

Attachment 1

Response to Question 8:

Next Angel, LLC (“Next Angel”) seeks authorization under Section 214 of the Communications Act of 1934, as amended, to provide international facilities-based and resold services to all international points except countries included on the FCC’s Exclusion List.

Response to Question 9:

This application qualifies for streamlined processing pursuant to Section 63.12(c) of the Commission’s rules.¹ Although Next Angel is affiliated with foreign carriers in Mexico and Switzerland, it qualifies for a presumption of non-dominance under Section 63.10(a)(3) of the Commission’s rules.²

Next Angel qualifies for non-dominant classification on the route between the United States and Mexico because ATSI Comunicaciones S.A. de C.V. and Marcatel Com, S.A. de C.V. (“Marcatel Mexico”) have no market power in Mexico.³ ATSI Comunicaciones S.A. de C.V. provides wholesale national and international long distance services in Mexico. ATSI Comunicaciones S.A. de C.V. lacks 50 percent market share in the international transport and the local access markets in Mexico. Marcatel Mexico is a competitive long distance and international carrier in Mexico, with less than a two percent market share. The Commission has previously found that “Marcatel [Mexico] has a limited market share, no market power, and a lack of control over bottleneck services or facilities.”⁴ This remains true today.

Next Angel also qualifies for non-dominant classification on the route between the United States and Switzerland because Angel Telecom AG and Connexcom AG have no market power in Switzerland.⁵ Both of these companies lack 50 percent market share in the international transport and the local access markets in Switzerland.

Moreover, ATSI Comunicaciones S.A. de C.V., Marcatel Mexico, Angel Telecom AG and Connexcom AG are not listed on the Commission’s List of Foreign Telecommunications Carriers that Are Presumed to Possess Market Power in Foreign

¹ 47 C.F.R. § 63.12.

² 47 C.F.R. § 63.10(a)(3).

³ *See id.*

⁴ *Progress International, L.L.C.; Application for Global Authorization Pursuant to Section 214 of the Communications Act of 1934, as Amended, to Resell International Communications Services*, Order, Authorization and Certificate, 12 FCC Rcd 9799 (1997).

⁵ 47 C.F.R. § 63.10(a)(3).

Telecommunications Markets.⁶ As such, Next Angel is presumptively classified as non-dominant on the U.S.-Mexico route and the U.S.-Switzerland route.

Response to Question 11:

Section 63.18(i):

Next Angel is not a foreign carrier, but through its ownership by Next Communications, Angel Telecom, and Marcatel, is affiliated with the following foreign carriers:

- ATSI Comunicaciones S.A. de C.V., a telecommunications company in Mexico.
- Marcatel Com, S.A. de C.V. (“Marcatel Mexico”), a Mexican long distance and international carrier.
- Angel Telecom AG, a telecommunications company in Switzerland that provides international call services through a VoIP network.
- Connexcom AG provides prepaid calling services in Switzerland.

Next Angel has no other foreign carrier affiliations.

Section 63.18(j):

Pursuant to Section 63.18(j) of the Commission’s rules,⁷ Next Angel certifies that it is not a foreign carrier but that it will provide service to Mexico, where it is affiliated with foreign carriers ATSI Comunicaciones S.A. de C.V. and Marcatel Mexico and Switzerland, where it is affiliated with foreign carriers Angel Telecom AG and Connexcom AG.

Section 63.18(k):

Mexico and Switzerland are WTO member countries.

Section 63.18(l):

See response to Question 9.

Section 63.18(m):

See response to Section 63.18(l).

⁶ *The International Bureau Revises and Reissues the Commission’s List of Foreign Telecommunications Carriers that Are Presumed to Possess Market Power in Foreign Telecommunications Markets*, Public Notice, DA 07-233 (Jan. 26, 2007).

⁷ 47 C.F.R. § 63.18(j).

Response to Question 12:

See response to Question 11.

Attachment 2

Response to Question 14

Direct Ownership:

The following individuals have a direct ten percent or greater direct ownership interest in Next Angel:

Direct Shareholder Name: Next Communications, Inc.
Address: 100 North Biscayne Blvd., 9th Floor,
Miami, FL 33132
Citizenship: United States
Principal Business: Telecommunications
Percentage Equity and Voting Ownership in Next Angel: 42.5%

Direct Shareholder Name: Angel Telecom (USA) Inc.
Address: c/o WUERSCH & GERING LLP
100 Wall Street, 10th Fl.
New York, NY 10005
Citizenship: United States
Principal Business: Telecommunications
Percentage Equity and Voting Ownership in Next Angel: 42.5%

Direct Shareholder Name: Marcatel Telecommunications, LLC
Address: 10190 Katy Freeway, Suite 410
Houston, TX 77043
Citizenship: United States
Principal Business: Telecommunications
Percentage Equity and Voting Ownership in Next Angel: 15%

Indirect Ownership:

Next Communications Ownership:

Indirect Shareholder Name: Arik Meimoun
Address: 450 Alton Road, No 1102
Miami Beach, Florida 33139
Citizenship: United States
Principal Business: Telecommunications
Attributable Equity and Voting Ownership in Next Angel: 21.25%

Indirect Shareholder Name: Engin Yesil
Address: 40 Star Island Drive
Miami Beach, Florida 33139
Citizenship: Turkey

Principal Business: Real Estate
Attributable Equity and Voting Ownership in Next Angel: 15.725%

Angel Telecom Ownership:

Indirect Shareholder Name: Angel Telecom Holding AG
Address: Blegistrasse 11a,
CH-6340 Baar, Switzerland
Citizenship: Switzerland
Principal Business: Holding Company
Attributable Equity and Voting Ownership in Next Angel: 42.5%

Indirect Shareholder Name: Angel Telecom Corporation
Address: Blegistrasse 11a,
CH-6340 Baar, Switzerland
Citizenship: United States
Principal Business: Holding Company
Attributable Equity and Voting Ownership in Next Angel: 42.5%

Marcatel Ownership:

Indirect Shareholder Name: IXC International LLC
Address: 10190 Katy Freeway, Suite 410
Houston, TX 77043
Citizenship: United States
Principal Business: Holding Company
Attributable Equity and Voting Ownership in Next Angel: 15%

Indirect Shareholder Name: Telecom Overseas C.V. (“TOCV”)⁸
Address: AJ Emstraat 199
Amsterdam, Netherlands
Citizenship: Netherlands
Principal Business: Holding Company
Attributable Equity and Voting Ownership in Next Angel: 15%

No other individual or entity will hold a ten percent or greater ownership interest in Next Angel.

⁸ TOCV has one general partner: Stichting Jarda which is a Dutch foundation. Stichting Jarda owns less than a one percent (1 %) interest in TOCV. The address of Stichting Jarda is Baarerstrasse 75 CH-6300, Zug, Switzerland. TOCV has one limited partner: Gustavo Mario de la Garza Ortega, a citizen of Mexico whose principal business is his work as a telecommunications executive. Mr. De la Garza Ortega owns more than a ninety-nine percent (99%) interest in TOCV. The address of Mr. De la Garza Ortega is Avenida San Jeronimo 210 Poniente, Colonia San Jeronimo, Monterrey, Nuevo Leon.

Interlocking Directorates:

Through its ownership by Next Communications, Next Angel will have the following interlocking directorates:

- Arik Meimoun, the Chief Executive Officer of Next Communications, is the General Manager of ATSI Comunicaciones SA de CV, a telecommunications company in Mexico.

Through its ownership by Angel Telecom, Next Angel will have the following interlocking directorates:

- Peter Waneck, President and CEO of Angel Telecom (USA) Inc., is the Chief Executive Officer of Angel Telecom AG, a telecommunications carrier in Switzerland.

Through its ownership by Marcatel, Next Angel will have the following interlocking directorates:

- Gustavo Mario de la Garza Ortega is the President and Secretary of Marcatel, and a director of Marcatel Com, S.A. de C.V. (“Marcatel Mexico”), a Mexican long distance and international carrier.
- Gustavo Mario de la Garza Flores is the Chief Executive Officer of Marcatel and the Sales & Marketing Director of Marcatel Mexico.
- Roberto Xavier Margain Santos is the Secretary and Agent of Marcatel and the Chief Financial Officer of Marcatel Mexico.

Response to Question 15:

Section 63.18(d)

Next Angel does not hold any international Section 214 authorizations. Next Angel has three direct owners: Next Communications, Inc. (“Next Communications”), Angel Telecom (USA) Inc. (“Angel Telecom”), and Marcatel Telecommunications, LLC (“Marcatel”). Next Communications holds an international Section 214 authorization to provide global facilities-based and resold services, File No. ITC-214-19990107-00014. Marcatel holds an authorization to provide global resale services, File No. ITC-214-20120913-00230.

Section 63.18(e)(3)

Next Angel is not applying for authority to acquire facilities or to provide services not covered by Sections 63.18(e)(1) and (e)(2) of the Commission’s rules, nor is it seeking additional authority under Section 63.18(e)(3).

63.18(g)
Not applicable.