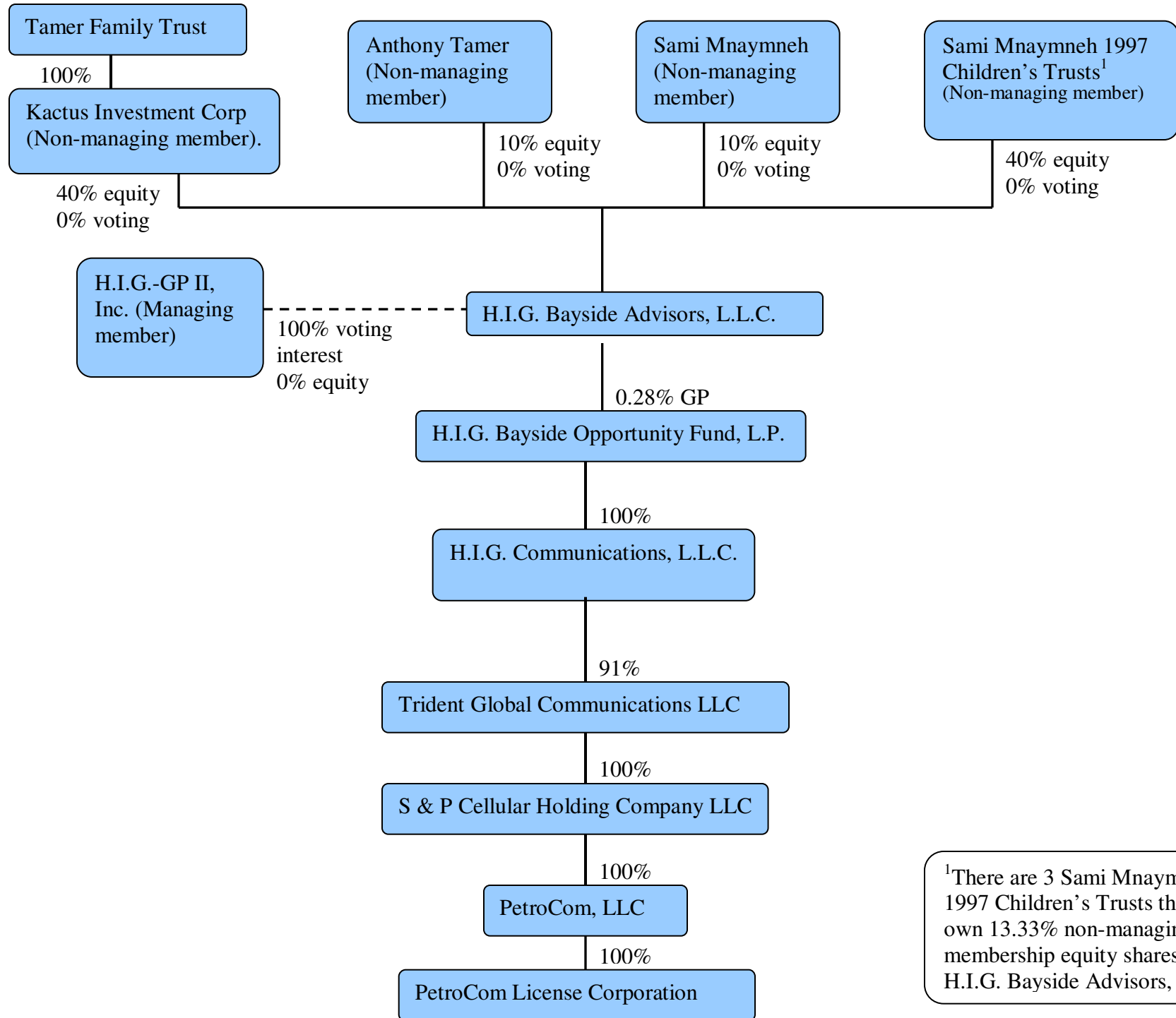


Exhibit B: Post-Closing PetroCom Ownership Structure



¹There are 3 Sami Mnaymneh 1997 Children's Trusts that each own 13.33% non-managing membership equity shares of H.I.G. Bayside Advisors, L.L.C.

BEFORE THE
Federal Communications Commission
WASHINGTON, D.C. 20554

RECEIVED
SEP 19 2006
Federal Communications Commission
Office of Secretary

In the Matter of)
)
Trident Global Communications LLC and)
PetroCom License Corporation)
Petition for Declaratory Ruling)
Pursuant to Section 310(b)(4) of the)
Communications Act of 1934)

To: Chief, International Bureau

PETITION FOR DECLARATORY RULING

Trident Global Communications LLC (“Trident”) and PetroCom License Corporation (“PetroCom”) (collectively, the “Petitioners”) through their undersigned counsel and pursuant to Section 1.2 of the Federal Communications Commission’s (“FCC” or “Commission”) rules,¹ hereby petition the Commission for a declaratory ruling under Section 310(b)(4) of the Communications Act of 1934, as amended (the “Act”),² that it is in public interest to allow Kactus Investment Corporation (“Kactus”), a privately-held corporation organized under the laws of the Cayman Islands, to acquire an indirect 40 percent “voting” interest in PetroCom, that would result from Trident’s proposed acquisition of PetroCom’s parent corporation.³ Specifically, Petitioners seek a ruling that the public interest does not prohibit Trident’s acquisition of PetroCom, with the current level of indirect foreign ownership in Trident held by Kactus through intervening companies.

¹ 47 C.F.R. § 1.2.

² 47 U.S.C. § 310(b)(4).

Consistent with Commission precedent, Petitioners also request authority to allow investors named in this petition or other unnamed investors to hold an additional, aggregate 25 percent foreign equity and voting interest in PetroCom, without seeking additional Commission approval.⁴

Section 310(b)(4) of the Act provides, *inter alia*, that no common carrier radio station license shall be granted to or held by any corporation directly or indirectly controlled by any other corporation of which more than one-fourth of the capital stock is owned of record or voted by aliens or by any corporation organized under the laws of a foreign country, if the FCC finds that the public interest will be served by the refusal or revocation of such license. For the reasons demonstrated below, Petitioners submit that it would not serve the public interest for the Commission to prohibit Kactus Investment Corporation's indirect foreign ownership interest in PetroCom in excess of the 25 percent benchmark.

I. BACKGROUND

A. Description of Transaction

This petition for declaratory ruling is filed in conjunction with applications requesting authority to transfer control of PetroCom from the current shareholders of its parent company, S&P Cellular Holding Company, LLC ("S&P Cellular"), to Trident.⁵

³ As stated, the foreign non-managing membership equity interest held by Kactus will be passive. The word "voting" is used only to describe the FCC's method of using multipliers to calculate ownership interest, based on the language of the statute, 47 U.S.C. § 310(b)(4).

⁴ See *Vodafone Americas Asia Inc. (Transferor), Globalstar Corporation (Transferee), Consent to Transfer Control of Licenses and Section 214 Authorizations and Petition for Declaratory Ruling Allowing Indirect Foreign Ownership*, Order and Authorization, 17 FCC Rcd 12849, 12866, ¶ 52 (2002) ("*Vodafone/Globalstar Order*").

⁵ Attached hereto is a Declaration verifying the information set forth herein (attached as Exhibit A).

PetroCom holds a number of FCC licenses, including Cellular Radiotelephone and 800 MHz Specialized Mobile Radio (“SMR”). PetroCom also holds a number of Domestic Fixed Satellite transmit/receive earth station licenses and Very Small Aperture Terminal (“VSAT”) licenses. PetroCom is currently a wholly owned subsidiary of S&P Cellular, a holding company formed solely to hold the ownership interests in PetroCom and PetroCom’s operating affiliate, PetroCom, LLC. S&P Cellular does not hold any FCC authorizations, except indirectly through its ownership interest in PetroCom. PetroCom, LLC, does not hold any FCC authorizations.

Trident has entered an agreement with the current shareholders of S&P Cellular whereby all of the issued and outstanding stock of S&P Cellular will be transferred to Trident, to be effective following the grant of FCC consent to the transfer of control. In addition, the transaction will simultaneously involve all of the issued and outstanding stock of PetroCom being assigned to PetroCom, LLC, its corporate affiliate, such that PetroCom will become a wholly-owned subsidiary of PetroCom, LLC. Trident will have indirect control of PetroCom by virtue of its control of S&P Cellular, which in turn will control PetroCom, LLC, and in turn, PetroCom.

As illustrated in the attached ownership chart for this proposed transaction (attached as Exhibit B), Trident is 91 percent majority owned and controlled by H.I.G. Communications, L.L.C. (“H.I.G. Communications”), a privately-held U.S. investment company. H.I.G. Communications is a wholly-owned subsidiary of H.I.G. Bayside Opportunity Fund, L.P. (“Bayside Opportunity Fund”), a domestically organized limited partnership. Bayside Opportunity Fund is controlled by a sole U.S.-based general partner, H.I.G. Bayside Advisors, LLC (“Bayside Advisors”), which also holds a 0.28 percent equity interest in Bayside Opportunity Fund. Bayside Advisors is organized in the U.S., and is controlled by a managing member, H.I.G.-GPII, Inc. (“H.I.G.-GPII”), a Delaware corporation which has two officers and

directors who are both U.S. citizens. H.I.G.-GPII has no equity ownership interest in Bayside Advisors. There are four non-managing members that hold the equity interest, but no voting interest, in Bayside Advisors.

The limited liability company agreement of Bayside Advisors appoints HIG-GPII to be Manager of the LLC, with the sole authority to control all decisions of the LLC. In particular, the LLC agreement of Bayside Advisors provides that “all material Company decisions and determinations will be made by the Manager in its sole discretion, including all Company decisions and determinations relating to (a) the acquisition and disposition of Fund investments, (b) distributions by the Fund of cash and/or securities, (c) amendments to the Fund Agreement, (d) distributions of Company cash and securities, (e) distributions of cash and securities from escrow accounts, (f) the borrowing of money, (g) hiring, terminating and establishing the compensation of employees and agents of the Fund or Portfolio Companies and (h) the incurring of expenses on behalf of the Company.” Similar to an insulated limited partner, the non-managing members have no control over the day-to-day operations of Bayside Advisors. Therefore, the indirect equity investment of the non-managing members of Bayside Advisors will be insulated and passive.

One of these non-managing members, Kactus, holds a 40 percent non-managing (*i.e.*, non-voting) membership equity interest in Bayside Advisors, and is incorporated in the Cayman Islands. Kactus is a wholly-owned subsidiary of the Tamer Family Trust, a U.S.-based trust that is controlled by a U.S. citizen, Anthony Tamer, the sole trustee.⁶ Mr. Tamer is also the President and sole Director of Kactus.

⁶ As discussed herein, the stock interest held by the Tamer Family Trust in Kactus is managed and voted by the trustee, Mr. Tamer, who is a U.S. citizen. The trustee’s management of the Tamer Family Trust and its investments is irrevocable. The Tamer Family Trust has one

B. Calculation of Foreign Ownership

Pursuant to the FCC's foreign ownership guidelines, the calculation of foreign ownership interests under Section 310(b)(4) is a two-pronged analysis in which the Commission examines separately the equity interests and the voting interests in the licensee's parent company. The FCC calculates the equity interest of each foreign investor in the parent and then aggregates these interests to determine whether the sum of the foreign equity interest exceeds the 25 percent benchmark. Similarly, the FCC calculates the voting interest of each foreign investor in the parent company and then aggregates these voting interests.

The FCC has established a standard for calculating both foreign equity and voting interests held in the licensee's parent company where, as in this case, the interests are held through intervening entities.⁷ In calculating the attributable foreign equity interests in the licensee's parent company, the FCC uses a multiplier to dilute the percentage of each investor's equity interest in the parent company when those interests are held through intervening companies. The multiplier is applied to each link in the vertical ownership chain, regardless of whether any particular link in the chain represents a controlling interest in the company positioned in the next lower tier.

As stated above, the Tamer Family Trust holds a 100 percent equity interest in Kactus, which in turn holds a 40 percent non-managing membership interest in Bayside Advisors. Bayside Advisors holds a 0.28 percent equity interest in Bayside Opportunity Fund. Bayside Opportunity Fund, through its wholly-owned subsidiary H.I.G. Communications, holds a 91

beneficiary, a citizen of Lebanon, who holds no voting interest, but merely receives profit from the trust.

⁷ See *Request for Declaratory Ruling Concerning the Citizenship Requirements of Sections 310(b)(3) and (b)(4) of the Communications Act, as amended*, Declaratory Ruling, 103 FCC

percent equity interest in Trident. Trident, through S&P Cellular, will hold a 100 percent equity interest in PetroCom, LLC, which will be the licensee's parent company as a result of this transaction. Applying the FCC's attribution principles, Kactus is attributed with a 0.1019 percent equity interest in PetroCom (.40 x .0028 x .91).⁸ Thus, the total foreign equity interest held in PetroCom through intervening companies is well below the 25 percent benchmark and does not raise any public interest concerns.⁹

In calculating the foreign voting interests in the parent company, the multiplier is not applied to any link in the vertical ownership chain that constitutes a controlling interest in the company positioned in the next lower tier.¹⁰ The FCC will consider a general partner to hold the same voting interest as the partnership holds in the next lower tier of the vertical ownership chain.¹¹ Because Bayside Advisors holds a general partnership interest in Bayside Opportunity

2d 511 (1985) ("*Wilmer & Scheiner P*"), recon. In part, 1 FCC Rcd 12 (1986) ("*Wilmer & Scheiner IP*").

⁸ See e.g., *Petition of Paradise MergerSub, Inc. for a Declaratory Ruling Pursuant to Section 310(b)(4) of the Communications Act, as amended*, Order and Declaratory Ruling, 20 FCC Rcd 1576, 1586 n. 68 (2005) ("*Paradise MergerSub*").

⁹ As discussed earlier, the trustee of the Tamer Family Trust is a U.S. citizen who exercises legal title and control over the ownership interest held in Kactus for the benefit of the trust's sole beneficiary, a citizen of Lebanon. While the beneficiary has no voting interest, the Commission has indicated that the beneficiary of a trust must be attributed with an equity interest in the licensee for purposes of a Section 310(b) analysis. See e.g., *PrimeMedia Broadcasting, Inc.*, Memorandum Opinion and Order, 3 FCC Rcd 4293, 4294-95 (1988); *Teleport Transmission Holdings, Inc.*, Memorandum Opinion and Order and Authorization, 8 FCC Rcd 3063, 3064 (1993). Therefore, the equity interest attributable to Kactus and the beneficiary of the trust, which holds 100% of the stock of Kactus, will be 0.1019 percent (.100 x .40 x .0028 x .91), which is well below the 25 percent benchmark and does not raise any public interest concerns.

¹⁰ See *BBC License Subsidiary, L.P.*, Memorandum Opinion and Order, 10 FCC Rcd 10968, 10973, ¶ 23 (1995) ("*BBC License Subsidiary*") (citing *Wilner & Scheiner I*, 103 FCC 2d at 13).

¹¹ See *Applications of XO Communications, Inc.*, Memorandum Opinion and Order, 17 FCC Rcd 19212, 19222, ¶ 24 (2002) ("*XO Communications*").

Fund, it is considered to hold a 100 percent voting interest in H.I.G. Communications. Similarly, H.I.G. Communications is considered to hold a 100 percent voting interest in Trident because it holds a controlling interest in Trident. Applying the FCC's rules for attribution of "voting" interests, Bayside Advisors has a 100 percent attributable voting interest in PetroCom (through its control of Trident), of which 40 percent is attributable to the foreign equity investment by Kactus.¹² Although Kactus does not actually have a "vote" regarding Bayside Advisors or PetroCom, the 40 percent non-managing membership interest held by Kactus in Bayside Advisors could be considered "voting" interest and attributed all the way down the ownership chain to PetroCom since each company in the ownership chain below Bayside Advisors exercises voting control over the next lower company in the chain.¹³ Accordingly, Kactus could be attributed with a 40 percent indirect voting interest in PetroCom, and would therefore exceed the 25 percent benchmark established in Section 310(b)(4) of the Act.¹⁴

¹² See *Paradise MergerSub*, 20 FCC Rcd at 1585-86.

¹³ Although the beneficiary of the Tamer Family Trust is attributed with the equity ownership interest held by the trust in Kactus, the voting interest held by the trustee is irrevocable, and the beneficiary holds no voting interest and has no voting or management authority regarding the trust or its investments. Therefore, there is no current or future voting interest held by the beneficiary that will be attributed to PetroCom, and the indirect 40 percent voting interest in PetroCom attributed to Kactus does not extend up the vertical ownership chain to the beneficiary of the trust. See *PrimeMedia Broadcasting*, 3 FCC Rcd at 4294-95; *Teleport Transmission Holdings*, 8 FCC Rcd at 3064.

¹⁴ See *Telemetrix Inc. Petition for Declaratory Ruling*, Grant of Authority, FCC Report No. TEL-01055, DA No. 06-1614 (rel. Aug. 10, 2006); *eLandia Technologies, Inc. Petition for Declaratory Ruling*, Grant of Authority, FCC Report No. TEL-00929, DA No. 05-2049 (rel. July 21, 2005).

II. THE PUBLIC INTEREST WILL NOT BE SERVED BY REFUSAL TO APPROVE THE PROPOSED TRANSACTION

A. Investment by WTO Member Countries

In the *Foreign Participation Order*,¹⁵ the Commission adopted an open entry standard, including a rebuttable presumption that the public interest will be served if indirect foreign ownership above the 25 percent benchmark specified in Section 310(b)(4) is by individuals or entities from World Trade Organization (“WTO”) Member countries. In evaluating an applicant’s request for approval of foreign ownership interests under Section 310(b)(4), the FCC uses a “principal place of business” test to determine the nationality or “home market” of foreign investors.¹⁶

Where the ownership interest will be held by a foreign corporation, the principal place of business of that corporation depends upon the following factors: (1) the country of incorporation; (2) the nationality of all investment principals, officers, and directors; (3) the country in which its world headquarters is located; (4) the country in which the majority of its tangible property, including production, transmission, billing, information, and control facilities is located; and (5) the country from which it derives the greatest sales and revenues from operations.¹⁷

While Kactus is incorporated in the Cayman Islands, Petitioners submit that its home market should properly be considered as the United States for the following reasons: (1) its

¹⁵ See *Rules and Policies on Foreign Participation in the U.S. Telecommunications Market*, Report and Order, 12 FCC Rcd 23891 (1997) (“*Foreign Participation Order*”).

¹⁶ See *Petition of TelCove, Inc. for a Declaratory Ruling Pursuant to Section 310(b)(4) of the Communications Act of 1934, as amended*, Order and Declaratory Ruling, 21 FCC Rcd 2982 (2006) (“*TelCove*”).

¹⁷ *Foreign Participation Order*, 12 FCC Rcd at 23941-42, ¶ 116 (citing *Market Entry and Regulation of Foreign-Affiliated Entities*, Report and Order, 11 FCC Rcd 3873 (1995) (“*Foreign Carrier Entry Order*”).

world headquarters and all of its tangible property are located in Miami, Florida; (2) it is an investment company whose business operations are conducted entirely within the United States and all of its revenues are generated from those U.S. operations; (3) its president and sole director is a U.S. citizen and resident of the U.S.; (4) all of the intervening companies in the vertical ownership chain are domestically organized; (5) it is a wholly-owned subsidiary of the Tamer Family Trust, which is based in the U.S. and controlled by a U.S. citizen; and (6) it merely acts as a holding company for U.S. investors and U.S. assets. Therefore, the 40 percent indirect non-managing membership interest held in Bayside Advisors by Kactus should be treated as investment from the United States for purposes of the public interest analysis under Section 310(b)(4) of the Act.

Alternatively, even if the FCC determines that the home market of Kactus is the Cayman Islands, Petitioners are entitled to a rebuttable presumption that this indirect foreign ownership would serve the public interest because the Cayman Islands is a territory of the United Kingdom, a WTO-member country.¹⁸

B. Grant of This Petition Will Serve the Public Interest

Grant of FCC consent to the proposed indirect foreign “voting” interest of Kactus in PetroCom will serve the public interest. As stated above, the foreign voting interest will be held by a privately-held corporation with its principal place of business in the United States although incorporated in the Cayman Islands, a WTO member country. Furthermore, the proposed foreign interest in PetroCom will be held by a passive investor that is a non-managing member of a limited liability company, which in turn will have an indirect voting interest in PetroCom. As a non-managing member, Kactus has no voting interest in or authority to control Bayside

¹⁸ See *TelCove*, 21 FCC Rcd at ¶ 181; *Teligent, Inc. Petition for Declaratory Ruling*, Grant of Authority, FCC Report No. TEL-00797, DA No. 04-1534 (rel. May 27, 2004).

Advisors, and will have no control over the day-to-day operations of PetroCom. The FCC has previously found that it would not serve the public interest to prohibit the indirect foreign ownership of a common carrier licensee by a privately-held foreign corporation, based on ownership structures similar to the present case, where the foreign investor is a non-managing member or is wholly-owned by a U.S. entity or citizen.¹⁹

Approval of this transaction will enable PetroCom to continue its business operations, which rely heavily on licensed radio facilities. PetroCom provides communications services, project management, engineering, and network management services, primarily in the Gulf of Mexico, but also along the Gulf Coast region, to a variety of customers. It is anticipated that with the additional financial resources available to PetroCom from Trident, PetroCom will be better able to remain a viable provider of communications and related services to the Gulf region and thereby promote competition in the U.S. market.

¹⁹ See *eLandia Technologies, Inc. Petition for Declaratory Ruling*, Grant of Authority, FCC Report No. TEL-00929, DA No. 05-2049 (rel. July 21, 2005); *American Samoa License, Inc. Petition for Declaratory Ruling*, Grant of Authority, FCC Report No. TEL-00933, DA No. 05-2254 (rel. August 4, 2005); *Paradise SubMerger*, 20 FCC Rcd 1576.

III. CONCLUSION

For the foregoing reasons, Petitioners respectfully request that the FCC declare that the indirect 40 percent "voting" interest in PetroCom proposed to be held by Kactus is in the public interest. Petitioners also request that the FCC allow current or future investors named in this petition or other unnamed investors to hold or acquire an additional, aggregate 25 percent foreign equity and voting interest in PetroCom, without seeking additional Commission approval.

Respectfully submitted,

Trident Global Communications LLC

By: /s/ Shirley S. Fujimoto
Shirley S. Fujimoto
McDERMOTT WILL & EMERY LLP
600 Thirteenth Street, N.W.
Washington, DC 20005-3096
T: 202.756.8000
F: 202.756.8087

Its Attorney

PetroCom License Corporation

By: /s/ Russell H. Fox
Russell H. Fox
Mintz, Levin, Cohn, Ferris, Glovsky and
Popeo PC
701 Pennsylvania Avenue, N.W., Suite 900
Washington, DC 20004
T: 202.434.7300
F: 202.434.7400

Its Attorney

Dated: September 19, 2006

Petition for Declaratory Ruling
Exhibit A

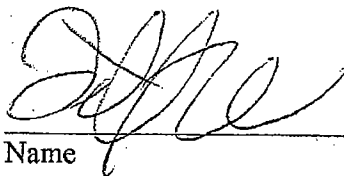
BEFORE THE
Federal Communications Commission
WASHINGTON, D.C. 20554

In the Matter of)
)
Trident Global Communications LLC and)
PetroCom License Corporation)
Petition for Declaratory Ruling)
Pursuant to Section 310(b)(4) of the)
Communications Act of 1934)

To: Chief, International Bureau

DECLARATION

I, Anthony Tamer, hereby declare under penalty of perjury that I am the President of Kactus Investment Corporation, that I have reviewed the foregoing Petition for Declaratory Ruling, and, except as to those matters of which official notice may be taken, the facts stated therein are true and correct to the best of my knowledge, information, and belief.



Name

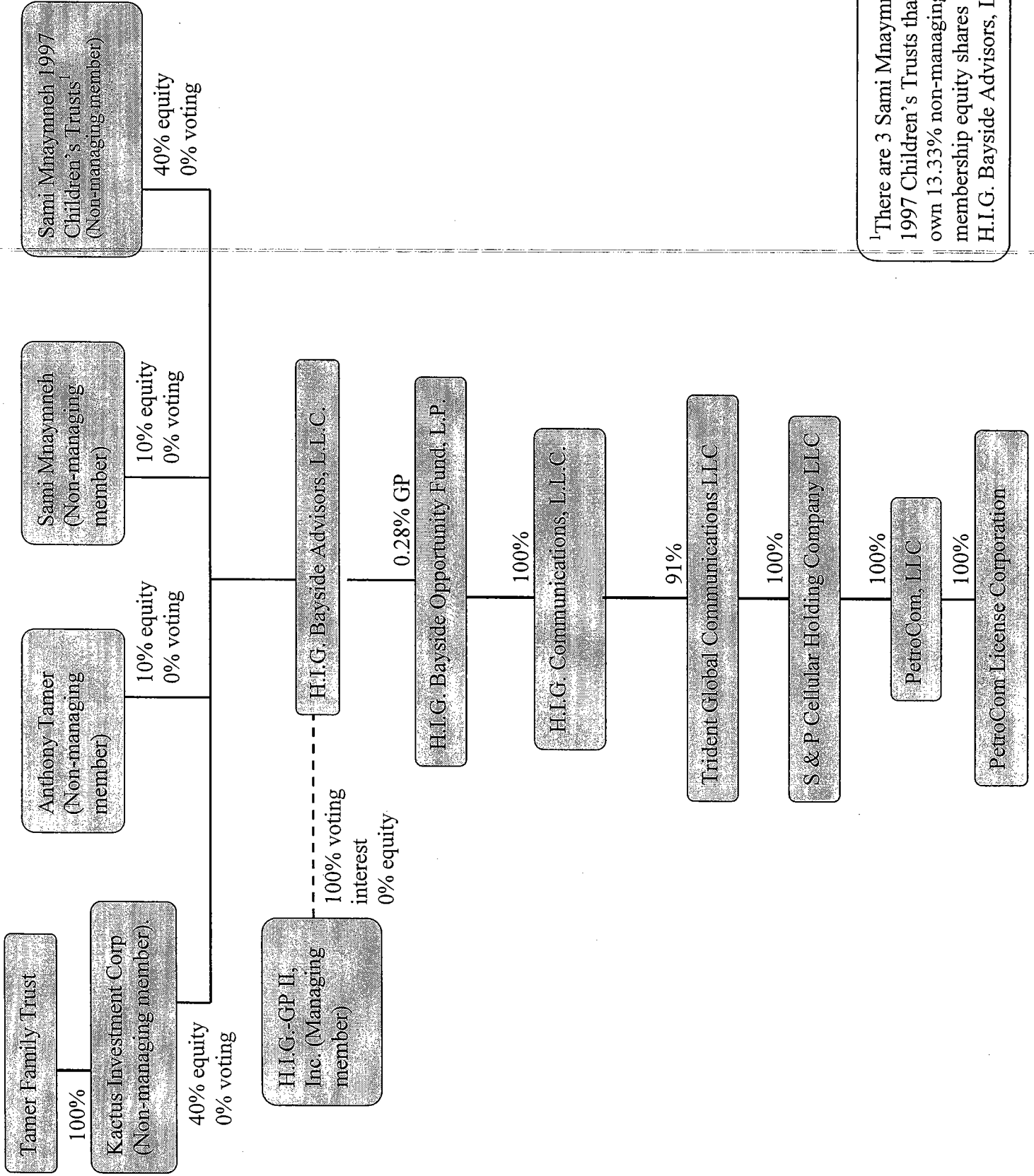
President

Title

September 18, 2006

Date

Exhibit B: Post-Closing PetroCom Ownership Structure



¹There are 3 Sami Mnaymneh 1997 Children's Trusts that each own 13.33% non-managing membership equity shares of H.I.G. Bayside Advisors, L.L.C.

McDermott Will & Emery

Boston Brussels Chicago Düsseldorf London Los Angeles Miami Munich
New York Orange County Rome San Diego Silicon Valley Washington, D.C.

Shirley S. Fujimoto
Attorney at Law
sfujimoto@mwe.com
202.756.8282

September 19, 2006

VIA HAND DELIVERY

Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, DC 20554

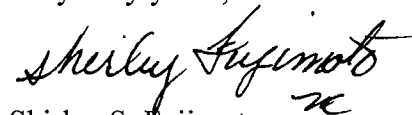
Re: Petition for Declaratory Ruling Pursuant to Section 310(b) of the Communications Act;
Trident Global Communications LLC and PetroCom License Corporation

Dear Ms. Dortch:

On September 18, 2006, Trident Global Communications LLC and PetroCom License Corporation (collectively, the "Petitioners") filed a Petition for Declaratory Ruling Pursuant to Section 310(b) of the Communications Act that inadvertently omitted the final page of the Petition, an ownership structure chart to be included as Exhibit B. We ask that the original Petition be replaced with the enclosed complete copy of the Petition for Declaratory Ruling, including the attached Exhibit B.

If you have any questions regarding this matter, please do not hesitate to contact us.

Very truly yours,


Shirley S. Fujimoto

Enclosure

McDermott Will & Emery

Boston Brussels Chicago Düsseldorf London Los Angeles Miami Munich
New York Orange County Rome San Diego Silicon Valley Washington, D.C.

Shirley S. Fujimoto
Attorney at Law
sfujimoto@mwe.com
202.756.8282

October 5, 2006

BY HAND DELIVERY

Ms. Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

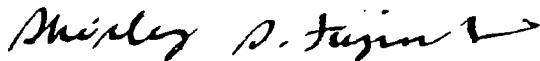
Re: Amended Exhibit E to Transfer of Control Application File No. SES-T/C-INTR2006-02640

Dear Ms. Dortch:

Pursuant to the request of the staff of the International Bureau, we are providing an amended Exhibit E to the above-referenced application with additional information regarding the ownership structure of the transferee, Trident Global Communications LLC.

Please contact us if you have any further questions or if you need any additional information.

Very truly yours,



Shirley S. Fujimoto

Enclosure

RECEIVED

OCT 5 2006

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Amended Ownership Information

As explained more fully in the attached Public Interest Statement, this application requests FCC consent to the transfer of control of PetroCom License Corporation ("PetroCom") from the current shareholders of PetroCom's parent corporation, S&P Cellular Holding Company, LLC ("S&P Cellular") to Trident Global Communications LLC. The following information outlines the ownership structure of the transferee, Trident Global Communications LLC.

This amendment clarifies information concerning the direct ownership of Trident and provides ownership information for H.I.G.-GPII, Inc.

The officers and directors of Trident Global Communications, LLC are as follows:

Name	Address	Citizenship	Position
Anthony Disimone	1001 Brickell Bay Drive, Miami, FL 33131	United States	President / Director
Matthew Wilson	1001 Brickell Bay Drive, Miami, FL 33131	United States	Executive VP / Treasurer / Secretary / Director
Jason Perri	1001 Brickell Bay Drive, Miami, FL 33131	United States	VP / Assistant Secretary / Director
Sami Mnaymneh	1001 Brickell Bay Drive, Miami, FL 33131	United States	Director
John Bolduc	1001 Brickell Bay Drive, Miami, FL 33131	United States	Director
Damon Rawie	Advantage Capital Partners, Building One, 6300 Bridgepoint, Suite 220, Austin, TX 78730	United States	Director
Ken Wright	5901 Earhart Expressway, Harahan, LA 70123	United States	Director
Lyndon James	113 North Pat Street, Scott, LA 70583	United States	Director

Trident Global Communications LLC is controlled by H.I.G. Communications, L.L.C.:

Name	Address	Citizenship	Principal Business	Percentage
H.I.G. Communications, L.L.C.	1001 Brickell Bay Drive, 26th Floor Miami, FL 33131	United States	Investments	91% voting and equity interest in Trident Global Communications LLC. (The remaining 9% voting and equity interests are held by 3 private equity funds)

H.I.G. Communications, L.L.C. has no directors. The officers and managing member of H.I.G. Communications, L.L.C. are:

Name	Address	Citizenship	Position
Anthony DiSimone	1001 Brickell Bay Drive, Miami, FL 33131	United States	President
Matthew Wilson	1001 Brickell Bay Drive, Miami, FL 33131	United States	Executive VP / Treasurer / Secretary
Jason Perri	1001 Brickell Bay Drive, Miami, FL 33131	United States	VP / Assistant Secretary
Sami Mnaymneh	1001 Brickell Bay Drive, Miami, FL 33131	United States	Managing Member

H.I.G. Communications, L.L.C. is wholly-owned by H.I.G. Bayside Opportunity Fund, L.P.:

Name	Address	Citizenship	Principal Business	Percentage
H.I.G. Bayside Opportunity Fund, L.P.	1001 Brickell Bay Drive, 26th Floor Miami, FL 33131	United States	Investments	100% voting equity interest in H.I.G. Communications, L.L.C.

H.I.G. Bayside Opportunity Fund, L.P. has no officers or directors. It has a General Partner, H.I.G. Bayside Advisors, L.L.C. H.I.G. Bayside Opportunity Fund, L.P. is controlled by the following general partner:

Name	Address	Citizenship	Principal Business	Percentage
H.I.G. Bayside Advisors, L.L.C.	1001 Brickell Bay Drive, 26th Floor Miami, FL 33131	United States	Investment Advisor	0.28% equity interest and sole general partner of H.I.G. Bayside Opportunity Fund, L.P.

H.I.G. Bayside Advisors, L.L.C. has no officers or directors. It only has a Manager, which is H.I.G.-GPII, Inc., a Delaware corporation, which has two officers and directors who each hold 50 percent of the equity and voting interests in H.I.G.-GPII, Inc.:

Name	Address	Citizenship	Position	Percentage
Sami Mnaymneh	1001 Brickell Bay Drive, 26th Floor Miami, FL 33131	United States	President / Director	50% equity voting interest in H.I.G.-GPII, Inc.
Anthony Tamer	1001 Brickell Bay Drive, 26th Floor Miami, FL 33131	United States	President / Director	50% equity voting interest in H.I.G.-GPII, Inc.

H.I.G. Bayside Advisors, L.L.C., is controlled by the following entities:

Name	Address	Citizenship	Principal Business	Percentage
Kactus Investment Corp.	1001 Brickell Bay Drive, 26th Floor Miami, FL 33131	Cayman Islands	Investments	40% non-managing membership equity interest in H.I.G. Bayside Advisors, L.L.C.
Sami Mnaymneh 1997 Children's Trusts	c/o 1001 Brickell Bay Drive, 26th Floor Miami, FL 33131	United States (citizenship of Sami Mnaymneh, Trustee)	Investments	40% non-managing membership equity interest in H.I.G. Bayside Advisors, L.L.C.
Sami Mnaymneh	c/o 1001 Brickell Bay Drive, 26th Floor Miami, FL 33131	United States	Investments	10% non-managing membership equity interest in H.I.G. Bayside Advisors, L.L.C.
Anthony Tamer	c/o 1001 Brickell Bay Drive, 26th Floor Miami, FL 33131	United States	Investments	10% non-managing membership equity interest in H.I.G. Bayside Advisors, L.L.C.

As stated above, H.I.G. Bayside Advisors, L.L.C. has no officers or directors. It only has a Manager, H.I.G.-GPII, Inc. which has two, stockholders, officers and directors:

Name	Address	Citizenship	Position	Percentage
Sami Mnaymneh	c/o 1001 Brickell Bay Drive, 26th Floor Miami, FL 33131	United States	President / Director	50% equity voting interest in H.I.G.-GPII, Inc.
Anthony Tamer	c/o 1001 Brickell Bay Drive, 26th Floor Miami, FL 33131	United States	President / Director	50% equity voting interest in H.I.G.-GPII, Inc.

The following entity owns all of the voting equity of Kactus Investment Corp.:

Name	Address	Citizenship	Principal Business	Percentage
Tamer Family Trust	c/o 1001 Brickell Bay Drive, 26th Floor Miami, FL 33131	United States (citizenship of Anthony Tamer, sole trustee)	Investments	100% voting equity interest in Kactus Investment Corp.

Kactus Investment Corp. has the following officer and director:

Name	Address	Citizenship	Position
Anthony Tamer	c/o 1001 Brickell Bay Drive, 26th Floor Miami, FL 33131	United States	President / Director

Should the Commission have any questions or need any additional information, we request that the Commission staff contact our counsel, Shirley S. Fujimoto, McDERMOTT WILL & EMERY LLP, 600 13th Street, N.W., Washington, D.C., 20005-3096; Telephone: 202.756.8282; Email: sfujimoto@mwe.com.



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
445 12th STREET S.W.
WASHINGTON D.C. 20554

News media information 202-418-0500
Fax-On-Demand 202-418-2830; Internet: <http://www.fcc.gov> (or <ftp.fcc.gov>)
TTY (202) 418-2555

DA No. 07-9

Report No. TEL-01102

Thursday January 4, 2007

INTERNATIONAL AUTHORIZATIONS GRANTED

Section 214 Applications (47 C.F.R. § 63.18); Section 310(b)(4) Requests

The following applications have been granted pursuant to the Commission's streamlined processing procedures set forth in Section 63.12 of the Commission's rules, 47 C.F.R. § 63.12, other provisions of the Commission's rules, or procedures set forth in an earlier public notice listing applications accepted for filing.

Unless otherwise noted, these grants authorize the applicants (1) to become a facilities-based international common carrier subject to 47 C.F.R. § 63.22; and/or (2) to become a resale-based international common carrier subject to 47 C.F.R. § 63.23; or (3) to exceed the 25 percent foreign ownership benchmark applicable to common carrier radio licensees under 47 U.S.C. § 310(b)(4).

THIS PUBLIC NOTICE SERVES AS EACH NEWLY AUTHORIZED CARRIER'S SECTION 214 CERTIFICATE. It contains general and specific conditions, which are set forth below. Newly authorized carriers should carefully review the terms and conditions of their authorizations. Failure to comply with general or specific conditions of an authorization, or with other relevant Commission rules and policies, could result in fines and forfeitures.

An updated version of Sections 63.09–.25 of the rules, and other related sections, is available at <http://www.fcc.gov/ib/pd/pf/telecomrules.html>.

ISP-AMD-20061116-00016 P

Trident Global Communications LLC

Amendment

Grant of Authority

Date of Action: 01/03/2007

Trident Global Communications LLC (Trident) and PetroCom License Corporation (PetroCom) (together, the "Petitioners") amend their petition for declaratory ruling, ISP-PDR-20060919-00012, filed pursuant to Section 310(b)(4) of the Communications Act of 1934, as amended, to request that any ruling issued by the Commission in connection with the Petition also encompass PetroCom's ability to acquire and hold Advanced Wireless Services (AWS) licenses in addition to licenses in the radio services identified in the Petition as originally filed. The petition for declaratory ruling, as amended, is granted. See ISP-PDR-20060919-00012.

Petition for Declaratory Ruling

Grant of Authority

Date of Action: 01/03/2007

Trident Global Communications LLC (Trident) and PetroCom License Corporation (PetroCom) (the "Petitioners") request a declaratory ruling that it is in the public interest to permit indirect foreign voting interests in PetroCom in excess of the 25 percent benchmark set forth in section 310(b)(4) of the Communications Act of 1934, as amended (the "Act"). This request, as amended in ISP-AMD-20061116-00016, is filed in connection with applications for consent to transfer control of PetroCom's common carrier radio licenses from the current shareholders of its parent company, S&P Cellular Holding Company, LLC (S&P), to Trident. PetroCom has filed transfer of control applications for its Cellular Radiotelephone, 800 MHz Specialized Mobile Radio (SMR), Advanced Wireless Service (AWS) licenses (ULS 0002734993); Domestic Fixed Satellite transmit/receive earth station licenses (IBFS File No. SES-T/C-20060920-01757); and Very Small Aperture Terminal (VSAT) licenses (IBFS File No. SES-T/C-20060920-01758).

Trident has entered into an agreement whereby it will acquire all of the issued and outstanding stock of S&P. At the same time, all of PetroCom's issued and outstanding stock will be acquired by its affiliate, PetroCom, LLC. Upon consummation, PetroCom will be indirectly wholly owned by Trident through Trident's 100% direct and indirect ownership of S&P and PetroCom, LLC, respectively, each of which is a U.S.-organized company.

Trident is 91% majority-owned and controlled by H.I.G. Communications, L.L.C., a privately-held U.S. investment company. H.I.G. Communications, L.L.C. is wholly owned by H.I.G. Bayside Opportunity Fund, L.P. (Bayside Opportunity), a U.S. limited partnership. Bayside Opportunity is controlled by its sole general partner, H.I.G. Bayside Advisors, LLC (Bayside Advisors), which also holds a 0.28% equity interest in Bayside Opportunity. Bayside Advisors is a U.S. limited liability company that is controlled by a managing member, H.I.G.-GPII, Inc. (HIG-GPII), a Delaware corporation that is owned and controlled by two U.S. citizens: Anthony Tamer (50%) and Sami Mnaymneh (50%). HIG-GPII has no equity interest in Bayside Advisors. There are four non-managing members that hold the equity interest, but no voting interest, in Bayside Advisors. One of these non-managing members is Kactus Investment Corporation, a privately-held Cayman Islands corporation that holds a 40% equity interest in Bayside Advisors.

According to the Petitioners, Kactus has its principal place of business in the United States and is wholly owned by the Tamer Family Trust, a U.S.-based trust that is controlled by a U.S. citizen, Anthony Tamer, its sole trustee. Petitioners state that the trustee's management of the Tamer Family Trust and its investments is irrevocable and that the trust has one beneficiary, a citizen of Lebanon who holds no voting interest but merely receives profit from the trust.

Applying the Commission's foreign ownership case precedent, Petitioners calculate that Kactus would have, post-transaction, a 0.1019% indirect equity interest in PetroCom. Kactus may also be considered to have a 40% indirect voting interest in PetroCom as a result of its 40% ownership interest in Bayside Advisors, the controlling general partner of Bayside Opportunity, which holds indirectly 91% of the equity and voting interests in Trident.

Pursuant to Section 310(b)(4) of the Act and the rules and policies established by the Commission's Foreign Participation Order, 12 FCC Rcd 23891 (1997), Order on Reconsideration, 15 FCC Rcd 18158 (2000), we find that it would not serve the public interest to prohibit Kactus from holding a 40% indirect voting interest in PetroCom. Specifically, this ruling permits Kactus to hold up to and including a 40% indirect voting interest in PetroCom. PetroCom may accept up to and including an additional aggregate 25% indirect equity and/or voting interest from any of the foreign investors named in the petition (with the exception of Kactus as to voting interests) as well as any other foreign investors without seeking prior Commission approval subject to the following conditions: (1) any additional foreign equity or voting interests shall not cause the amount attributable to a single individual or entity from a World Trade Organization (WTO) Member country, or cumulatively to individuals or entities from non-WTO Member countries, to exceed 25% of PetroCom's total equity or voting interests; and (2) in accordance with Section 310(d) of the Act, any additional foreign investment shall not result in a transfer of control of PetroCom.

This authorization is without prejudice to the Commission's action on any other related pending application(s).

International Telecommunications Certificate

Service(s): Global or Limited Global Facilities-Based Service, Global or Limited Global Resale Service

Grant of Authority

Date of Action: 12/29/2006

Application for authority to provide facilities-based service in accordance with Section 63.18(e)(1) of the rules, and also to provide service in accordance with Section 63.18(e)(2) of the rules.

ITC-214-20061214-00563 E

JC Telecommunications Co., LLC

International Telecommunications Certificate

Service(s): Global or Limited Global Facilities-Based Service, Global or Limited Global Resale Service

Grant of Authority

Date of Action: 12/29/2006

Application for authority to provide facilities-based service in accordance with Section 63.18(e)(1) of the rules, and also to provide service in accordance with Section 63.18(e)(2) of the rules.

ITC-T/C-20060920-00436 E

PetroCom License Corporation

Transfer of Control

Grant of Authority

Date of Action: 01/03/2007

Current Licensee: Petrocom License Corporation

FROM: S&P Cellular Holding Company, LLC

TO: Trident Global Communications LLC

Application for consent to transfer control of international Section 214 authorization, ITC-214-19980226-00151, held by PetroCom License Corporation (PetroCom) from the shareholders of S&P Cellular Holding Company, LLC (S&P) to Trident Global Communications LLC (Trident). Trident has entered into an agreement with the current shareholders of S&P whereby Trident will acquire all of the issued and outstanding stock of S&P. At the same time, all of PetroCom's issued and outstanding stock will be acquired by its affiliate, PetroCom, LLC. Upon consummation, PetroCom will be indirectly wholly owned by Trident through Trident's 100% direct and indirect ownership of S&P and PetroCom, LLC, respectively.

Trident is 91% majority-owned and controlled by H.I.G. Communications, L.L.C., which, in turn, is wholly owned by H.I.G. Bayside Opportunity Fund, L.P. (Bayside Opportunity). Bayside Opportunity is controlled by its sole general partner, H.I.G. Bayside Advisors, LLC (Bayside Advisors), which also holds a 0.28% equity interest in Bayside Opportunity. Bayside Advisors is controlled by a managing member, H.I.G.-GPII, Inc. (HIG-GPII), which is owned and controlled by two U.S. citizens: Anthony Tamer (50%) and Sami Mnaymneh (50%). HIG-GPII has no equity interest in Bayside Advisors. There are four non-managing members that hold the equity interest, but no voting interest, in Bayside Advisors. One of these non-managing members is Kactus Investment Corporation, a privately-held Cayman Islands corporation that holds a 40% equity interest in Bayside Advisors. According to the Petitioners, Kactus is wholly owned by the Tamer Family Trust, a U.S.-based trust that is controlled by a U.S. citizen, Anthony Tamer, its sole trustee. Petitioners state that the trustee's management of the Tamer Family Trust and its investments is irrevocable and that the trust has one beneficiary, a citizen of Lebanon who holds no voting interest but merely receives profit from the trust. According to the Application, there are no other individuals or entities that would hold a 10% or greater direct or indirect equity or voting interest in PetroCom. This authorization is without prejudice to the Commission's action on any other related pending application(s).

ITC-T/C-20061206-00546 E

Yak Communications (America) Inc.

Transfer of Control

Grant of Authority

Date of Action: 12/29/2006

Current Licensee: Yak Communications (America) Inc.

FROM: Yaktastic Inc.

TO: Blackbird Corporation

Application for consent to transfer control of international section 214 authorization, ITC-214-20010508-00303, held by Yak Communications (America) Inc. (Yak America), from its 100% parent Yaktastic Inc. (Yaktastic), to Blackbird Corporation (Blackbird), a Florida corporation. Pursuant to a Stock Purchase Agreement dated December 4, 2006, Blackbird will purchase from Yaktastic all of the issued and outstanding shares of capital stock of Yak America for cash. Yak America will then become a direct, wholly-owned subsidiary of Blackbird. Blackbird is wholly-owned by Jose Cadi, a U.S. citizen. This authorization is without prejudice to the Commission's action on any other related pending application(s).

CONDITIONS APPLICABLE TO INTERNATIONAL SECTION 214 AUTHORIZATIONS

(1) These authorizations are subject to the Exclusion List for International Section 214 Authorizations, which identifies restrictions on providing service to particular countries or using particular facilities. The most recent Exclusion List is attached to this Public Notice. The list applies to all U.S. international carriers, including those that have previously received global or limited global Section 214 authority, whether by streamlined grant or specific written order. Carriers are advised that the attached Exclusion List is subject to amendment at any time pursuant to the procedures set forth in Streamlining the International Section 214 Authorization Process and Tariff Requirements, IB Docket No. 95-118, 11 FCC Rcd 12884 (1996), para. 18. A copy of the current Exclusion List will be maintained in the FCC Reference and Information Center and will be available at <http://www.fcc.gov/ib/td/pf/exclusionlist.html>. It also will be attached to each Public Notice that grants international Section 214 authority.

(2) The export of telecommunications services and related payments to countries that are subject to economic sanctions may be restricted. For information concerning current restrictions, call the Office of Foreign Assets Control, U.S. Department of the Treasury, (202) 622-2520.

(3) Carriers shall comply with the requirements of Section 63.11 of the Commission's rules, which requires notification by, and in certain circumstances prior notification by, U.S. carriers acquiring an affiliation with foreign carriers. A carrier that acquires an affiliation with a foreign carrier will be subject to possible reclassification as a dominant carrier on an affiliated route pursuant to the provisions of Section 63.10 of the rules. The Commission recently amended Section 63.11 of the rules in its Order on Reconsideration in IB Docket No. 97-142, 15 FCC Rcd 18158 (2000).

(4) Carriers shall comply with the Commission's International Settlements Policy and associated filing requirements contained in Sections 43.51 and 64.1001 of the Commission's Rules, 47 C.F.R. §§ 43.51, 64.1001. The Commission modified these requirements most recently in 2000 Biennial Regulatory Review, Policy and Rules Concerning the International, Interexchange Marketplace, FCC 01-93, released, March 20, 2001, 66 Fed. Reg. 16874 (Mar. 28, 2001). See also 1998 Biennial Regulatory Review - Reform of the International Settlements Policy and Associated Filing Requirements, IB Docket Nos. 98-148, 95-22, CC Docket No. 90-337 (Phase II), FCC 99-73 (rel. May 6, 1999). In addition, any carrier interconnecting private lines to the U.S. public switched network at its switch, including any switch in which the carrier obtains capacity either through lease or otherwise, shall file annually with the Chief, International Bureau, a certified statement containing, on a country-specific basis, the number and type (e.g., 64 kbps circuits) of private lines interconnected in such manner. The Commission will treat the country of origin information as confidential. Carriers need not file their contracts for interconnection unless the Commission specifically requests. Carriers shall file their annual report on February 1 (covering international private lines interconnected during the preceding January 1 to December 31 period) of each year. International private lines to countries for which the Commission has authorized the provision of switched basic services over private lines at any time during a particular reporting period are exempt from this requirement. See 47 C.F.R. § 43.51(d).

(5) Carriers authorized to provide private line service either on a facilities or resale basis are limited to the provision of such private line service only between the United States and those foreign points covered by their referenced applications for Section 214 authority. In addition, the carriers may not -- and their tariffs must state that their customers may not -- connect their private lines to the public switched network at either the U.S. or foreign end, or both, for the provision of international switched basic services, unless the Commission has authorized the provision of switched services over private lines to the particular country at the foreign end of the private line or the carrier is exchanging switched traffic with a foreign carrier that the Commission has determined lacks market power in the country at the foreign end of the private line. See 47 C.F.R. §§ 63.16, 63.22(e), 63.23(d). A foreign carrier lacks market power for purposes of this rule if it does not appear on the Commission list of foreign carriers that do not qualify for the presumption that they lack market power in particular foreign points. This list is available at http://www.fcc.gov/Bureaus/International/Public_Notices/1999/da990809.txt. See generally 1998 Biennial Regulatory Review - Reform of the International Settlements Policy and Associated Filing Requirements, IB Docket Nos. 98-148, 95-22, CC Docket No. 90-337 (Phase II), FCC 99-73 (rel. May 6, 1999), paras. 12-15, 102-109.

(6) The Commission has authorized the provision of switched basic services via facilities-based or resold private lines between the United States and the following foreign points: Sweden, Canada, New Zealand, the United Kingdom, Australia, The Netherlands, Luxembourg, Norway, Denmark, France, Germany, Belgium, Austria, Switzerland, Japan, Italy, Ireland, Hong Kong, Iceland, Spain, Finland, Israel, Singapore, Netherlands Antilles, Poland, Argentina, United Arab Emirates, Macau, Hungary, Philippines, Greece, Uruguay, Brunei, Trinidad & Tobago, Czech Republic, the Dominican Republic, Brazil, Botswana, Costa Rica, South Africa, Saint Lucia, Saint Kitts & Nevis, Saint Vincent, Antigua, Malaysia, Thailand, Belize, Panama, Guatemala, Venezuela, Bahrain, South Korea, Portugal, Cyprus, Slovak Republic, Slovenia, Dominica, Grenada, Jamaica, Kuwait, Jordan, Paraguay, Croatia, Egypt, Zambia, Ecuador, Barbados, Colombia, Chile, El

Salvador, Taiwan, Nicaragua, Turkey, Peru, Morocco, Ghana, Bolivia, Guyana, Mongolia, Zimbabwe, Gambia, Nigeria, Bangladesh, Indonesia, Tunisia, Qatar, Oman, Mauritius, New Caledonia, Guinea, Suriname, and Fiji Islands.

(7) Carriers may engage in "switched hubbing" to countries for which the Commission has not authorized the provision of switched basic services over private lines consistent with Section 63.17(b) of the rules.

(8) Carriers may provide U.S. inbound or outbound switched basic service via their authorized private lines extending between or among the United States, Sweden, New Zealand, the United Kingdom, Australia, The Netherlands, Luxembourg, Norway, Denmark, France, Germany, Belgium, Austria, Switzerland, Japan, Italy, Ireland, Hong Kong, Iceland, Spain, Finland, Israel, Singapore, Netherlands Antilles, Poland, Argentina, United Arab Emirates, Macau, Hungary, Philippines, Greece, Uruguay, Brunei, Trinidad & Tobago, Czech Republic, the Dominican Republic, Brazil, Botswana, Costa Rica, South Africa, Saint Lucia, Saint Kitts & Nevis, Saint Vincent, Antigua, Malaysia, Thailand, Belize, Panama, Guatemala, Venezuela, Bahrain, South Korea, Portugal, Cyprus, Slovak Republic, Slovenia, Dominica, Grenada, Jamaica, Kuwait, Jordan, Paraguay, Croatia, Egypt, Zambia, Ecuador, Barbados, Colombia, Chile, El Salvador, Taiwan, Nicaragua, Turkey, Peru, Morocco, Ghana, Bolivia, Guyana, Mongolia, Zimbabwe, Gambia, Nigeria, Bangladesh, Indonesia, Tunisia, Qatar, Oman, Mauritius, and New Caledonia, Guinea, Suriname, and Fiji Islands.

(9) Carriers shall comply with the "No Special Concessions" rule, Section 63.14, 47 C.F.R. § 63.14.

(10) Carriers regulated as dominant for the provision of a particular communications service on a particular route for any reason other than a foreign carrier affiliation under Section 63.10 of the rules shall file tariffs pursuant to Section 203 of the Communications Act, as amended, 47 U.S.C. § 203, and Part 61 of the Commission's Rules, 47 C.F.R. Part 61. Except as specified in Section 20.15 with respect to commercial mobile radio service providers, carriers regulated as non-dominant, as defined in Section 61.3, and providing detariffed international services pursuant to Section 61.19 must comply with all applicable public disclosure and maintenance of information requirements in Sections 42.10 and 42.11. These non-dominant carriers may continue filing new or revised international tariffs for mass market services until January 28, 2002, when all tariffs, with limited exceptions, must be cancelled. Carriers may not file any new or revised contract tariffs or tariffs for other long-term international service arrangements. See 2000 Biennial Regulatory Review, Policy and Rules Concerning the International, Interexchange Marketplace, FCC 01-93, released March 20, 2001, 66 Fed. Reg. 16874 (Mar. 28, 2001).

(11) Carriers shall file the annual reports of overseas telecommunications traffic required by Section 43.61(a). Carriers shall also file the quarterly reports required by Section 43.61 in the circumstances specified in paragraphs (b) and (c) of that Section.

(12) Carriers shall file annual reports of circuit status and/or circuit additions in accordance with the requirements set forth in Rules for Filing of International Circuit Status Reports, CC Docket No. 93-157, Report and Order, 10 FCC Rcd 8605 (1995). See 47 C.F.R. §§ 43.82, 63.23(e). These requirements apply to facilities-based carriers and private line resellers, respectively. See also: <http://www.fcc.gov/ib/pd/pf/csmanual.html>

(13) Carriers should consult Section 63.19 of the rules when contemplating a discontinuance, reduction or impairment of service. Further, the grant of these applications shall not be construed to include authorization for the transmission of money in connection with the services the applicants have been given authority to provide. The transmission of money is not considered to be a common carrier service.

(14) If any carrier is reselling service obtained pursuant to a contract with another carrier, the services obtained by contract shall be made generally available by the underlying carrier to similarly situated customers at the same terms, conditions and rates. 47 U.S.C. § 203.

(15) To the extent the applicant is, or is affiliated with, an incumbent independent local exchange carrier, as those terms are defined in Section 64.1902 of the rules, it shall provide the authorized services in compliance with the requirements of Section 64.1903. See Regulatory Treatment of LEC Provision of Interexchange Services Originating in the LEC's Local Exchange Area and Policy and Rules Concerning the Interstate, Interexchange Marketplace, Second Report and Order in CC Docket No. 96-149 and Third Report and Order in CC Docket No. 96-61, 12 FCC Rcd 15756, recon., 12 FCC Rcd 8730 (1997), Order, 13 FCC Rcd 6427 (Com. Car. Bur. 1998), further recon., FCC 99-103 (rel. June 30, 1999).

(16) Except as otherwise ordered by the Commission, a carrier authorized here to provide facilities-based service that (i) is classified as dominant under Section 63.10 of the rules for the provision of such service on a particular route and (ii) is affiliated with a carrier that collects settlement payments for terminating U.S. international switched traffic at the foreign end of that route may not provide facilities-based service on that route unless the current rates the affiliate charges U.S. international carrier to terminate traffic are at or below the Commission's relevant benchmark adopted in International

Settlement Rates, IB Docket No. 96-261, Report and Order, 12 FCC Rcd 19806 (1997). See also Report and Order on Reconsideration and Order Lifting Stay in IB Docket No. 96-261, FCC 99-124 (rel. June 11, 1999). For the purposes of this rule, "affiliation" and "foreign carrier" are defined in Section 63.09.

Petitions for reconsideration under Section 1.106 or applications for review under Section 1.115 of the Commission's rules in regard to the grant of any of these applications may be filed within thirty days of this public notice (see Section 1.4(b)(2)).

For additional information, please contact the FCC Reference and Information Center, Room CY-A257, 445 12th Street SW, Washington, D.C. 20554, (202) 418-0270. People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

Exclusion List for International Section 214 Authorizations

-- Last Modified December 22, 1999 --

The following is a list of countries and facilities not covered by grant of global Section 214 authority under Section 63.18(e)(1) of the Commission's Rules, 47 C.F.R. § 63.18(e)(1). In addition, the facilities listed shall not be used by U.S. carriers authorized under Section 63.18 of the Commission's Rules unless the carrier's Section 214 authorization specifically lists the facility. Carriers desiring to serve countries or use facilities listed as excluded hereon shall file a separate Section 214 application pursuant to Section 63.18(e)(4) of the Commission's Rules. See generally 47 C.F.R. § 63.22.

Countries:

Cuba (Applications for service to Cuba shall comply with the separate filing requirements of the Commission's Public Notice Report No. I-6831, dated July 27, 1993, "FCC to Accept Applications for Service to Cuba.")

Facilities:

All non-U.S.-licensed satellite systems that are not on the Permitted Space Station List, maintained at <http://www.fcc.gov/ib/sd/se/permitted.html>. See International Bureau Public Notice, DA 99-2844 (rel. Dec. 17, 1999).

This list is subject to change by the Commission when the public interest requires. Before amending the list, the Commission will first issue a public notice giving affected parties the opportunity for comment and hearing on the proposed changes. The Commission may then release an order amending the exclusion list. This list also is subject to change upon issuance of an Executive Order. See Streamlining the Section 214 Authorization Process and Tariff Requirements, IB Docket No. 95-118, FCC 96-79, 11 FCC Rcd 12,884, released March 13, 1996 (61 Fed. Reg. 15,724, April 9, 1996). A current version of this list is maintained at <http://www.fcc.gov/ib/pd/pf/telecomrules.html#exclusionlist>.

For additional information, contact the International Bureau's Policy Division, (202) 418-1460.