

**Mikelle Morra**

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**From:** Mikelle Morra  
**Sent:** Friday, March 24, 2006 3:40 PM  
**To:** 'reg@regnumgroup.com'; 'mauriciosantos66@hotmail.com'; 'soo@ilicom.org'; 'bweimer@skadden.com'; 'glawhom@birch.com'  
**Cc:** George Li; David Krech; Susan OConnell; Joann Ekblad; 'msaldiva@leo.gov'; 'jpifer@leo.gov'; 'amy.jabloner@usdoj.gov'  
**Subject:** FCC Section 214 Applications Removed from Streamlined

Starlight International, Inc. d/b/a Bright Star Telecom  
 ITC-214-20060224-00117

ILCOM INC.  
 ITC-214-20060227-00118

Birch Telecom of Missouri, Inc.  
 ITC-ASG-20060221-00111

Birch Telecom of Oklahoma, Inc.  
 ITC-ASG-20060221-00112

Ionex Communications, Inc.  
 ITC-ASG-20060221-00113

Ionex Communications North, Inc.  
 ITC-ASG-20060221-00114

Ionex Communications South, Inc.  
 ITC-ASG-20060221-00115

Telecom Resources, Inc.  
 ITC-ASG-20060221-00116

The above referenced applications were placed on Public Notice on March 10, 2006 for streamlined processing. Since the Public Notice was released, the Commission has been requested by the Executive Branch agencies of the United States that we remove the subject applications from streamlined processing because of foreign ownership issues. Therefore, pursuant to Section 63.12(c)(4) of the Commission's Rules, we have removed this application from streamlined processing.

Please be advised that your company may not commence operations until the Section 214 authorization is granted. See Section 63.12(d) of the rules, 47 C.F.R. Section 63.12(d). The Executive Branch will contact you or the "Contact" listed on your application directly for further information. You can be assured that your application will be processed expeditiously upon completion of Executive Branch's review. We will notify you by e-mail when your application is granted.

The Public Notice Report No. TEL-01009S (released March 24, 2006), is attached. If you have any questions, please email: [Mikelle.Morra@fcc.gov](mailto:Mikelle.Morra@fcc.gov); [Joann.Ekblad@fcc.gov](mailto:Joann.Ekblad@fcc.gov); [Susan.OConnell@fcc.gov](mailto:Susan.OConnell@fcc.gov); and [George.Li@fcc.gov](mailto:George.Li@fcc.gov) or fax to 202-418-2824.

Thank you.

Mikelle Morra  
[Mikelle.Morra@fcc.gov](mailto:Mikelle.Morra@fcc.gov)  
 International Bureau/ Policy Division  
 202-418-7151

3/24/2006

**Mikelle Morra**

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**From:** Mikelle Morra  
**Sent:** Thursday, April 13, 2006 12:14 PM  
**To:** 'bweimer@skadden.com'; 'susan.crandall@intelsat.com'; 'jhindin@wrf.com'; 'jbeahn@skadden.com'  
**Cc:** George Li; Susan OConnell; David Krech; Joann Ekblad; 'amy.iabloner@usdoj.gov'; 'msaldiva@leo.gov'; 'jpifer@leo.gov'; Kathleen Collins; 'Louis.Brenner@dhs.gov'; 'joseph.springsteen@usdoj.gov'  
**Subject:** FCC Section 214 Applications Granted

Intelsat USA License Corp.  
ITC-214-20051031-00443

Birch Telecom of Missouri, Inc.  
ITC-ASG-20060221-00111

Birch Telecom of Oklahoma, Inc.  
ITC-ASG-20060221-00112

Ionex Communications, Inc.  
ITC-ASG-20060221-00113

Ionex Communications North, Inc.  
ITC-ASG-20060221-00114

Ionex Communications South, Inc.  
ITC-ASG-20060221-00115

~~Telecom Resources, Inc.~~  
~~ITC-ASG-20060221-00116~~

The above listed applications have been granted by Public Notice released April 13, 2006; Report No. TEL-01016, DA 06-842 (attached).

Thank you,

Mikelle Morra  
[Mikelle.Morra@fcc.gov](mailto:Mikelle.Morra@fcc.gov)  
International Bureau/ Policy Division

\*\*\* Non-Public: For Internal Use Only \*\*\*

4/13/2006



Federal Communications Commission  
Washington, D.C. 20554

International Bureau

*Carpen*

E-mail: James.Ball@fcc.gov  
George.Li@fcc.gov

(202) 418-1462  
(202) 418-2824 (fax)  
February 27, 2006  
Ref: 2006-18

|                    |                |                  |                |
|--------------------|----------------|------------------|----------------|
| Hillary Morgan     | (703) 607-6092 | Monique Roth     | (202) 353-6200 |
| Sтивен W. Lett     | (202) 647-5835 | Regina Hart      | (202) 205-0497 |
| Eric Werner        | (202) 772-0908 | Louis Brenner    | (202) 692-4235 |
| Edward T. Hand     | (202) 514-2464 | Richard Lamb     | (202) 647-0965 |
| Josephine Scarlett | (202) 482-5461 | Tina Gabrelli    | (202) 282-8582 |
| Helen Domenici     | (202) 456-6085 | Kenneth Schagrin | (202) 395-5663 |
| Dominic Pastore    | (202) 514-5607 | Myla S. Trotter  | (202) 324-1730 |
| Laura Pasky        | (202) 616-3928 |                  |                |

Re: Birch Telecom Inc., Debtor-in-Possession

WC DK No.06-45, DA 06-482, Public Notice Released Feb. 27, 2006

ITC-ASG-20060221-00111  
ITC-ASG-20060221-00112  
ITC-ASG-20060221-00113  
ITC-ASG-20060221-00114  
ITC-ASG-20060221-00115  
**ITC-ASG-20060221-00116**

Comments Due: March 13, 2006  
Reply Comments Due: March 20, 2006

Dear Sir or Madam:

We have received domestic and international section 214 applications for consent to the assignment of Birch Telecom Inc., Debtor-in-Possession and its subsidiaries to the newly reorganized Birch Telecom ("New Birch") pursuant to a Third Amended Joint Reorganization Plan (the "Reorganization Plan") proposed by Birch DIP. Subject to bankruptcy court approval, the Reorganization Plan authorizes Birch DIP to emerge from bankruptcy court protection with a new capital structure as New Birch. One of the proposed shareholders of New Birch is Strategic Value Master Fund Ltd, a Cayman Islands limited company, which will hold a 26.2% interest in New Birch.

A copy of Public Notice DA 06-482 (rel. February 27, 2006), seeking comment on the domestic applications, are attached. Should you have any national security, law enforcement, foreign policy or trade concerns with this proposed transaction, please file your comments by March 13, 2006 and reply comments by March 20, 2006. Please see the General Information section of the Public Notice for WC DK No. 06-45, DA 06-482 (rel. February 27, 2006).

For further information on the domestic wireline applications, please contact Adam Kirschenbaum, at (202) 418-7280, Tracey Wilson-Parker at (202) 418-1394, or Renee Crittenden at (202) 418-2352.

Sincerely,

*George Li*  
George Li, Deputy Chief  
Policy Division



U.S. Department of Justice  
Criminal Division

Washington, D.C. 20530

March 13, 2006

Ms. Marlene H. Dortch  
Federal Communications Commission  
445 12th St. SW, Room TW-B204  
Washington, DC 20554

Re: Birch Telecom Inc., Debtor-in-Possession.  
WC DK No.06-45, DA 06-482  
ITC-ASG-20060221-00111  
ITC-ASG-20060221-00112  
ITC-ASG-20060221-00113  
ITC-ASG-20060221-00114  
ITC-ASC-20060221-00115  
ITC-ASG-20060221-00116  
Domestic and International Section 214 Applications for Consent to the Assignment of  
Birch Telecom Inc., Debtor-in-Possession and its subsidiaries to the newly organized  
Birch Telecom ("New Birch") pursuant to the Third Amended Joint Reorganization Plan

Dear Ms. Dortch:

The Department of Justice ("DOJ"), including the Federal Bureau of Investigation ("FBI"), with the concurrence of the Department of Homeland Security ("DHS"), requests that the Federal Communications Commission (Commission) defer action on the applications of Birch Telecom, Inc. to assign domestic and international authorizations under section 214 of the Telecommunications Act of 1934 to New Birch until such time as DOJ, FBI, and DHS (i) notify the Commission that potential national security, law enforcement, and public safety issues raised by the application have or have not been resolved, and (ii) on that basis, request appropriate action by the Commission. Necessarily, DOJ, FBI, and DHS also request that the Commission remove the application from streamlined processing.

After receiving notice of the application, DOJ, FBI, and DHS have been in contact with the Applicants to request additional information relating to national security, law enforcement, and public safety concerns. DOJ, FBI, and DHS will advise the Commission promptly upon completion of our review.

FILE COPY

READ INSTRUCTIONS CAREFULLY  
BEFORE PROCEEDING

FEDERAL COMMUNICATIONS COMMISSION  
REMITTANCE ADVICE

Approved by OMB  
3060-0589  
Page 1 of 1

FEB 21 2006

|                                                                                                                                                                                                                      |                                  |                               |                                                            |            |  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|-------------------------------|------------------------------------------------------------|------------|--|
| (1) LOCK BOX #<br>358115                                                                                                                                                                                             |                                  | SECTION A - PAYER INFORMATION |                                                            | FCC/MELLON |  |
| (2) PAYER NAME (if paying by credit card enter name exactly as it appears on the card)<br>Skadden, Arps, Slate, Meagher & Flom LLP                                                                                   |                                  |                               | (3) TOTAL AMOUNT PAID (U.S. Dollars and cents)<br>\$895.00 |            |  |
| (4) STREET ADDRESS LINE NO. 1<br>1440 New York Avenue, N.W.                                                                                                                                                          |                                  |                               |                                                            |            |  |
| (5) STREET ADDRESS LINE NO. 2                                                                                                                                                                                        |                                  |                               |                                                            |            |  |
| (6) CITY<br>Washington                                                                                                                                                                                               | (7) STATE<br>DC                  | (8) ZIP CODE<br>20005         |                                                            |            |  |
| (9) DAYTIME TELEPHONE NUMBER (include area code)<br>202-371-7000                                                                                                                                                     |                                  |                               | (10) COUNTRY CODE (if not in U.S.A.)                       |            |  |
| FCC REGISTRATION NUMBER (FRN) REQUIRED                                                                                                                                                                               |                                  |                               |                                                            |            |  |
| (11) PAYER (FRN)<br>0003-7714-66                                                                                                                                                                                     |                                  |                               |                                                            |            |  |
| IF MORE THAN ONE APPLICANT, USE CONTINUATION SHEETS (FORM 159-C)<br>COMPLETE SECTION BELOW FOR EACH SERVICE, IF MORE BOXES ARE NEEDED, USE CONTINUATION SHEET                                                        |                                  |                               |                                                            |            |  |
| (12) APPLICANT NAME<br>Telcom Resources, Inc.                                                                                                                                                                        |                                  |                               |                                                            |            |  |
| (14) STREET ADDRESS LINE NO. 1<br>2300 Main Street                                                                                                                                                                   |                                  |                               |                                                            |            |  |
| (15) STREET ADDRESS LINE NO. 2<br>6th Floor                                                                                                                                                                          |                                  |                               |                                                            |            |  |
| (16) CITY<br>Kansas City                                                                                                                                                                                             | (17) STATE<br>MO                 | (18) ZIP CODE<br>64108        |                                                            |            |  |
| (19) DAYTIME TELEPHONE NUMBER (include area code)<br>816-300-3000                                                                                                                                                    |                                  |                               | (20) COUNTRY CODE (if not in U.S.A.)                       |            |  |
| FCC REGISTRATION NUMBER (FRN) REQUIRED                                                                                                                                                                               |                                  |                               |                                                            |            |  |
| (21) APPLICANT (FRN)<br>0014-6860-67                                                                                                                                                                                 |                                  |                               |                                                            |            |  |
| COMPLETE SECTION C FOR EACH SERVICE, IF MORE BOXES ARE NEEDED, USE CONTINUATION SHEET                                                                                                                                |                                  |                               |                                                            |            |  |
| (23A) CALL SIGN/OTHER ID                                                                                                                                                                                             | (24A) PAYMENT TYPE CODE<br>CUT   | (25A) QUANTITY<br>1           |                                                            |            |  |
| (26A) FEE DUE FOR (PTC)<br>\$895.00                                                                                                                                                                                  | (27A) TOTAL FEE<br>\$895.00      |                               |                                                            |            |  |
| (28A) FCC CODE 1                                                                                                                                                                                                     | (29A) FCC CODE 2<br>1B2006000459 |                               |                                                            |            |  |
| (23B) CALL SIGN/OTHER ID                                                                                                                                                                                             | (24B) PAYMENT TYPE CODE          | (25B) QUANTITY                |                                                            |            |  |
| (26B) FEE DUE FOR (PTC)                                                                                                                                                                                              | (27B) TOTAL FEE                  |                               |                                                            |            |  |
| (28B) FCC CODE 1                                                                                                                                                                                                     | (29B) FCC CODE 2                 |                               |                                                            |            |  |
| SECTION D - CERTIFICATION                                                                                                                                                                                            |                                  |                               |                                                            |            |  |
| CERTIFICATION STATEMENT<br>I, <u>Katherine M. Coughlan</u> , certify under penalty of perjury that the foregoing and supporting information is true and correct to the best of my knowledge, information and belief. |                                  |                               |                                                            |            |  |
| SIGNATURE <u>Katherine M. Coughlan</u> DATE <u>2-21-06</u>                                                                                                                                                           |                                  |                               |                                                            |            |  |
| SECTION E - CREDIT CARD PAYMENT INFORMATION                                                                                                                                                                          |                                  |                               |                                                            |            |  |
| ACCOUNT NUMBER _____ MASTERCARD _____ VISA _____ AMEX _____ DISCOVER _____                                                                                                                                           |                                  |                               |                                                            |            |  |
| EXPIRATION DATE _____                                                                                                                                                                                                |                                  |                               |                                                            |            |  |
| I hereby authorize the FCC to charge my credit card for the service(s)/authorization herein described.                                                                                                               |                                  |                               |                                                            |            |  |
| SIGNATURE _____ DATE _____                                                                                                                                                                                           |                                  |                               |                                                            |            |  |

