



Federal Communications Commission
Washington, D.C. 20554

March 13, 2019

Ms. Debbie Stahl
Angel Americas, LLC
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New York, New York 10001

Mr. Tillman Zschucke
Angel Mobile, Inc.
1250 Broadway, 25th Floor
New York, New York 10001

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Re: Potential Termination of Angel Americas, LLC’s Domestic Section 214 Authority (DA No. 14-936) and International Section 214 Authorizations (File Nos. ITC-214-20010220-00085, ITC-214-20010618-00348, ITC-214-20020531-00293, ITC-214-20050315-00105, ITC-214-20031020-00495, and ITC-214-20130429-00125) and Angel Mobile, Inc.’s International Section 214 Authorization (ITC-214-20131206-00337)

Dear Ms. Stahl:

We are forwarding for your response the attached letters submitted by the Department of Justice (DOJ), including the Federal Bureau of Investigation (FBI), on January 21, 2016 and by DOJ on December 8, 2017 (collectively, the “Executive Branch Agencies”).¹ The Executive Branch Agencies request that the Federal Communications Commission (Commission) terminate, declare null and void and no longer in effect the above-identified domestic and international Section 214 authorizations held by Angel Americas, LLC (Angel Americas)² and Angel Mobile³ (collectively, the “Angel Entities”). The

¹ Letter from Richard Sofield, Director, Foreign Investment Review Staff, National Security Division, U.S. Department of Justice, to Marlene H. Dortch, Secretary, FCC (Jan. 21, 2016) (January 21, 2016 DOJ Letter); Letter from Richard Sofield, Principal Deputy Chief, Foreign Investment Review Staff, National Security Division, U.S. Department of Justice, to Marlene H. Dortch, Secretary, FCC (Dec. 8, 2017) (December 8, 2017 DOJ Letter) (amending the original request in the January 21, 2016 DOJ Letter to include ITC-214-20130429-00125 and the correct authorization number for Angel Mobile, Inc. (Angel Mobile) (ITC-214-20131206-00037). We note that the DOJ Letters incorrectly listed ITC-214-20040618-00348 as one of Angel Americas’ international Section 214 authorizations. We include the correct authorization number (ITC-214-20010618-00348) in this letter.

² January 21, 2016 DOJ Letter at 1; December 8, 2017 DOJ Letter at 1; *Angel Americas LLC, Authorization Grant, International Authorizations Granted (47 CFR § 63.18)*, Public Notice, DA 13-2355, 28 FCC Rcd 16544 (IB 2013) (granting international Section 214 authorization ITC-214-20130429-00125 to Angel Americas); *Applications Granted for the Transfer of Control of STI Prepaid, LLC and STI Telecom Inc. to Angel Americas LLC*, Public Notice, DA 14-936, 29 FCC Rcd 7956 (WCB & IB 2014) (granting domestic transfer of control (WC Docket No. 13-242) and assignment of international Section 214 authorizations (ITC-ASG-20130130-00035 & -00037, for international Section 214 authorizations ITC-214-20010220-00085, ITC-214-20010618-00348, ITC-214-20020531-00293, ITC-214-20050315-00105, ITC-214-20031020-00495)) to Angel Americas; Petition to Adopt Conditions to

Executive Branch Agencies make this request because they believe that the Angel Entities are no longer in operation.⁴ They state that the Angel Entities have not complied with the terms of the November 2013 LOA and July 2014 LOA, compliance with which are conditions of the authorizations held by Angel Americas and Angel Mobile, respectively.⁵

After having received an international Section 214 authorization, as required by Section 63.21(a) of the Commission's rules, a carrier "is responsible for the continuing accuracy of the certifications made in its application" and must promptly correct information no longer accurate, "and in any event, within thirty (30) days."⁶ The Angel Entities have failed to inform the Commission of any changes in their business status of providing international telecommunications services, as required by Section 63.21(a) of the Commission's rules.⁷

Additionally, as part of their international Section 214 authorizations, the Angel Entities were required to file annual international telecommunications traffic and revenue reports, as required by Section 43.62 of the Commission's rules, which was in effect until April 2018.⁸ Specifically, Section 43.62(b) of the Commission's rules provided that "[n]ot later than July 31 of each year, each person or entity that holds an authorization pursuant to Section 214 to provide international telecommunications service shall report *whether* it provided international telecommunications services during the preceding

Authorizations and Licenses, File Nos. ITC-ASG-20130130-00035, ITC-ASG-20130130-00037, ITC-214-20130429-00125, & WC Docket No. 13-242 (filed Nov. 18, 2013); Letter from Roland J. Bopp, Chief Executive Officer, Angel Americas, LLC to Mr. John Carlin, Acting Assistant Attorney General, National Security Division, DOJ (Nov. 15, 2013) (November 2013 LOA).

³ *Angel Mobile Inc. Authorization Grant, International Authorizations Granted (47 CFR § 63.18)*, Report No. TEL-01683, Public Notice, DA 14-1062, 29 FCC Rcd 9189 (IB 2014) (granting an international Section 214 authorization to Angel Mobile (ITC-214-20131206-00337)); Petition to Adopt Conditions to Authorizations and Licenses, File No. ITC-214-20131206-00337 (filed July 10, 2014); Letter from Roland J. Bopp, Chief Executive Officer, Angel Americas, LLC to Mr. John Carlin, Acting Assistant Attorney General, National Security Division, DOJ (July 7, 2014) (July 2014 LOA).

⁴ January 21, 2016 DOJ Letter at 2 & n.1.

⁵ *Id.* at 1-2. The Executive Branch Agencies additionally state that "[a]lthough the July 2014 LOA requires Angel Mobile to submit annual reports to the DOJ, the DOJ has never received an annual report from Angel Mobile." *Id.* at 2.

⁶ 47 CFR § 63.21(a).

⁷ *Id.* In addition, there is no indication that the Angel Entities are currently providing service pursuant to their domestic and international Section 214 authorizations. If the Angel Entities have discontinued domestic or international service, they may also be in violation of the Commission's rules requiring prior notification for such a discontinuance. 47 CFR §§ 63.19; 63.71.

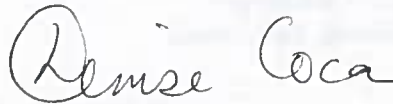
⁸ 47 CFR § 43.62(b). In 2013, the Commission adopted Section 43.62(b) of its rules, which went into effect on February 11, 2015. *Reporting Requirements for U.S. Providers of International Telecommunications Services; Amendment of Part 43 of the Commission's Rules*, IB Docket No. 04-112, Second Report and Order, 28 FCC Rcd 575 (2013); *Reporting Requirements for U.S. Providers of International Telecommunications Services*, 80 Fed. Reg. 7547 (Feb. 11, 2015). On October 24, 2017, the Commission eliminated the annual traffic and revenue reporting requirement. *Section 43.62 Reporting Requirements for U.S. Providers of International Services; 2016 Biennial Review of Telecommunications Regulations*, IB Docket Nos. 17-55 and 16-131, Report and Order, 32 FCC Rcd 8115, 8119, paras. 8-23 (2017); *Section 43.62 Reporting Requirements for U.S. Providers of International Services; 2016 Biennial Review of Telecommunications Regulations*, 83 Fed. Reg. 17931 (April 25, 2018).

calendar year.”⁹ Based on a review of our records, the Angel Entities did not submit traffic and revenue reports indicating whether or not they provided services for the 2014 and 2015 reporting periods and may be in violation of Section 43.62 of the Commission rules.¹⁰

We require that you respond to the allegations of the Executive Branch Agencies and possible violations of the Commission’s rules within 30 days from the date of this letter, by **Friday, April 12, 2019**. In your response, please describe any steps that you are taking or will take with the Executive Branch Agencies to resolve their concerns. If the Angel Entities are no longer in business, have changed their name, or are no longer providing services under their domestic and international Section 214 authorizations and do not intend to do so in the future, please indicate whether the Angel Entities are surrendering their authorizations. Finally, the Angel Entities must adhere to the Commission’s rules designed to ensure its ability to communicate with the authorization holders and to verify if the Angel Entities are still providing service. Failure to do so may also warrant termination, wholly apart from the Angel Entities’ non-compliance with the conditions of their domestic and international Section 214 authorizations.

A failure to respond to this letter will be deemed as an admission of the facts alleged by the Executive Branch Agencies and the Commission and will result in the issuance of an order terminating the Angel Entities’ domestic and international Section 214 authorizations and requiring the Angel Entities to cease and desist providing service under Sections 214 and 4(i) of the Communications Act of 1934, as amended (the Act).¹¹

Sincerely,



Denise Coca
Division Chief
Telecommunications & Analysis Division
International Bureau



Pamela Arluk
Division Chief
Competition Policy Division
Wireline Competition Bureau

⁹ 47 CFR § 43.62(b) (emphasis added).

¹⁰ FCC, International Bureau, 2014 U.S. International Telecommunications Traffic and Revenue Data (IB July 2016), https://transition.fcc.gov/Daily_Releases/Daily_Business/2016/db0701/DOC-340121A3.pdf; FCC, International Bureau, Section 43.62 Online Filing (June 28, 2016), <https://www.fcc.gov/general/section-4362-online-filing>.

¹¹ 47 U.S.C. §§ 154(i), 214.

Enclosures: January 21, 2016 and December 8, 2017 DOJ Letters

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U.S. Department of Justice

National Security Division

Foreign Investment Review Staff

Washington, D.C. 2053

January 21, 2016

By Electronic Filing

Ms. Marlene H. Dortch
Secretary of the Federal Communications Commission
Federal Communications Commission
445 12th St. SW, Room TW-B204
Washington, DC 20554

Re: **Angel Americas, LLC, Holder of International Authorizations ITC-214-20010220-00085, ITC-214-20040618-00348, ITC-214-20020531-00293, and ITC-214-20050315-00105 (File No. ITC-ASG-20130130-00035) and ITC-214-20031020-00495 (ITC-ASG-20130130-00037) and of domestic section 214 authority (DA No. 14-936 (June 27, 2014))**

Angel Mobile, Inc., Holder of International Authorization ITC-214-20131206-0037 (DA No. 14-1062 (July 25, 2014))

Dear Ms. Dortch:

The Department of Justice (“DOJ”), including the Federal Bureau of Investigation, hereby notifies the Federal Communications Commission (“FCC” or “Commission”) of the inability by the authorized holders of the above-identified certificates, Angel Americas, LLC (“Angel Americas”) and Angel Mobile, Inc. (“Angel Mobile”, together with Angel Americas, “the Angel entities”), to comply with the FCC’s terms in granting such authorizations. Given such inability, the Agencies request that the FCC terminate, declare null and void and no longer in effect, and/or revoke Angel Americas’ and Angel’s above-identified domestic and/or international certifications.

Prior to Angel Americas receiving control of the above-identified authorizations, the DOJ, in concurrence with the U.S. Department of Homeland Security (collectively, “the Agencies”), expressly conditioned non-objection to Angel Americas being granted control of FCC licenses on “the Commission condition[ing] its approval on the assurance of Angel [Americas] to abide by the commitments and undertakings set forth in the attached November 15, 2013, Letter of Agreement from Angel Americas to the DOJ,” which was attached to the Agencies’ petition. (See Attach. 1, at 1 (Pet. To Adopt Cond. To Auth. and Licenses (November

18, 2013)).) As stated in the public notice disclosing the granting of Angel Americas' applications to receive control of the above-referenced certificates, the FCC concurred with the Agencies' request and granted such applications "subject to compliance with . . . the November 2013 Agreement" (herein referred to as the "**November 2013 Agreement**"). (See Attach. 2, at 4 (Public Notice (DA No. 14-936)).) The FCC's Public Notice further stipulated that "[a] failure to comply with and/or remain in compliance with any of the provisions of the November 2013 Agreement shall constitute a failure to meet a condition of this authorization and thus grounds for declaring the underlying authorizations terminated without further action on the part of the Commission."

Similarly, prior to Angel Mobile receiving control of the above-identified authorization, the Agencies expressly conditioned their non-objection to Angel Mobile being granted the authorization on "the Commission condition[ing] its approval on the assurance of Angel [Mobile, Inc.] to abide by the commitments and undertakings set forth in the attached July 7, 2014, Letter of Agreement from Angel Mobile to the DOJ," which was attached to the Agencies' petition. (See Attach. 3, at 1 (Pet. To Adopt Cond. To Auth. and Licenses (July 10, 2014)).) As stated in the public notice disclosing the grant of the above-referenced certificate to Angel Mobile, the FCC concurred with the Agencies' request and "condition[ed] grant of th[e] international section 214 authorization on compliance by Angel Mobile with the commitments and undertakes set forth in the July 7, 2014 letter" (herein referred to as the "**July 2014 LOA**"). (See Attach. 4, at 3 (Public Notice (DA No. 14-1062)).) The FCC's Public Notice further stipulated that "[a] failure to comply with and/or remain in compliance with any of these commitments and undertakings shall constitute a failure to meet a condition of the authorization."

Although the July 2014 LOA requires Angel Mobile to submit annual reports to the DOJ, the DOJ has never received an annual report from Angel Mobile. Moreover, the DOJ has reason to believe that the Angel entities are no longer in operation; and, we note that we have experienced difficulty in even finding individuals with whom to communicate on behalf of the Angel entities.¹ For all of these reasons, we posit that the Angel entities are unlikely and/or unable to comply with the November 2013 Agreement and the July 2014 LOA, and, consequently, that their correlating FCC licenses should be terminated, declared null and void and no longer in effect, and/or revoked.

¹ Specifically, on May 13, 2015, the DOJ attempted to separately contact Roland J. Bopp, the Chief Executive Officer of both Angel Americas and Angel Mobile (who signed both the November 2013 Agreement and the July 2014 LOA). The response received advised that Angel Americas had ceased to operate as of March 12, 2015, and that Angel Mobile never became operational and was a dormant entity. In addition, the DOJ was notified that "Roland" was no longer an appropriate point of contact for the Angel entities, and that Marcel Schuster should instead be contacted. (See Attach. 5 (mid-point).) Subsequently, on May 28, 2015, Marcel Schuster advised the DOJ that he had resigned from all positions with Angel Americas, and that "Angel Telecom" was in a bankruptcy scenario; Mr. Schuster also provided resignation letters from both himself and Roland Bopp. (See Attach. 5.) In addition, as recently as October 2015, the DOJ was informed by the Angel entities' prior counsel that, to his knowledge, Angel Americas had ceased operations and Angel Mobile had never become operational. Further, according to open-source searches, the Secretary of State for Nevada lists Angel Mobile's business license expiration date as October 31, 2015 (see Attachment 6); and, a January 8, 2016, telephone call to a number for Angel Americas returned only an automated message advising that the number was not in service. (See Attach. 7.)

Consequently, the DOJ requests that the Commission terminate, declare null and void and no longer in effect, and/or revoke the above-identified international and domestic authorizations issued to Angel Americas or Angel Mobile.

Thank you for your consideration.

Sincerely,

____s/Richard Sofield_____
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Washington, D.C. 2053

December 8, 2017

By Electronic Filing

Ms. Marlene H. Dortch
Secretary of the Federal Communications Commission
Federal Communications Commission
445 12th St. SW, Room TW-B204
Washington, DC 20554

Re: **Angel Americas, LLC, Holder of International Authorizations ITC-214-20010220-00085, ITC-214-20040618-00348, ITC-214-20020531-00293, and ITC-214-20050315-00105 (File No. ITC-ASG-20130130-00035), ITC-214-20031020-00495 (ITC-ASG-20130130-00037), ITC-214-20130429-00125, and of domestic section 214 authority (DA No. 14-936 (June 27, 2014))**

Angel Mobile, Inc., Holder of International Authorization ITC-214-20131206-00037 (DA No. 14-1062 (July 25, 2014))

Dear Ms. Dortch:

The Department of Justice (“DOJ”) hereby amends its January 21, 2016, request that the Federal Communications Commission (“Commission”) terminate, declare null and void and no longer in effect, and/or revoke the above-identified domestic and/or international certifications controlled by Angel Americas, LLC (“Angel Americas”) or Angel Mobile, Inc. (together with Angel Americas, “the Angel Entities”).

In the original letter regarding this topic the DOJ inadvertently omitted to include a file number for a license controlled by Angel Americas, and consequently herein requests that the Commission amend the DOJ’s original request to include the following file number: **ITC-214-20130429-00125**. The DOJ requests termination, revocation, or declaration with respect to Angel Americas’ control of that file number for the same reasons identified and discussed in the January 21, 2016, request, attached hereto.

Consequently, pursuant to this letter, the DOJ amends its original January 21, 2016, request and asks that the Commission terminate, declare null and void and no longer in effect, and/or revoke the above-identified international and domestic authorizations issued to the Angel Entities for the reasons discussed in the January 21, 2016, request.

