

ATTACHMENT 1

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

In the Matter of)
)
Ocean Technology, Ltd.,) File No. ITC-214-20121210-00323
)
 Applicant.)
)

**PETITION TO ADOPT CONDITIONS TO
AUTHORIZATIONS AND LICENSES**

The Department of Justice (“DOJ”) , including the Federal Bureau of Investigation, Drug Enforcement Agency, and U.S. Marshals Service, submits this Petition to Adopt Conditions to Authorizations and Licenses (“Petition”) pursuant to Section 1.41 of the Federal Communications Commission (“Commission”) rules.¹ Through this Petition, the DOJ advises the Commission that it has no objection to the Commission approving the authority sought in the above-referenced proceeding, provided that the Commission conditions its approval on the assurance of Ocean Technology, Ltd. (“Ocean”) to abide by the commitments and undertakings set forth in the July 9, 2013, Letter of Assurance (“LOA”) from Ocean to the DOJ, attached hereto.

The Commission has long recognized that law enforcement, national security, and public safety concerns are part of its public interest analysis, and has accorded deference to the views of other U.S. government agencies with expertise in those areas. *See In the Matter of Comsat Corporation d/b/a Comsat Mobile Communications, etc.*, 16 FCC Rcd. 21,661, 21707 ¶ 94 (2001).

After discussions and communications with representatives of the Applicant in connection with the above-referenced proceeding, the DOJ has concluded that the additional

¹ 47 C.F.R. § 1.41.

commitments set forth in the LOA will help ensure that agencies with the responsibility for enforcing the law, protecting the national security, and preserving public safety can proceed appropriately to satisfy those responsibilities. Accordingly, the DOJ advises the Commission that it has no objection to the Commission granting the application in the above-referenced proceeding, provided that the Commission conditions its consent on Ocean's compliance with its July 9, 2013, LOA.

Respectfully submitted,

/s/ Richard C. Sofield
Richard C. Sofield
U.S. Department of Justice
Director – Foreign Investment Review Staff
National Security Division
600 E Street, NW, Suite 10000
Washington, D.C. 20004

July 16, 2013

July 9, 2013

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

Re: Ocean Technology Limited application for authority to provide Global or Limited Global Facilities-Based Service and Global or Limited Global Resale Service in accordance with section 63.18(e)(1) and (e)(2) of the Commission's rules. FCC ITC-20121210-00323.

Dear Mr. Carlin:

This letter outlines the commitments made by Ocean Technology Limited (Ocean) to the U.S. Department of Justice (DOJ), including the Federal Bureau of Investigation, Drug Enforcement Agency, and U.S. Marshals Service, in order to address national security, law enforcement, and public safety concerns raised with regard to Ocean's application to the Federal Communications Commission (FCC) requesting authority to provide facilities-based and resale services between the U.S. and all authorized international points.

Ocean is a telecom company that offers Web-based calling cards (printed and on-line), Web phone applications, Smart phone applications, and Voice Over Internet Protocol (VoIP)-based services to individuals and residential end users, as well as carrier-wholesale and retail services.

Ocean agrees that it will inform DOJ at least 30 days in advance if its business model changes to provide telecommunications services in the U.S. aside from those identified above, including providing interconnected VoIP services to end-user customers, either residential, business, or enterprise. Ocean confirms that, for any services requiring compliance with the Communications Assistance for Law Enforcement Act (CALEA), 47 U.S.C. §§ 1001-1010, Ocean will comply with CALEA. Moreover, if Ocean begins to provide telecommunications services in the U.S. other than those identified in the prior paragraph, Ocean agrees to maintain a point of contact in the U.S., preferably a U.S. citizen or Lawful Permanent Resident, to receive service of process for U.S. records and to support U.S. law enforcement agencies' lawful requests for assistance. The personal identifying information for that point of contact will be provided to DOJ at least 30 days prior to the date that Ocean begins to provide such service(s).

Ocean 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),¹ Ocean will store either originals or copies in the U.S. Ocean further agrees that its designated law enforcement point of contact will have access to Ocean's U.S. Records, and will make such records available to law enforcement promptly, and in any event no later than five business days subsequent to the service of a lawful request, in the U.S. in response to lawful U.S. process, to include lawful requests from both federal and state entities.² The location of the U.S. Records' storage facility will be provided to DOJ at least 30 days in advance of the time in which Ocean anticipates generating such U.S. Records. Ocean also agrees to ensure that U.S. Records are not made subject to mandatory destruction under any foreign laws.

Ocean agrees that it will not, directly or indirectly, disclose or permit disclosure of or access to U.S. Records or domestic communications or any information (including the content of communications) pertaining to a wiretap order, pen/trap order, subpoena or other lawful demand by a U.S. law enforcement agency³ for U.S. 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-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.⁴ Any such requests for legal process submitted by a non-U.S. government to Ocean shall be referred to DOJ 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 Ocean, unless 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.

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

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

¹ For these 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.

² This statement does not supersede or replace Ocean'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 (CPNI).

³ "U.S. law enforcement agency," as used herein, refers to legitimate federal and state law enforcement entities.

⁴ 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.

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

Sincerely,



Sagar Uprety
Ocean Technology Limited

ATTACHMENT 2



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
445 12th STREET S.W.
WASHINGTON D.C. 20554

News media information 202-418-0500
Internet: <http://www.fcc.gov> (or <ftp.fcc.gov>)
TTY (202) 418-2555

DA No. 13-1637

Thursday July 25, 2013

Report No. TEL-01628

International Authorizations Granted

Section 214 Applications (47 C.F.R. § 63.18); Section 310(b)(4) Requests

The following applications have been granted pursuant to the Commission's streamlined processing procedures set forth in Section 63.12 of the Commission's rules, 47 C.F.R. § 63.12, other provisions of the Commission's rules, or procedures set forth in an earlier public notice listing applications accepted for filing.

Unless otherwise noted, these grants authorize the applicants (1) to become a facilities-based international common carrier subject to 47 C.F.R. § 63.22; and/or (2) to become a resale-based international common carrier subject to 47 C.F.R. § 63.23; or (3) to exceed the 25 percent foreign ownership benchmark applicable to common carrier radio licensees under 47 U.S.C. § 310(b)(4).

THIS PUBLIC NOTICE SERVES AS EACH NEWLY AUTHORIZED CARRIER'S SECTION 214 CERTIFICATE. It contains general and specific conditions, which are set forth below. Newly authorized carriers should carefully review the terms and conditions of their authorizations. Failure to comply with general or specific conditions of an authorization, or with other relevant Commission rules and policies, could result in fines and forfeitures.

Petitions for reconsideration under Section 1.106 or applications for review under Section 1.115 of the Commission's rules in regard to the grant of any of these applications may be filed within thirty days of this public notice (see Section 1.4(b)(2)).

An updated version of Sections 63.09--25 of the rules, and other related sections, is available at <http://www.fcc.gov/ib/pd/pf/telecomrules.html>.

For additional information, please contact the FCC Reference and Information Center, Room CY-A257, 445 12th Street SW, Washington, D.C. 20554, (202) 418-0270.

ITC-214-20121106-00284 E Telefonica Digital, Inc. (f/k/a Jajah, Inc.)
International Telecommunications Certificate
Service(s): Global or Limited Global Facilities-Based Service, Global or Limited Global Resale Service
Grant of Authority Date of Action: 07/24/2013

Application for authority to provide facilities-based service in accordance with section 63.18(e)(1) of the Commission's rules, and also to provide resale service in accordance with section 63.18(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(1), (2).

Applicant agrees to be classified as dominant carrier on the U.S.-Argentina, U.S.-Brazil, U.S.-Chile, U.S.-Colombia, U.S.-Czech Republic, U.S.-Peru and U.S.-Spain routes pursuant to section 63.10 of the Commission's rules, 47 C.F.R. § 63.10.

We grant the Petition to Adopt Conditions to Authorizations and Licenses filed in the proceeding on July 12, 2013, by the Department of Justice (DOJ). Accordingly, we condition grant of this application on Telefonica Digital, Inc. (f/k/a Jajah, Inc.) abiding by the commitments and undertakings set forth in the July 8, 2013 Letter of Assurance (LOA) from Craig Wallace to Acting Assistant Attorney General, National Security Division, DOJ. The Petition and the LOA may be viewed on the FCC's website through the International Bureau Filing System (IBFS) by searching for ITC-214-20121106-00284 and accessing the "Other Filings related to this application" from the Document Viewing Area.

ITC-214-20121108-00287 E 42COM INTERNATIONAL INC.
International Telecommunications Certificate
Service(s): Global or Limited Global Resale Service
Grant of Authority Date of Action: 07/23/2013

Application for authority to provide resale service in accordance with section 63.18(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(2).

We grant the Petition to Adopt Conditions to Authorizations and Licenses filed in the proceeding on July 22, 2013, by the Department of Justice (DOJ). Accordingly, we condition grant of this application on 42Com International Inc. abiding by the commitments and undertakings set forth in the July 8, 2013 Letter of Assurance (LOA) from Clark Banach to Acting Assistant Attorney General, National Security Division, DOJ. The Petition and the LOA may be viewed on the FCC's website through the International Bureau Filing System (IBFS) by searching for ITC-214-20121108-00287 and accessing the "Other Filings related to this application" from the Document Viewing Area.

ITC-214-20121210-00323 E Ocean Technology Limited
International Telecommunications Certificate
Service(s): Global or Limited Global Facilities-Based Service, Global or Limited Global Resale Service
Grant of Authority Date of Action: 07/17/2013

Application for authority to provide facilities-based service in accordance with section 63.18(e)(1) of the Commission's rules, and also to provide resale service in accordance with section 63.18(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(1), (2).

We grant the Petition to Adopt Conditions to Authorizations and Licenses filed in the proceeding on July 16, 2013, by the Department of Justice (DOJ). Accordingly, we condition grant of this application on Ocean Technology Limited abiding by the commitments and undertakings set forth in the July 9, 2013 Letter of Assurance (LOA) from Sagar Uprety to Acting Assistant Attorney General, National Security Division, DOJ. The Petition and the LOA may be viewed on the FCC's website through the International Bureau Filing System (IBFS) by searching for ITC-214-20121210-00323 and accessing the "Other Filings related to this application" from the Document Viewing Area.

ITC-214-20121213-00324 E Pure IP US LLC
International Telecommunications Certificate
Service(s): Global or Limited Global Facilities-Based Service, Global or Limited Global Resale Service
Grant of Authority Date of Action: 06/28/2013

Application for authority to provide facilities-based service in accordance with section 63.18(e)(1) of the Commission's rules, and also to provide resale service in accordance with section 63.18(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(1), (2).

ITC-214-20121222-00325 E Advanced Voice Technologies LLC
International Telecommunications Certificate
Service(s): Global or Limited Global Facilities-Based Service, Global or Limited Global Resale Service
Grant of Authority Date of Action: 07/12/2013

Application for authority to provide facilities-based service in accordance with section 63.18(e)(1) of the Commission's rules, and also to provide resale service in accordance with section 63.18(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(1), (2).

We grant the Petition to Adopt Conditions to Authorizations and Licenses filed in the proceeding on July 12, 2013, by the Department of Justice (DOJ). Accordingly, we condition grant of this application on Advanced Voice Technologies LLC abiding by the commitments and undertakings set forth in the July 8, 2013 Letter of Assurance (LOA) from Karen Bdoyan to Acting Assistant Attorney General, National Security Division, DOJ. The Petition and the LOA may be viewed on the FCC's website through the International Bureau Filing System (IBFS) by searching for ITC-214-20121222-00325 and accessing the "Other Filings related to this application" from the Document Viewing Area.

ITC-214-20130129-00023 E JEAPING NETCOM, INC.
International Telecommunications Certificate
Service(s): Global or Limited Global Resale Service
Grant of Authority Date of Action: 07/05/2013

Application for authority to provide resale service in accordance with section 63.18(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(2).

ITC-214-20130527-00148 E Keoyo Inc.
International Telecommunications Certificate
Service(s): Global or Limited Global Resale Service
Grant of Authority Date of Action: 07/05/2013

Application for authority to provide resale service in accordance with section 63.18(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(2).

ITC-214-20130604-00174 E UniCube Solutions LLC

International Telecommunications Certificate

Service(s): Global or Limited Global Resale Service

Grant of Authority

Date of Action: 07/05/2013

Application for authority to provide resale service in accordance with section 63.18(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(2).

ITC-214-20130607-00170 E Blue Telecom International, Inc.

International Telecommunications Certificate

Service(s): Global or Limited Global Facilities-Based Service, Global or Limited Global Resale Service

Grant of Authority

Date of Action: 07/05/2013

Application for authority to provide facilities-based service in accordance with section 63.18(e)(1) of the Commission's rules, and also to provide resale service in accordance with section 63.18(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(1), (2).

ITC-214-20130626-00177 E BDDL Communications

International Telecommunications Certificate

Service(s): Global or Limited Global Resale Service

Grant of Authority

Date of Action: 07/19/2013

Application for authority to provide resale service in accordance with section 63.18(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(2).

ITC-ASG-20130617-00166 E Birch Telecom, Inc.

Assignment

Grant of Authority

Date of Action: 07/19/2013

Current Licensee: SE Acquisitions, LLC

FROM: SE Acquisitions, LLC

TO: Birch Telecom, Inc.

Application filed for consent to the partial assignment of international section 214 authorization, ITC-214-19960925-00466 (Old File No. ITC-96-531), held by SE Acquisitions, LLC (SE) to Birch Telecom, Inc. (Birch Telecom). Pursuant to an asset purchase agreement executed on May 10, 2013, Birch Telecom will acquire certain customers in Kentucky that currently receive services from SE, including certain customer accounts and receivables, certain customer agreements and contracts, certain vendor agreements and contracts, certain equipment, and certain intellectual property. Upon closing, Birch Telecom will provide services to its newly acquired customers pursuant to its existing international section 214 authorization, ITC-214-19990701-00441. SE will retain its international section 214 authorization, ITC-214-19960925-00466.

Birch Telecom is a wholly-owned subsidiary of Birch Communications, Inc., which in turn is a wholly-owned subsidiary of Birch Communications Holdings, Inc. (Birch Holdings). The following two individuals, both U.S. citizens, hold 10% or greater ownership interest in Birch Holdings: Holcombe Green (66%); R. Kirby Godsey (32%). Mr. Godsey holds his ownership interests through his individual holdings and through the R. Kirby Godsey 2008 Grantor Retained Annuity Trust.

This authorization is without prejudice to the Commission's action in any other related pending proceedings.

ITC-ASG-20130617-00167 E

Birch Communications, Inc.

Assignment

Grant of Authority

Date of Action: 07/19/2013

Current Licensee: Lightyear Network Solutions, LLC

FROM: Lightyear Network Solutions, LLC

TO: Birch Communications, Inc.

Application filed for consent to the partial assignment of international section 214 authorization, ITC-214-19980506-00299 (Old File No. ITC-98-345), from Lightyear Network Solutions, LLC (Lightyear) to Birch Communications, Inc. (BCI). Pursuant to an asset purchase agreement executed on May 10, 2013, BCI will acquire customers that currently receive services from Lightyear in the states of Arkansas, Massachusetts, New Jersey, New York, Pennsylvania, and Virginia. The specific assets being assigned include certain customer accounts and receivables, certain customer agreements and contracts, certain vendor agreements and contracts, certain equipment, and certain intellectual property. Upon closing, BCI will provide services to its newly acquired customers pursuant to its existing international section 214 authorization, ITC-214-19970926-00584 (Old File No. ITC-97-586). Lightyear will retain its international section 214 authorization, ITC-214-19980506-00299.

BCI is a wholly-owned subsidiary of Birch Communications Holdings, Inc. (Birch Holdings). The following two individuals, both U.S. citizens, hold 10% or greater ownership interest in Birch Holdings: Holcombe Green (66%); R. Kirby Godsey (32%). Mr. Godsey holds his ownership interests through his individual holdings and through the R. Kirby Godsey 2008 Grantor Retained Annuity Trust.

This authorization is without prejudice to the Commission's action in any other related pending proceedings.

ITC-ASG-20130617-00168 E

Birch Communications, Inc.

Assignment

Grant of Authority

Date of Action: 07/19/2013

Current Licensee: SE Acquisitions, LLC

FROM: SE Acquisitions, LLC

TO: Birch Communications, Inc.

Application filed for consent to the assignment of certain assets, but not any pre-closing liabilities and obligations, or international section 214 authorization, ITC-214-19960925-00466 (Old File No. ITC-96-531), from SE Acquisitions, LLC (SE) to Birch Communications, Inc. (BCI). Pursuant to an asset purchase agreement executed on May 10, 2013, BCI will acquire certain customers in Kentucky that currently receive services from SE, including certain customer accounts and receivables, certain customer agreements and contracts, certain vendor agreements and contracts, certain equipment, and certain intellectual property. Upon closing, BCI will provide services to its newly acquired customers pursuant to its existing international section 214 authorization, ITC-214-19970926-00584. SE will retain its international section 214 authorization, ITC-214-19960925-00466.

BCI is a wholly-owned subsidiary of Birch Communications Holdings, Inc. (Birch Holdings). The following two individuals, both U.S. citizens, hold 10% or greater ownership interest in Birch Holdings: Holcombe Green (66%); R. Kirby Godsey (32%). Mr. Godsey holds his ownership interests through his individual holdings and through the R. Kirby Godsey 2008 Grantor Retained Annuity Trust.

This authorization is without prejudice to the Commission's action in any other related pending proceedings.

ITC-ASG-20130617-00169 E

Birch Telecom, Inc.

Assignment

Grant of Authority

Date of Action: 07/19/2013

Current Licensee: Lightyear Network Solutions, LLC

FROM: Lightyear Network Solutions, LLC

TO: Birch Telecom, Inc.

Application filed for consent to the partial assignment of international section 214 authorization, ITC-214-19980506-00299 Old File No. ITC-98-345), from Lightyear Network Solutions, LLC (Lightyear) to Birch Telecom, Inc. (Birch Telecom). Pursuant to an asset purchase agreement executed on May 10, 2013, Birch Telecom will acquire certain customers that currently receive services from Lightyear in all 50 states and the District of Columbia, except in Alaska, Arkansas, Massachusetts, New Jersey, New York, Pennsylvania, and Virginia. The specific assets being assigned include certain customer accounts and receivables, certain customer agreements and contracts, certain vendor agreements and contracts, certain equipment, and certain intellectual property. Upon closing, Birch Telecom will provide services to its newly acquired customers pursuant to its existing international section 214 authorization, ITC-214-19990701-00441. Lightyear will retain its international section 214 authorization, ITC-214-19980506-00299.

Birch Telecom is a wholly-owned subsidiary of Birch Communications, Inc., which in turn is a wholly-owned subsidiary of Birch Communications Holdings, Inc. (Birch Holdings). The following two individuals, both U.S. citizens, hold 10% or greater ownership interest in Birch Holdings: Holcombe Green (66%); R. Kirby Godsey (32%). Mr. Godsey holds his ownership interests through his individual holdings and through the R. Kirby Godsey 2008 Grantor Retained Annuity Trust.

The following wholly-owned subsidiaries of Birch Telecom provide international service under authority of the section 214 authorization held by Birch Telecom, ITC-214-19990701-00441, pursuant to section 63.21(h) of the Commission's rules, 47 C.F.R. § 63.21(h): Birch Telecom of Missouri, Inc.; Birch Telecom of Kansas, Inc.; Birch Telecom of Texas Ltd LLP; Birch Telecom of Oklahoma, Inc.; Birch Telecom of the South, Inc.; Birch Telecom of the Great Lakes, Inc.; Birch Telecom of the West, Inc.; Birch Communications of the Northeast, Inc.; IONEX Communications, Inc.; IONEX Communications South, Inc.; and, IONEX Communications North, Inc.

This authorization is without prejudice to the Commission's action in any other related pending proceedings.

ITC-ASG-20130628-00178 E

Zayo Group, LLC

Assignment

Grant of Authority

Date of Action: 07/24/2013

Current Licensee: USCarrier Telecom LLC

FROM: USCarrier Telecom LLC

TO: Zayo Group, LLC

Notification filed June 28, 2013 of the pro forma assignment of international section 214 authorization, ITC-214-19980224-00140, held by USCarrier Telecom, LLC (USCarrier) to its ultimate parent Zayo Group, LLC (Zayo), effective June 21, 2013. In a corporate restructuring, USCarrier was first merged into another Zayo subsidiary, USCarrier Telecom Holdings, LLC (USCarrier Holdings), which was then merged into Zayo. Both USCarrier and USCarrier Holdings ceased to exist upon consummation of the respective merger transactions.

ITC-ASG-20130716-00189 E

Sage Telecom Communications, LLC

Assignment

Grant of Authority

Date of Action: 07/24/2013

Current Licensee: Sage Telecom, Inc.

FROM: Sage Telecom, Inc.

TO: Sage Telecom Communications, LLC

Notification filed July 16, 2013, of the pro forma assignment of international section 214 authorization, ITC-214-19980415-00257 (Old File No. ITC-98-304), from Sage Telecom, Inc. to its subsidiary Sage Telecom Communications, LLC, effective July 12, 2013.

INFORMATIVE

ITC-214-20010719-00386

SOUTH CANAAN TELEPHONE COMPANY

By letter filed July 11, 2013, Applicant notified the Commission that the following wholly-owned subsidiaries may provide international long distance service under the international section 214 authorization held by the applicant, pursuant to section 63.21(h) of the Commission's rules, 47 CFR 63.21(h): South Canaan Long Distance Company.

ITC-214-20031020-00495

STi Telecom Inc.

By letter dated August 4, 2011, the Commission was notified that Epana Networks, Inc. has changed its name to STi Telecom Inc.

ITC-ASG-20130228-00067

BTS Group, Inc.

By letter filed July 12, 2013, Applicant notified the Commission of the withdrawal of its application for assignment of international 214 license.

SURRENDER

ITC-214-19800919-00001

U.S. Satellite Corporation

By letter filed June 3, 2013, Applicant notified the Commission of the Surrender of its international section 214 authorization.

ITC-214-19910313-00004

U.S. Satellite Corporation

By letter filed June 3, 2013, Applicant notified the Commission of the Surrender of its international section 214 authorization.

ITC-214-20070928-00394

Freedom Telecommunications, Inc.

By letter filed July 2, 2013, Applicant notified the Commission of the Surrender of its international section 214 authorization.

ITC-214-20090714-00331

STM Networks Inc

By letter filed July 17, 2013, Applicant notified the Commission of the Surrender of its international section 214 authorization.

ITC-214-20100329-00132

Emerging Markets Communications, LLC

By letter filed October 29, 2012, Applicant notified the Commission of the Surrender of its international section 214 authorization.

CONDITIONS APPLICABLE TO INTERNATIONAL SECTION 214 AUTHORIZATIONS

(1) These authorizations are subject to the Exclusion List for International Section 214 Authorizations, which identifies restrictions on providing service to particular countries or using particular facilities. The most recent Exclusion List is attached to this Public Notice. The list applies to all U.S. international carriers, including those that have previously received global or limited global Section 214 authority, whether by Public Notice or specific written order. Carriers are advised that the attached Exclusion List is subject to amendment at any time pursuant to the procedures set forth in Streamlining the International Section 214 Authorization Process and Tariff Requirements, IB Docket No. 95-118, 11 FCC Rcd 12884 (1996), para. 18. A copy of the current Exclusion List will be maintained in the FCC Reference and Information Center and will be available at <http://www.fcc.gov/ib/pd/pf/telecomrules.html#exclusionlist>. It also will be attached to each Public Notice that grants international Section 214 authority.

(2) The export of telecommunications services and related payments to countries that are subject to economic sanctions may be restricted. For information concerning current restrictions, call the Office of Foreign Assets Control, U.S. Department of the Treasury, (202) 622-2520.

(3) Carriers shall comply with the requirements of Section 63.11 of the Commission's rules, which requires notification by, and in certain circumstances prior notification by, U.S. carriers acquiring an affiliation with foreign carriers. A carrier that acquires an affiliation with a foreign carrier will be subject to possible reclassification as a dominant carrier on an affiliated route pursuant to the provisions of Section 63.10 of the rules.

(4) Carriers shall comply with the Commission's International Settlements Policy and associated filing requirements contained in Sections 43.51, 64.1001 and 64.1002 of the Commission's Rules, 47 C.F.R. §§ 43.51, 64.1001, 64.1002. The Commission modified these requirements most recently in International Settlements Policy Reform: International Settlement Rates, First Report and Order, FCC 04-53, 19 FCC Rcd 5709 (2004). In addition, any carrier interconnecting private lines to the U.S. public switched network at its switch, including any switch in which the carrier obtains capacity either through lease or otherwise, shall file annually with the Chief, International Bureau, a certified statement containing, on a country-specific basis, the number and type (e.g., 64 kbps circuits) of private lines interconnected in such manner. The Commission will treat the country of origin information as confidential. Carriers need not file their contracts for interconnection unless the Commission specifically requests. Carriers shall file their annual report on February 1 (covering international private lines interconnected during the preceding January 1 to December 31 period) of each year. International private lines to countries which the Commission has exempted from the International Settlements Policy at any time during a particular reporting period are exempt from this requirement. See 47 C.F.R. § 43.51(d). The Commission's list of U.S. international routes that are exempt from the International Settlements Policy may be viewed at http://www.fcc.gov/ib/pd/pf/isp_exempt.html.

(5) Carriers authorized to provide private line service either on a facilities or resale basis are limited to the provision of such private line service only between the United States and those foreign points covered by their referenced applications for Section 214 authority. A carrier may provide switched services over its authorized resold private lines in the circumstances specified in Section 63.23(d) of the rules, 47 C.F.R. § 63.23(d).

(6) A carrier may engage in "switched hubbing" to countries that do not appear on the Commission's list of U.S. international routes that are exempt from the International Settlements Policy, set forth in Section 64.1002, 47 C.F.R. § 64.1002, provided the carrier complies with the requirements of Section 63.17(b) of the rules, 47 C.F.R. § 63.17(b). The Commission's list of U.S. international routes that are exempt from the International Settlements Policy may be viewed at http://www.fcc.gov/ib/pd/pf/isp_exempt.html.

(7) Carriers shall comply with the "No Special Concessions" rule, Section 63.14, 47 C.F.R. § 63.14.

(8) Carriers regulated as dominant for the provision of a particular communications service on a particular route for any reason other than a foreign carrier affiliation under Section 63.10 of the rules shall file tariffs pursuant to Section 203 of the Communications Act, as amended, 47 U.S.C. § 203, and Part 61 of the Commission's Rules, 47 C.F.R. Part 61. Carriers shall not otherwise file tariffs except as permitted by Section 61.19 of the rules, 47 C.F.R. § 61.19. Except as specified in Section 20.15 with respect to commercial mobile radio service providers, carriers regulated as non-dominant, as defined in Section 61.3, and providing detariffed international services pursuant to Section 61.19, must comply with all applicable public disclosure and maintenance of information requirements in Sections 42.10 and 42.11.

(9) Carriers shall file the annual reports of overseas telecommunications traffic required by Section 43.61(a). Carriers shall also file the quarterly reports required by Section 43.61 in the circumstances specified in paragraphs (b) and (c) of that Section.

(10) Carriers shall file annual reports of circuit status and/or circuit additions in accordance with the requirements set forth in Rules for Filing of International Circuit Status Reports, CC Docket No. 93-157, Report and Order, 10 FCC Rcd 8605 (1995). See 47 C.F.R. § 43.82. See also §§ 63.22(e), 63.23(e). These requirements apply to facilities-based carriers and private line resellers, respectively. See also <http://www.fcc.gov/ib/pd/pf/csmanual.html>.

(11) Carriers should consult Section 63.19 of the rules when contemplating a discontinuance, reduction or impairment of service. Further, the grant of these applications shall not be construed to include authorization for the transmission of money in connection with the services the applicants have been given authority to provide. The transmission of money is not considered to be a common carrier service.

(12) If any carrier is reselling service obtained pursuant to a contract with another carrier, the services obtained by contract shall be made generally available by the underlying carrier to similarly situated customers at the same terms, conditions and rates. 47 U.S.C. § 203.

(13) To the extent the applicant is, or is affiliated with, an incumbent independent local exchange carrier, as those terms are defined in Section 64.1902 of the rules, it shall provide the authorized services in compliance with the requirements of Section 64.1903.

(14) Except as otherwise ordered by the Commission, a carrier authorized here to provide facilities-based service that (i) is classified as dominant under Section 63.10 of the rules for the provision of such service on a particular route and (ii) is affiliated with a carrier that collects settlement payments for terminating U.S. international switched traffic at the foreign end of that route may not provide facilities-based switched service on that route unless the current rates the affiliate charges U.S. international carriers to terminate traffic are at or below the Commission's relevant benchmark adopted in International Settlement Rates, IB Docket No. 96-261, Report and Order, 12 FCC Rcd 19806 (1997). See also Report and Order on Reconsideration and Order Lifting Stay in IB Docket No. 96-261, FCC 99-124 (rel. June 11, 1999). For the purposes of this rule, "affiliated" and "foreign carrier" are defined in Section 63.09.

Exclusion List for International Section 214 Authorizations

The following is a list of countries and facilities not covered by grant of global Section 214 authority under Section 63.18(e)(1) of the Commission's Rules, 47 C.F.R. § 63.18(e)(1). In addition, the facilities listed shall not be used by U.S. carriers authorized under Section 63.18 of the Commission's Rules unless the carrier's Section 214 authorization specifically lists the facility. Carriers desiring to serve countries or use facilities listed as excluded hereon shall file a separate Section 214 application pursuant to Section 63.18(e)(3) of the Commission's Rules. See 47 C.F.R. § 63.22(c).

Countries:

Cuba (Applications for service to Cuba shall comply with the separate filing requirements of the Commission's Public Notice, DA 10-112, dated January 21, 2010, "Modification of Process to Accept Applications for Service to Cuba and Related Matters.")

Facilities:

All non-U.S.-licensed satellite systems that are not on the Permitted Space Station List, maintained at <http://www.fcc.gov/ib/sd/se/permitted.html>. See International Bureau Public Notice, DA 99-2844 (rel. Dec. 17, 1999).

This list is subject to change by the Commission when the public interest requires. Before amending the list, the Commission will first issue a public notice giving affected parties the opportunity for comment and hearing on the proposed changes. The Commission may then release an order amending the exclusion list. This list also is subject to change upon issuance of an Executive Order. See Streamlining the Section 214 Authorization Process and Tariff Requirements, IB Docket No. 95-118, FCC 96-79, 11 FCC Rcd 12,884, released March 13, 1996 (61 Fed. Reg. 15,724, April 9, 1996). A current version of this list is maintained at <http://www.fcc.gov/ib/pd/pf/telecomrules.html#exclusionlist>.

For additional information, contact the International Bureau's Policy Division, (202) 418-1460.