



Your Partner for Business Telecommunications

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September.5, 2012

Lisa Monaco
Assistant Attorney General
National Security Division
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
ttelecom@usdoj.gov

Re: Pending Application by Bright Packet, Inc. for Authorization
Under Section 214 of the Communications Act of 1934
FCC ITC-214-20120228-00061

Dear Ms. Monaco:

This letter outlines the commitments made by Bright Packet, Inc. to the U.S. Department of Justice (DOJ) in order to address national security, law enforcement, and public safety concerns raised with regard to Bright Packet's application to the Federal Communications Commission (FCC) for authority to provide resale service to all authorized international points under Section 214 of the Communications Act of 1934. Bright Packet currently plans to provide customized telecommunications services, including traditional voice, Voice over Internet Protocol (VoIP), and broadband services to enterprise and small and medium-sized business customers.

Bright Packet confirms that before it begins providing telecommunications services that are subject to the Communications Assistance for Law Enforcement Act (CALEA), it will implement a solution or solutions for lawfully authorized electronic surveillance for such services in compliance with CALEA and its implementing regulations. Bright Packet also agrees that it will comply with all other statutes, regulations, and requirements regarding electronic surveillance.

Bright Packet agrees to designate a U.S. citizen resident in the U.S. or a person with permanent U.S. resident status as a point of contact to receive service of process for U.S. records and to support U.S. law enforcement agencies' surveillance needs.

Bright Packet also 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 U.S. (U.S. Records), Bright Packet will store either originals or copies in the U.S. Bright Packet further agrees that its designated law enforcement point of contact will have access to, and will make such records available promptly and in any event no later than five business days, in the U.S. in response to lawful U.S. process.¹ For these

¹ This statement does not supersede or replace Bright Packet's other duties to comply with any applicable FCC requirements and regulations regarding the storage and protection of customer records, including but not limited to requirements related to the storage and protection of Customer Proprietary Network Information.

purposes, U.S. 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 U.S. Code. Bright Packet also agrees to ensure that U.S. Records are not made subject to mandatory destruction under any foreign laws.

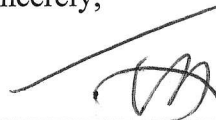
Bright Packet agrees that it will not, directly or indirectly, disclose or permit disclosure of or access to U.S. Records, domestic communications, or any information (including the content of communications) pertaining to a wiretap or electronic surveillance order, pen/trap order, subpoena, or other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

Bright Packet agrees that in the event the commitments set forth in this letter are breached, DOJ may request, in addition to any other remedy available at law or equity, that the FCC modify, condition, revoke, cancel, or render null and void any relevant license, permit, or other authorization granted by the FCC to Bright Packet or any successor-in-interest. Nothing herein shall be construed to be a waiver by Bright Packet of, or limitation on, its right to oppose or comment on any such request.

Nothing in this letter is intended to excuse Bright Packet from its obligations to comply with any and all applicable legal requirements and obligations, including any and all applicable statutes, regulations, requirements, or orders.

Bright Packet understands that, upon execution of this letter by an authorized representative or attorney for Bright Packet, DOJ shall notify the FCC that it has no objection to the FCC's grant of its application.

Sincerely,



Name: Jong Han Yeo
Title: CEO

Bright Packet, Inc.