

Attachment
Section 214 Application of Simwood, Inc.
(Includes Information for Attachments 1 and 2)

Response to question 7: Applicant intends to provide services to all countries except those on the Exclusion List.

Response to question 8: “Application for authority to Provide International Facilities-Based Service and Resold Service to All International Points (Except for Countries on the Exclusion List).”

Response to question 9: Applicant respectfully requests streamlined processing of this Application pursuant to Section 63.12 of the Commission's Rules (47 C.F.R. 63.12). As discussed below, the applicant qualifies for a presumption of non-dominance under § 63.10(a)(3), as its affiliate has less than 50% market share of the United Kingdom. Thus, it is eligible for streamlined processing per 47 CFR § 63.12(c)(1)(ii).

Response to question 10: Not applicable.

Response to question 11: Applicant certifies that it is affiliated with a foreign carrier in the United Kingdom. § 63.18(i). Specifically, Applicant’s parent, Simwood Group, PLC, owns Simwood eSMS Limited, a foreign carrier in the United Kingdom. Applicant certifies that an entity that owns more than 25 percent of the Applicant, or that controls the Applicant, controls a foreign carrier in that United Kingdom. § 63.18(j)(3). The United Kingdom is a member of the WTO. § 63.18(k).

The FCC should classify Applicant as non-dominant because it qualifies for non-dominant classification pursuant to § 63.10. Specifically, the FCC maintains a “List of Foreign Telecommunications Carriers that Are Presumed to Possess Market Power.”¹ None of Applicant’s affiliates are on this list for the United Kingdom or elsewhere, nor do any of Applicant’s affiliates have “sufficient market power to affect competition adversely in the U.S. market” per 47 CFR § 63.09(f). Further, Applicant has less than fifty percent market share in the United Kingdom.

Response to question 12: Applicant seeks to provide service to the United Kingdom.

Response to question 13: Not applicable.

¹ Available at <https://www.fcc.gov/general/international-resources>.

Response to question 14 [Section 63.18(h)]: The name, address, citizenship and principal business of Applicant's ten percent or greater direct and indirect shareholders or other equity holders are as follows:

Name: Simwood Group, PLC

Address: CubeM4 Business Park, Old Gloucester Road, Bristol BS16 1FX

Principal Business: Communication Services

Citizenship: United Kingdom

Interlocking directorates: Simon Woodhead.

Response to Question 15 [63.18 (d)]: Simwood has not previously received Section 214 authority from the Federal Communications Commission.

[63.18 (e)(3) and 63.18(g)]: Simwood does not seek authority to provide services not referenced under paragraphs (e)(3) of Section 63.18 of the Commission's Rules.