

August 4, 2014

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

Unit Chief, Science and Technology Policy and Law Unit
Federal Bureau of Investigation
935 Pennsylvania Ave, NW
Room 7350
Washington, DC 20535

Re: Pending application by 3GTY, Inc. (“3GTY”) for authority to provide Global or Limited Global Resale Service pursuant to Section 214 of the Communications Act of 1934, as amended, and in accordance with the Federal Communications Commission’s rules, 47 C.F.R. § 63.18 (e)(2), (FCC file number ITC-214-20130426-00122).

Dear Mr. Carlin,

This letter of agreement (“Agreement”) outlines the commitments made by 3GTY to the U.S. Department of Justice (“DOJ”), including the National Security Division (“NSD”) and the Federal Bureau of Investigation (“FBI”), in order to address national security, law enforcement, and public safety concerns raised with regard to the company’s application to the Federal Communications Commission (“FCC” or “Commission”) seeking FCC authority to provide Global or Limited Global Resale Services pursuant to Section 214 of the Communications Act of 1934, as amended, and in accordance with section 47 C.F.R. § 63.18 (e)(2) of the Commission’s rules.

3GTY plans to provide the following resale telecommunication services between the U.S. and all authorized international points: Enterprise cloud services, traditional web hosting, and reselling Verizon services. 3GTY plans to offer these telecom services between China and the US.

3GTY agrees that it will inform DOJ and the FBI at least 30 days in advance if its business model and/or service portfolio change to provide telecommunications services in the U.S. aside from those identified herein, such as becoming a facilities-based provider, offering interconnected VoIP, or providing services to residential end-users, small businesses, or enterprises (“Additional Services”). 3GTY further agrees to provide DOJ and FBI with notices of any other material changes (e.g., corporate structure changes of importance to this Agreement, corporate name changes) within 30 days of any such change.

Upon offering any Additional Services, 3GTY will comply with all applicable interception statutes, regulations, and requirements, including the Communications Assistance for Law Enforcement Act (“CALEA”), 47 U.S.C. §§ 1001-1010, and its implementing regulations, and will comply with all court orders and other legal process for lawfully authorized electronic surveillance.

If 3GTY offers any Additional Services, 3GTY agrees that, for all customer billing records, subscriber information, or any other related information used, processed, or maintained in the ordinary course of business relating to communications services offered by 3GTY to U.S. persons (“U.S. Records”), 3GTY will make such U.S. Records available in the United States in response to lawful U.S. process. In addition, if 3GTY offers any Additional Services, 3GTY also agrees that 3GTY will maintain a point of contact (“POC”) in the U.S., preferably a U.S. citizen, to receive service of process of U.S. Records and to assist and support lawful requests for surveillance by U.S. federal, state and local law enforcement agencies. The name and contact information for this POC will be provided to DOJ and FBI for review and approval no later than 30 days before 3GTY begins offering the Additional Services. In addition, 3GTY will give DOJ at least 30 days’ prior notice of any change to its POC, and 3GTY’s newly designated POC shall be subject to DOJ and FBI review and approval.

Any notices required herein will be addressed to the following:

Assistant Attorney General for National Security
U.S. Department of Justice
National Security Division
950 Pennsylvania Avenue, N.W.
Washington, DC 20530
Attn.: Team Telecom
Electronic mail: ttelecom@usdoj.gov

Unit Chief, Science and Technology Policy and Law Unit
Federal Bureau of Investigation
935 Pennsylvania Ave, NW
Room 7350
Washington, DC 20535

Courtesy electronic copies of all notices and communications also will be sent to the following, or to those individuals identified to 3GTY by DOJ in the future: Tyrone Brown of the DOJ (at tyrone.brown@usdoj.gov); Richard Sofield of the DOJ (richard.sofield2@usdoj.gov); and Jonathan Frenkel of the FBI (at jonathan.frenkel@ic.fbi.gov).

3GTY agrees that in the event that the commitments set forth in this letter are breached, in addition to any other remedy available at law or equity, DOJ or the FBI 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 3GTY or any successors-in-interest. Nothing herein shall be construed to be a waiver by 3GTY of, or limitation on, its right to oppose or comment on any such request.

Nothing in this letter is intended to excuse 3GTY from its obligations to comply with any and all applicable legal requirements and obligations, including any and all applicable statutes, regulations, requirements, or orders.

3GTY understands that, upon execution of this letter by an authorized representative or attorney for 3GTY, or shortly thereafter, DOJ and FBI shall notify the FCC that it has no objection to the FCC's grant of 3GTY's application provided that this Agreement is placed as a condition on the FCC's authorization.

Sincerely,

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CEO

3GTY, Inc.