

Attachment 1 - Callmonitor LLC - 214 application

Question 9

Does the applicant request streamlined processing pursuant to 47 C.F.R. Section 63.12? If yes, include in Attachment 1 a statement of how the application qualifies for streamlined processing.

Pursuant to 63.10(e) Callmonitor LLC of Nevada is affiliated to foreign company Callmonitor Limited of England & Wales (registration number 03844878) as Richard Offenbach owns and controls 100% of both entities.

Pursuant to 63.12(b) iii, the foreign company Callmonitor Limited of England & Wales owns no facilities, or only mobile wireless facilities, in any market.

Question 11

If the applicant is a foreign carrier, or is affiliated (as defined in 47 C.F.R. Section 63.09(e)) with a foreign carrier, provide in Attachment 1 the information and certifications required by Section 63.18(i) through (m).

63.18 (i) A certification as to whether or not the applicant is, or is affiliated with, a foreign carrier. The certification shall state with specificity each foreign country in which the applicant is, or is affiliated with, a foreign carrier.

The applicant is affiliated with one company in the United Kingdom, Callmonitor Limited (registered in England & Wales, registration number 03844878)

The applicant has no other affiliation in any other country

63.18 (j) A certification as to whether or not the applicant seeks to provide international telecommunications services to any destination country for which any of the following is true.

The certification shall state with specificity the foreign carriers and destination countries:

- (1) The applicant is a foreign carrier in that country; or*
- (2) The applicant controls a foreign carrier in that country; or*
- (3) Any entity that owns more than 25 percent of the applicant, or that controls the applicant, controls a foreign carrier in that country.*
- (4) Two or more foreign carriers (or parties that control foreign carriers) own, in the aggregate, more than 25 percent of the applicant and are parties to, or the beneficiaries of, a contractual relation (e.g., a joint venture or market alliance) affecting the provision or marketing of international basic telecommunications services in the United States.*

The applicant is not a carrier in any other country. The applicant does not control a foreign carrier. The applicant is 100% owned by Richard Offenbach who also owns 100% of United Kingdom carrier Callmonitor Limited (registered in England & Wales, registration number 03844878)

63.18 (k) For any country that the applicant has listed in response to paragraph (j) of this section that is not a member of the World Trade Organization, the applicant shall make a demonstration as to whether the foreign carrier has market power, or lacks market power, with reference to the criteria in §63.10(a) of this chapter.

(1) The named foreign country (i.e., the destination foreign country) is a Member of the World Trade Organization; or

(2) The applicant's affiliated foreign carrier lacks market power in the named foreign country; or

(3) The named foreign country provides effective competitive opportunities to U.S. carriers to compete in that country's market for the service that the applicant seeks to provide (facilities-based, resold switched, or resold non-interconnected private line services).

An effective competitive opportunities demonstration

United Kingdom is a member of the World Trade Organisation.

63.18 (l) [Reserved]

63.18 (m) With respect to regulatory classification under §63.10 of this part, any applicant that is or is affiliated with a foreign carrier in a country listed in response to paragraph (i) of this section and that desires to be regulated as non-dominant for the provision of particular international telecommunications services to that country should provide information in its application to demonstrate that it qualifies for non-dominant classification pursuant to §63.10 of this part.

Pursuant to 63.10(a)3, the applicant's affiliated company, Callmonitor Limited (registered in England & Wales, registration number 03844878) does not operate or do business in the international transport or local access markets in the United Kingdom or any other country or market and therefore should be classified as non-dominant.

Question 12

Does the applicant seek authority to provide service to any destination described in paragraphs (1) through (4) of Section 63.18(j)? If yes, list those destinations in Attachment 1 as a response to question 12.

The applicant seeks authority to offer service to all destinations including the United Kingdom where it has an affiliate Callmonitor Limited (registered in England & Wales, registration number 03844878). The applicant's is however only seeking authority to resell a service, not to use it's own facilities.