



Wednesday, March 16, 2009

Assistant Attorney General
National Security Division
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Assistant Secretary for Policy
U.S. Department of Homeland Security
3801 Nebraska Avenue, N.W.
Washington, D.C. 20528

Re: Pending application by WX Communications, Ltd for authorization under Section 214 of the Communications Act of 1934, as amended

Sirs:

This letter outlines the commitments made by WX Communications, Ltd. ("WX") to the U.S. Department of Justice ("DOJ") and to the U.S. Department of Homeland Security ("DHS"), in order to address national security, law enforcement, and public safety concerns raised with regard to the WX application to the Federal Communications Commission ("FCC") for an international authorization for authority to provide international resold services to all international points under Section 214 of the Communications Act of 1934, as amended.

WX is a foreign corporation organized under the laws of Belize seeking an authorization from the FCC to provide international resold and facilities-based services to all international points under Section 214 of the Communications Act of 1934, as amended. WX intends to create an open Voice over IP (VoIP) routing platform accessible via a Web API.

WX agrees that, for all WX customer billing records, subscriber information, and any other related



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information used, processed, or maintained in the ordinary course of business relating to communications services offered in the United States ("U.S. Records"), WX will store either originals or copies of originals in the United States and make such U.S. Records available in response to lawful U.S. process.¹ For these purposes, U.S. Records shall include information subject to disclosure to a U.S. Federal or state governmental entity under the procedures specified in Sections 2703(c) and (d) and Section 2709 of Title 18 of the United States Code. WX also agrees to ensure that U.S. Records are not made subject to mandatory destruction under any foreign laws.

We understand that, upon execution of this letter by an authorized representative or attorney for WX, DOJ and DHS shall notify the FCC that they have no objection to the FCC's grant of the WX application filed with the FCC.

Sincerely,

Ray Usher
Authorized Representative

¹ This statement does not supercede or replace WX's other duties to comply with any applicable FCC requirements and regulations. WX acknowledges that it must also meet any other applicable FCC regulatory requirements, including but not limited to any requirements related to the storage and protection of Customer Proprietary Network Information (CPNI).