

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of the Application of	)	
	)	
	)	
Nova Labs, Inc. dba Helium Mobile,	)	File No. ITC-214-_____
	)	
for Authority Pursuant to Section 214 of the	)	
Communications Act of 1934, as Amended, and	)	
Sections 63.12 and 63.18 of the Commission's	)	
Rules for Authority to Provide International	)	
Resold Services to All International Points	)	

APPLICATION

I. Introduction

Nova Labs, Inc. dba Helium Mobile (“Nova Labs” or “Applicant”) respectfully requests global resale authority pursuant to Section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214 (the “Act”) and Sections 63.12 and 63.18 of the Rules of the Federal Communications Commission (“Commission” or “FCC”).¹ As explained herein, this Application is entitled to streamlined processing under Section 63.12 of the Commission’s Rules, 47 C.F.R. § 63.12.

II. Description of the Applicant

Nova Labs is a technology company based in San Francisco, CA and a leader in the development of open-source, affordable, and secure global wireless networks. As the creator of the Helium Network—the world’s first decentralized, blockchain-based wireless network—Nova Labs is pioneering a consumer-driven approach to 5G connectivity. The Helium Network leverages thousands of consumer hotspots to connect low-power IoT devices using long range,

¹ 47 C.F.R. §§ 63.12, 63.18(e)(2).

wide area network wireless protocols. Building on the success of the Helium Network, Nova Labs now seeks international Section 214 authority to offer global resale services as its 5G network expands to include innovative mobile carrier services.

III. Public Interest Statement

Grant of this application will serve the public interest by allowing Nova Labs to expand its people-driven approach to 5G connectivity services by offering global resale services. These services will allow Nova Labs to continue to better serve the evolving needs of consumers in the increasingly competitive marketplace for wireless connectivity. In particular, grant of the application will allow Nova Labs to combine the benefits of a decentralized 5G network with the addition of global resale authority to provide global connectivity to its customers. This innovative, hybrid approach will provide cost-effective connectivity solutions for consumers across a single platform powered by the Helium Network and best in class carrier infrastructure.

Therefore, Nova Labs respectfully requests the Commission expeditiously grant this application.

IV. Eligibility for Streamlined Processing

This application is eligible for streamlined processing because Nova Labs is not affiliated with a foreign carrier in any destination market or with a dominant U.S. carrier whose international switched or private line services it seeks authority to resell. Thus, none of the exclusionary criteria in Section 63.12(c) will apply to this application. Moreover, Applicant is not affiliated with any dominant foreign carrier.

V. Information Required by Section 63.18

Nova Labs submits the following information required pursuant to Section 63.18 of the Commission's rules in support of this application:

63.18(a) (Answer to Question 1) Name, address and telephone number of the Applicant:

Nova Labs, Inc. dba Helium Mobile
2202 S Figueroa St, #408
Los Angeles, CA 90007
Tel.: (310) 571-8458

63.18 (b) (Answer to Question 3) Jurisdiction of Organization:

Applicant is a Delaware corporation.

63.18 (c) (Answer to Question 2) Correspondence concerning this application should be sent to:

Brian D. Weimer
Douglas A. Svor
SHEPPARD MULLIN RICHTER & HAMPTON LLP
2099 Pennsylvania Ave NW
Suite 100
Washington, DC 20006
Tel.: (202) 747-1900
bweimer@sheppardmullin.com
dsvor@sheppardmullin.com

63.18 (d) (Answer to Question 15) Section 214 Authorizations:

Applicant does not hold any Section 214 authorizations.

63.18 (e) (Answer to Questions 5 and 15) Authority Requested:

Applicant is seeking Section 214 authority to operate as a resale carrier pursuant to Section 63.18(e)(2) of the Commission's Rules. 47 C.F.R. § 63.18(e)(2). Nova Labs requests such authorization for all international routes authorized by the Commission. Nova Labs will comply with the terms and conditions contained in Sections 63.21 and 63.23 of the Commission's Rules, 47 C.F.R. §§ 63.21, 63.23.

63.18 (f) (Answer to Question 5) Multiple services:

Not applicable.

63.18 (g) (Answer to Question 15) Environmental Impact:

Not applicable because Applicant is not applying for authority under facilities-based services under Section 63.18(e)(3).

63.18 (h) (Answer to Question 14) Ownership:

The following entities hold a 10% or greater interest in Nova Labs:

1. Name: **Khosla Ventures IV, LP**
 Address: 2128 Sand Hill Road
 Menlo Park, CA 94025

 Citizenship: U.S. (Delaware)
 Principal Business: Investment Fund
 Percentage of Ownership: 17.89% (directly in Nova Labs).

The following entities hold a ten percent (10%) or greater indirect interest in Applicant through **Khosla Ventures IV, LP**:

- | | |
|--------------------------|---|
| Name: | Khosla Ventures Associates IV, LLC |
| Address: | 2128 Sand Hill Road
Menlo Park, CA 94025 |
| Citizenship: | U.S. (Delaware) |
| Principal Business: | Investment Management Company |
| Percentage of Ownership: | 100% (as General Partner of Khosla Ventures IV, LP) |

The following entities hold a ten percent (10%) or greater indirect interest in Applicant through **Khosla Ventures Associates IV, LLC**:

- | | |
|--------------------------|--|
| Name: | VK Services, LLC |
| Address: | 2128 Sand Hill Road
Menlo Park, CA 94025 |
| Citizenship: | U.S. (Delaware) |
| Principal Business: | Investment Management Company |
| Percentage of Ownership: | 100% (as the Sole Manager of Khosla Ventures Associates IV, LLC) |

Vinod Khosla, a U.S. citizen, is the managing member of VK Services, LLC. Mr. Khosla is reachable at the address listed above for VK Services, LLC. No other individual or entity holds a 10% or greater interest in Applicant through Khosla Ventures IV, LP.

2. Name: **FirstMark Capital II L.P.**
 Address: 100 5th Ave, 3rd Floor
 New York, NY 10011

 Citizenship: U.S. (Delaware)
 Principal Business: Investments
 Percentage of Ownership: 10.58%

The following entities hold a ten percent (10%) or greater indirect interest in Applicant through **FirstMark Capital II L.P.**:

Name:	FirstMark Capital II GP, LLC
Address:	100 5 th Ave, 3 rd Floor New York, NY 10011
Citizenship:	U.S. (Delaware)
Principal Business:	Investments
Percentage of Ownership:	100% (as the General Partner of FirstMark Capital II L.P.)

The managing members of FirstMark Capital II GP, LLC are Richard Heitzmann, a U.S. citizen, and Amish Jani, a U.S. citizen, both of whom are reachable at the address listed above for FirstMark Capital II, L.P. No other individual or entity holds a 10% or greater interest in Applicant through FirstMark Capital II L.P.

Applicant does not have any interlocking directorates with a foreign carrier.

63.18 (i) (Answer to Question 11) Foreign Carrier Affiliations:

Applicant certifies that it is not a foreign carrier or affiliated with any foreign carrier.

63.18 (j) (Answer to Question 12) Affiliations in Destination Countries:

Applicant certifies that it does not seek to provide international telecommunications services to any destination country where:

- (1) Applicant is a foreign carrier in that country;
- (2) Applicant controls a foreign carrier in that country;
- (3) any entity that owns more than 25 percent of Applicant, or that controls Applicant, controls a foreign carrier in that country; and
- (4) two or more foreign carriers (or parties that control foreign carriers) own, in the aggregate, more than 25 percent of Applicant 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.

63.18 (k) (Answer to Question 12) Market Power in Markets Listed in Response to 63.18(j)

Not applicable.

63.18 (m) (Answer to Question 11) Foreign Carrier Affiliation

Applicant will not be affiliated with any foreign carrier.

63.18 (n) (Answer to Question 17) Special Concessions

Applicant certifies that it 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 market power on the foreign end of the route and will not enter into such agreements in the future.

63.18 (o) (Answer to Question 16) Anti-Drug Abuse Act Certification

Applicant certifies that it is not subject to denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988. *See* 21 U.S.C. § 853a.

63.18 (p) (Answer to Question 9) Streamlined Processing

For the reasons described in **Section IV**, this application qualifies for streamlined processing.

VI. Conclusion

Based on the foregoing, the Applicant respectfully submits that the public interest, convenience, and necessity would be furthered by grant of this application.

Respectfully submitted,

/s/ Douglas Svor

Brian D. Weimer
Douglas A. Svor
Sheppard Mullin Richter & Hampton LLP
2099 Pennsylvania Ave NW
Suite 100
Washington, DC 20006
Tel.: (202) 747-1900
bweimer@sheppardmullin.com
dsvor@sheppardmullin.com

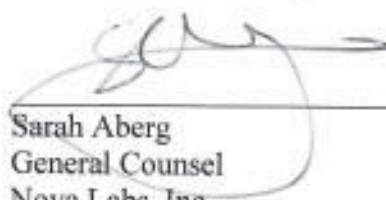
Counsel to Nova Labs, Inc. dba Helium Mobile

Date: April 13, 2023

VERIFICATION

I, Sarah Aberg, state that I am the General Counsel of Nova Labs, Inc. and that I am authorized to make this Verification on behalf of Nova Labs, Inc.; that the foregoing filing was prepared under my direction and supervision; and that the contents thereof and the certifications contained therein are true and correct to the best of my knowledge, information, and belief.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 13th day of April, 2023.



Sarah Aberg
General Counsel
Nova Labs, Inc.