

Attachment A

CERTIFICATE

The undersigned hereby certifies, on behalf of Swisstok Telnet USA Inc. (“Swisstok Telnet USA” or “Applicant”) with respect to the foregoing application for authority to provide international services, that:

1. In response to **Question 9** of this Application, the Application qualifies for streamlined processing pursuant to Section 63.12 of the Commission’s rules, 47 C.F.R. § 63.12, based on the following:

The streamlined processing procedures apply to Swisstok Telnet USA’s application under 47 C.F.R. § 63.12(a) and (c)(1)(ii). Although Swisstok Telnet USA is currently affiliated with three foreign entities that will provide communications services in the United Kingdom, Finland, Sweden, and Switzerland, Swisstok Telnet USA qualifies for a presumption of non-dominance in these markets under 47 C.F.R. § 63.10(a)(3).

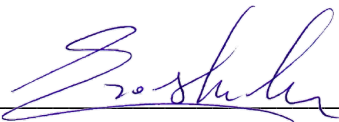
Swisstok Telnet USA is a wholly owned subsidiary of Swisstok Telnet Global AG, a communications provider with its principal place of business in Switzerland. Swisstok Telnet Global AG also holds a 100 percent ownership interest in Swisstok Telnet UK Limited (“Swisstok Telnet UK”) and Swisstok Telnet Finland Oy (“Swisstok Telnet Finland”). The Applicant’s parent company Swisstok Telnet Global AG plans to offer interconnected VoIP service in Switzerland and to rent equipment to its Swisstok Telnet subsidiaries, but has not yet commenced its service offerings in Switzerland. Swisstok Telnet UK will provide interconnected VoIP service in the United Kingdom and plans to commence service sometime after May 2016. Swisstok Telnet Finland will provide interconnected VoIP service in Finland and Sweden and plans to commence service in those locations as early as May 2016.

Swisstok Telnet Global AG, Swisstok Telnet UK, and Swisstok Telnet Finland lack sufficient market power in Switzerland, the United Kingdom, Finland, and Sweden to affect competition adversely in the U.S. market. As none of the affiliated Swisstok Telnet entities have started providing telecommunications services, they currently have no customers and no market power in the telecommunications markets they plan to serve. *See* 47 C.F.R. § 63.10(a)(3) (“If the U.S. carrier demonstrates that the foreign affiliate lacks 50 percent market share in the international transport and the local access markets on the foreign end of the route, the U.S. carrier shall presumptively be classified as non-dominant.”). Further, none of the Swisstok Telnet companies are listed on the Commission’s “List of Foreign Telecommunications Carriers that Are Presumed to Possess Market Power in Foreign Telecommunications Markets.” *See 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).

For the foregoing reasons, Swisstok Telnet USA qualifies for non-dominant classification on the routes between the U.S. and Switzerland, the United Kingdom, Finland, and Sweden and the Application qualifies for streamlined processing under 47 C.F.R. § 63.12(c)(1)(ii). Further, the provisions of Section 63.12(c)(2) do not apply to the Applicant because Swisstok Telnet USA does not have an affiliation with a dominant U.S. carrier. *See* 47 C.F.R. § 63.12(c)(2).

2. In response to **Question 11** of this Application, the following information and certifications are provided as required by Sections 63.18(i) through (m) of the Commission's rules, 47 C.F.R. § 63.18(i)-(m):
 - a. Section 63.18(i): Swisstok Telnet USA is not a foreign carrier. Swisstok Telnet USA is affiliated with three foreign telecommunications providers that will provide service in Switzerland (Swisstok Telnet Global AG), the United Kingdom (Swisstok Telnet UK Limited), Finland (Swisstok Telnet Finland Oy), and Sweden (Swisstok Telnet Finland Oy).
 - b. Section 63.18(j)(1), (2), and (4): Swisstok Telnet USA does not seek to provide international telecommunications services to any destination country where:
 - Swisstok Telnet USA is a foreign carrier;
 - Swisstok Telnet USA controls a foreign carrier; or
 - Two or more foreign carriers (or parties that control foreign carriers) own, in the aggregate, more than 25 percent of Swisstok Telnet USA and are parties to, or the beneficiaries of, a contractual relation affecting the provision or marketing of international basic telecommunications services in the United States.
 - c. Section 63.18(j)(3): As explained above, Swisstok Telnet Global AG owns 100% of Swisstok Telnet USA. Swisstok Telnet USA seeks to provide international telecommunications services to:
 - Switzerland, where Swisstok Telnet Global AG will provide communications services;
 - The United Kingdom, where Swisstok Telnet UK, a wholly owned subsidiary of Swisstok Telnet Global AG, will provide communications services; and
 - Finland and Sweden, where Swisstok Telnet Finland, a wholly owned subsidiary of Swisstok Telnet Global AG, will provide communications services.
 - d. Section 63.18(k): Switzerland, the United Kingdom, Finland, and Sweden are members of the World Trade Organization. *See* https://www.wto.org/english/thewto_e/countries_e/finland_e.htm, https://www.wto.org/english/thewto_e/countries_e/sweden_e.htm, https://www.wto.org/english/thewto_e/countries_e/switzerland_e.htm, https://www.wto.org/english/thewto_e/countries_e/united_kingdom_e.htm.
 - e. Section 63.18(l): Not applicable.

- f. Section 63.18(m): Swisstok Telnet USA incorporates by reference its response to Question 9, which demonstrates that Swisstok Telnet USA qualifies for non-dominant classification pursuant to § 63.10.
3. In response to **Question 12** of this Application, and as described above, Swisstok Telnet USA seeks authority to provide services to Switzerland, the United Kingdom, Finland, and Sweden.
 4. Swisstok Telnet USA has not agreed to accept special concessions directly or indirectly from any foreign carrier with respect to any U.S. international route where the foreign carrier possesses sufficient market power on the foreign end of the route to affect competition adversely in the U.S. market and will not enter into such agreements in the future.
 5. No party to this application is subject to a denial for Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 853(a).
 6. Swisstok Telnet USA will comply with the terms and conditions contained in Sections 63.21, 63.22, and 63.23 of the Commission's rules, 47 C.F.R. §§ 63.21-23.

By: 

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