

Tango Networks

Attachment 1

Application for FCC 214 – Resale of International Voice Communications

Each Applicant for resale authority under Section 63.18(e)(2) shall certify in an Attachment to the application that the Applicant will comply with the terms and conditions contained in Sections [63.21](#) and [63.23](#) of the Commission's rules. Sections 63.21 and 63.23 specify the general terms and conditions applicable to U.S.-international resale carriers.

§63.21 Conditions applicable to all international Section 214 authorizations.

- (a) Each carrier is responsible for the continuing accuracy of the certifications made in its application. Whenever the substance of any such certification is no longer accurate, the carrier shall as promptly as possible and, in any event, within thirty (30) days, file with the Commission a corrected certification referencing the FCC file number under which the original certification was provided. The information may be used by the Commission to determine whether a change in regulatory status may be warranted under §63.10. *See also* §63.11.

Comply

- (b) Carriers must file copies of operating agreements entered into with their foreign correspondents as specified in §43.51 of this chapter and shall otherwise comply with the filing requirements contained in that section.

Comply – Tango Networks has not entered into any operating agreements with foreign correspondents. We are reselling services provided to us from a US based operator.

- (c) Carriers regulated as dominant for the provision of a particular international communications service on a particular route for any reason other than a foreign carrier affiliation under §63.10 shall file tariffs pursuant to Section 203 of the Communications Act, 47 U.S.C. 203, and part 61 of this chapter. Except as specified in §20.15(d) of this chapter with respect to commercial mobile radio service providers, carriers regulated as non-dominant, as defined in §61.3 of this chapter, and providing detariffed international services pursuant to §61.19 of this chapter must comply with all applicable public disclosure and maintenance of information requirements in §§42.10 and 42.11 of this chapter.

Comply – Tango Networks would not be considered a dominant carrier for any route.

- (d) Carriers must file annual international telecommunications traffic and revenue as required by §43.62 of this chapter.

Comply – Tango Networks will fill an annual international traffic and revenue report.

- (e) Authorized carriers may not access or make use of specific U.S. customer proprietary network information that is derived from a foreign network unless the carrier obtains approval from that U.S. customer. In seeking to obtain approval, the carrier must notify the U.S. customer that the customer may require the carrier to disclose the information to unaffiliated third parties upon written request by the customer.

Comply – Tango Networks will not access or make use of specific US customer proprietary network information.

- (f) Authorized carriers may not receive from a foreign carrier any proprietary or confidential information pertaining to a competing U.S. carrier, obtained by the foreign carrier in the course of its normal business dealings, unless the competing U.S. carrier provides its permission in writing.

Comply – Tango Networks will not receive any proprietary or confidential information pertaining to a competing US carrier.

- (g) The Commission reserves the right to review a carrier's authorization, and, if warranted, impose additional requirements on U.S. international carriers in circumstances where it appears that harm to competition is occurring on one or more U.S. international routes.

Comply

- (h) Subject to the requirement of §63.10 that a carrier regulated as dominant along a route must provide service as an entity that is separate from its foreign carrier affiliate, and subject to any other structural-separation requirement in Commission regulations, an authorized carrier may provide service through any wholly owned direct or indirect subsidiaries. The carrier must, within thirty (30) days after the subsidiary begins providing service, file with the Commission a notification referencing the authorized carrier's name and the FCC file numbers under which the carrier's authorizations were granted and identifying the subsidiary's name and place of legal organization. This provision shall not be construed to authorize the provision of service by any entity barred by statute or regulation from itself holding an authorization or providing service.

Comply – Tango Networks would not be considered a dominant carrier.

- (i) An authorized carrier, or a subsidiary operating pursuant to paragraph (h) of this section, that changes its name (including the name under which it is doing business) must notify the Commission within thirty (30) days of the name change. Such notification shall reference the FCC file numbers under which the carrier's authorizations were granted.

Comply

§63.23 Resale-based international common carriers.

The following conditions apply to carriers authorized to resell the international services of other authorized carriers:

(a) A carrier authorized under §63.18(e)(2) may provide resold international services to international points for which the applicant qualifies for non-dominant regulation as set forth in §63.10, except that the carrier may not provide either of the following services unless it has received specific authority to do so under §63.18(e)(3):

(1) Resold switched services to a non-WTO Member country where the applicant is, or is affiliated with, a foreign carrier; and

Comply - Tango Networks is not affiliated with a foreign carrier.

(2) Switched or private line services over resold private lines to a destination market where the applicant is, or is affiliated with, a foreign carrier and the Commission has not determined that the foreign carrier lacks market power in the destination market (see §63.10(a)).

Comply -Tango Networks is not affiliated with a foreign carrier.

(b) The carrier may not resell the international services of an affiliated carrier regulated as dominant on the route to be served unless it has received specific authority to do so under §63.18(e)(3).

Comply - Tango Networks is not reselling services from a dominant carrier.

(c) Subject to the limitations specified in paragraph (b) of this section and in §63.17(b), the carrier may provide service by reselling the international services of any other authorized U.S. common carrier or foreign carrier, or by entering into a roaming or other arrangement with a foreign carrier, for the provision of international basic switched, private line, data, television and business services to all international points.

NOTE TO PARAGRAPH (c): For purposes of this paragraph, a roaming arrangement with a foreign carrier is defined as an arrangement under which the subscribers of a U.S. commercial mobile radio service provider use the facilities of a foreign carrier with which the subscriber has no direct pre-existing service or financial relationship to place a call from the foreign country to the United States.

Comply - Tango Networks is reselling international voice services from a wholesale US carrier.

(d) The carrier may provide switched basic services over its authorized resold private lines in either of the following two circumstances:

(1) The country at the foreign end of the private line appears on the Commission's list of international routes exempted from the international settlements policy set forth in §64.1002 of this chapter; or

(2) The carrier is exchanging switched traffic with a foreign carrier that lacks market power in the country at the foreign end of the private line. A foreign carrier lacks market power for purposes of this section if it does not appear on the Commission's list of foreign carriers that do not qualify for the presumption that they lack market power in particular foreign points.

NOTE TO PARAGRAPH (d): The Commission's list of international routes exempted from the international settlements policy, and the Commission's list of foreign carriers that do not qualify for the presumption that they lack market power in particular foreign points are available on the International Bureau's World Wide Web site at <http://www.fcc.gov/ib>.

Comply - Tango Networks is reselling international voice services from a wholesale US carrier who complies with these rules.