subject to disclosure to a U.S. Federal or state governmental entity under the procedures specified in Sections 2703(c) and (d) and Section 2709 of Title 18 of the United States Code.

6. LUMINUS further agrees to ensure that such Records are not made subject to mandatory destruction under any foreign laws and that the location of the U.S. Records storage location will be provided to Department of Justice.
7. LUMINUS further agrees that it will not, directly or indirectly, disclose or permit disclosure of or access to such Records or domestic communications or any information (inclusive of communication content) pertaining to a wiretap order or electronic surveillance order, pen/trap order, subpoena or other lawful demand by a U.S. law enforcement agency for such Records or lawfully authorized electronic surveillance, 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 the requirements of U.S. law and obtaining the express written consent of Department of Justice, or the authorization of a court of competent jurisdiction in the United States.
8. LUMINUS further agrees that the term "non-US government" shall include any government, agent, component or subdivision thereof, that is not a local, state or federal government in the United States or of the United States, and, any such requests of legal process submitted by a non-US government to LUMINUS shall be referred to the Department of Justice no later than five (5) business days after such request or legal process is received by or known to LUMINUS, unless the disclosure of the request or legal process would be in violation of U.S. law or an Court Order of a court of competent jurisdiction within the United States.

I declare under the penalty of perjury that the forgoing is true and correct:

By: 

Date: February 22, 2012

Name **Mr. Diego Nunez Zambrano**

Title: **Managing Member/President of Luminus Telecom, LLC.**

CONCLUSION

In conclusion of the foregoing Application **Luminus Telecom, LLC** herein certifies that all of the information in this application is accurate and correct. For these reasons, respectfully requests that the Commission grant this application.

Respectfully submitted,

Luminus Telecom, LLC.

By: /s/ Diego Nunez Zambrano /s/

Name **Mr. Diego Nunez Zambrano**

Title: **Managing Member/President of Luminus Telecom, LLC.**

By and through their attorney:



/s/ Edward A. Maldonado /s/

Edward A. Maldonado, Esq.

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