

Five9, Inc.

*Re: ITC-2014-2013 0119-20017*

**Granted**

**MAY 22 2014**

Policy Division  
Interaction Bureau

date:	<i>Expires: Oct 29, 2014</i>
authorized by:	<i>Director, Policy DWTB</i>
signature:	<i>James H. [Signature]</i>

*External sk  
ITC-STA-20131024-20279*

Attachment 1

**QUESTION 10**

**In Attachment 1, provide justification of need for special temporary authority requested.**

**ANSWER:**

Five9 has been providing resale of international telecommunications services for several years but, as a result of good faith reliance on previous legal advice, was unaware of its need to register with the Federal Communications Commission (the "Commission") or to secure Section 214 authorization. Five9 has now registered with the Commission as a contributor to the Universal Service Fund and is required to bring itself into compliance as promptly as possible under Section 214. Following a voluntary disclosure of its failure to register with the Commission as a reseller of long distance services, it has also responded to a Letter of Inquiry from the Enforcement Bureau, which asked for proof that Five9 has received Section 214 authorization.

On February 20, 2013, the Commission's International Bureau granted Five9's January 20, 2013 request for Special Temporary Authority ("STA"). Five9's underlying application for Section 214 international resale authority is currently under review by DOJ/Team Telecom.

On April 10, 2013, Five9 filed a request to renew its international 214 authorization, which was granted on April 18, 2013. This grant was effective until October 11, 2013.

DOJ/Team Telecom requested answers to certain "Triage Questions." Five9 filed the responses on June 14, 2013. Follow-up Triage Questions were served on Five9 on August 28, 2013, and Five9 answered those questions on September 26, 2013. As of this filing, DOJ/Team Telecom has still not acted on Five9's application for 214 authorization.

Due to the federal government shutdown in October 2013, the FCC issued Public Notice (DA 13-2025), which extended Five9's STA deadline to November 4, 2013. On October 21, 2013, Five9 filed a request to renew its international 214 authorization, which was granted on November 4, 2013. This grant is effective until May 3, 2014.

Pending the DOJ/Team Telecom's disposition of Five9's application for 214 authorization, Five9 is applying for another STA renewal for the same period of 180 days. As noted above, Five9's current STA expires on May 3, 2014.

As noted in Five9's February 15, 2013 supplemental filing to its January 20, 2013 STA request, Five9 also agrees to the following three provisions:

- (1) the STA can be modified or revoked by the Commission upon its own motion without a hearing;
- (2) the grant of the STA will not prejudice any action the Commission may take regarding Five9's underlying International Section 214 application; and

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-INTERNATIONAL BUREAU -

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## Policy Division

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### FAX SHEET

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DATE: 5/2/14

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SPECIAL INSTRUCTIONS: Five 9, inc

MC-574-2013 024-00279 / MC-214-2013 0119-00019

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