

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

In the Matter of)
)
CIMA Telecom, Inc.)
(“Transferor”) FRN: 0007705916)
)
And) File No.: ITC-214-20100914-00364
)
AGCom Group, Inc.)
(“Transferee”) FRN: 0020193579)
)
)
Joint Application for authority pursuant)
to Section 214 of the Communications Act)
of 1934, as amended, for Consent to Transfer)
Control of (Assignment of) Customers)
)
)
_____)

JOINT INTERNATIONAL APPLICATION FOR CONSENT
TO TRANSFER (ASSIGNMENT OF) CUSTOMERS

AGCom Group, Inc. (“AGCom” or “Transferee”), and CIMA Telecom, Inc. (“CIMA” or “Transferor”) herein collectively called the “Applicants” pursuant to Section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214 *et. al.* (1982), and Section(s) 63.03; 63.04 and 63.24 of the Federal Communication Commission’s (hereafter called “Commission”) Rules¹, herein seek the Commission’s Consent to Assign and Transfer a limited base of select customers/subscribers who use international long distance services from CIMA to AGCom. The transfer and assignment of the customers/subscribers will take place when AGCom assumes all underlying carrier operations and support for the customers and are migrated by CIMA to AGCom. AGCom has previously sought authority from the Commission to provider international services pursuant to 47 U.S.C. § 214 and has also obtained Special Temporary to provide international services pursuant to 47 U.S.C. § 214. All customers/subscribers at the heart of this transaction have been provided notice and have not objected, and, are consumers of international calling services of CIMA. AGCom has no foreign affiliations with foreign or dominant carriers. By granting this application, the Commission will serve the public interest, convenience and necessity by promoting competition in the international services market. Competition will benefit U.S. consumers by increasing

¹ See. 47 C.F.R. § 63.03; 47 C.F.R. § 63.04; 47 C.F.R. § 63.24, respectively.

service options and lowering prices. Furthermore, the transfer of control will not result in any change of service to the contemplated customers of CIMA, insofar as AGCom will be the carrier instead of CIMA. AGCom will not change the types of services provided to these customers, and, they will continue to receive their international services at the same quality and terms as they currently receive with CIMA. Thus, the public interest will be served by the grant of transfer and assignment of these customers from Transferor to Transferee.

I. INTRODUCTION:

A. Summary of the Contemplated Transaction

The Transferor, CIMA, desires to focus its international telecommunication services in the areas of *wholesale and resale services to other common carriers and discontinue servicing retail consumers*. Currently CIMA has twenty-one (21) subscriber customers that are comprised of consumers and enterprise businesses that utilize ANI recognition PIN-free prepaid long distance international services. On August, 1 2010, CIMA and AGCom have entered into an agreement (that is subject to the consent of the Commission) wherein AGCom will undertake all carrier services of these subscribers and assume these subscribers as customers with a target date of December 31, 2010. Since the services are prepaid, no carry-over balances will be involved and clients will be migrated as their existing service balances are consumed and require re-charging of the prepaid accounts. AGCom has secured adequate facilities to maintain and operate services to these accounts, and will, utilize CIMA as one of its primary carriers to ensure the continuity of service quality and pricing.

B. Request for Streamlined Processing

The Applicants respectfully submit that this Application is eligible for streamlined processing pursuant to Section 63.03 and Section 63.12 of the Commission's Rules, found at 47 C.F.R. § 63.03 and 47 C.F.R. § 63.12, respectively. This Application is eligible for streamlined processing pursuant to Section 63.03(b)(2)(i) because, immediately following the transactions: (1) Applicants will hold less than a ten percent (10%) share of the interstate and/or interexchange market; (2) No dominant local exchange carriers are parties to the proposed transaction; and (3) Neither the Applicants are, or will be, dominant with respect to any service. This Application further qualifies for Streamlined treatment pursuant to 47 C.F.R. § 63.12 as AGCom is not affiliated with a dominant foreign carrier, and will not become affiliated with a foreign carrier as a result of this transaction. Furthermore, the provisions of 47 C.F.R. § 63.12(c) do not apply in this instance.

In support of this Application, Applicant AGCom submits Application Attachments I and II, and, the Applicants herein provide the following information:

II. DESCRIPTION OF THE APPLICANTS

A. AGCom Group, Inc. ("Transferee")

AGCom is a privately-held Florida Corporation with its principal offices at 1728 Coral Way, Miami, Florida 33145. AGCom that will provide telecommunications services in the form of International and Inter-exchange services in the state of Florida. The transaction contemplated herein will be the first clients served by AGCom. All of the services provided by AGCom are competitive in nature and AGCom does not hold a dominant position in any market. The following individuals, directly or indirectly own at least 10 percent of the equity of AGCom: Ms. Lina Betancur holds 100% equity in the Company and no other individual or entity holds a 10% or greater interest. Ms. Lina Betancur is a national of the Republic of Colombia who lawfully resides in the State of Florida.

B. CIMA Telecom, Inc. ("Transferor")

CIMA Telecom, Inc is a privately-held Florida corporation with its principal offices at. CIMA provides international carrier services to and from the United States. CIMA is common carrier authorized by the Commission's authority to provide international services since 2001². This transaction will not implicate any change of control in the ownership or makeup of CIMA, and, will only involve the transfer of twenty-one (21) existing subscriber customers from CIMA to AGCom when consummated.

III PUBLIC INTEREST CONSIDERATIONS:

As previously stated, the Applicants believe that the added competition this Transfer and Assignment will bring to the market will benefit the consumers of United States-international telecommunications services, and specifically those in the State of Florida which are current subscribers of CIMA. This includes competitive pricing of services and increased availability of a variety of innovative service options. Therefore, the grant of this Application will further the public interest.

² See, ITC-214-20010116-00020 February 9, 2001.

CONCLUSION

In conclusion of the foregoing Application and Attachments herein submitted, the Applicant AGCom certifies that all of the information in this application is accurate and correct as evidenced in its officer's signature in its Verification. For these reasons, respectfully requests that the Commission grant this application.

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Application Attachment I.

(Information pursuant to 47 CFR § 63.12 as required pursuant to 47 CFR § 63.24)

The following information is submitted, as required by 47 CFR § 63.12 of the Commission's Rules, in support of the Joint Application and AGCom's request for authorization to transfer control, and the assignment, of CIMA's subscribers:

AGCom respectfully requests streamline processing pursuant to 47 CFR § 63.12 and herein certifies by the attached verification to this Application that:

1. It is not affiliated with a foreign carrier in a destination market it seeks authority to serve;
2. It has no affiliation with a dominant U.S. carrier whose international switched or private line services AGCom through its control of CIMA seeks authority to resell, either directly or indirectly through the resale of another reseller's services;
3. It does not seek authority to provide switched basic services over private lines to a country for which the Commission has not previously authorized the provision of switched services over private lines.
4. The Commission has not informed AGCom in writing that this Application is not eligible for streamlined processing.

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Application Attachment II.

(Information pursuant to 47 CFR § 63.18 as required pursuant to 47 CFR § 63.24)

The following information is submitted, as required by 47 CFR § 63.18 of the Commission's Rules, in support of Applicant's request for authorization:

47 CFR § 63.18(a): The names, addresses and telephone numbers of the Applicants are as follows:

Transferor:

CIMA Telecom, Inc. ("CIMA")	FRN: 0007705916
1728 Coral Way, 8 th Floor,	
Miami, Florida 33145	
Tel: (305) 261-7778	
Fax: (305) 436-8674	
Attn: Mr. Daniel Contreras, CEO	

Transferee:

AGCom Group, Inc. ("AGCom")	FRN: 0020193579
1728 Coral Way, 8 th Floor	
Miami, Florida 33145	
Tel: (786) 218 9512	
Attn: Ms. Lina Betancur	

47 CFR § 63.18(b): Jurisdiction of Organizations

- (1) Transferor: CIMA Telecom, Inc. is a **company** incorporated under the laws of the **State of Florida.**
- (2) Transferee: AGCom Group, Inc. is a **company** incorporated under the laws of the **State of Florida.**

48 CFR § 63.18(c): Correspondence concerning this application should be sent to:

1. For **CIMA Telecom, Inc. ("CIMA")** With Copy to: **Edward A. Maldonado, Esq.**
1728 Coral Way, 8th Floor,
Miami, Florida 33145
Tel: (305) 261-7778
Fax: (305) 436-8674
Attn: Mr. Daniel Contreras, CEO
Maldonado Law Group
3399 NW 72nd Ave. Suite 216
Miami, FL 33122
Tel: (305) 477-7580
Fax: (305) 477-7504

2. For **AGCom Group, Inc. ("AGCom")** With Copy to: **Edward A. Maldonado, Esq.**
1728 Coral Way
Miami, Florida 33145
Tel: (786) 218 9512
Attn: Ms. Lina Betancur
Maldonado Law Group
3399 NW 72nd Ave. Suite 216
Miami, FL 33122
Tel: (305) 477-7580
Fax: (305) 477-7504

In Response to Question 14 and 15 of FCC 214 Application:

47 CFR § 63.18(d): CIMA Telecom, Inc. has previously received authority under Section 214 of the Act.³ AGCom has not previously received authority under Section 214 of the Act⁴.

47 CFR § 63.18(e): Applicant AGCom by and through its control and assignment of CIMA subscribers requests global or limited facilities-based and resale Section 214 authority pursuant to the terms and conditions of Section 63.18(e)(1) and (e)(2) of the Commission's Rules. Applicant AGCom is not applying for authority to acquire facilities or to provide services not covered by paragraphs (e)(1) through (e)(3) of Section 63.18. Applicant AGCom is not seeking facilities-based authority under paragraph (e)(4) of Section 63.18. Applicant AGCom shall comply with requirements of 47 CFR § 63.21 and 47 CFR § 63.22.

47 CFR § 63.18(g): Applicant AGCom by and through its control and assignment of CIMA subscribers will use previously authorized facilities to provide the services requested by the Application. AGCom is excluded from environmental assessment pursuant to Section 1.1306 of the Commission's Rules. 47 C.F.R. § 1.1306.

³ See. ITC-214-20010116-00020 February 9, 2001.

⁴ See. ITC-214-20100914-00364 pending Commission approval and operating under Special Temporary Authority.

CFR § 63.18(h): Following the completion of the transaction between AGCom and CIMA the information regarding the 10% or greater direct or indirect owners of AGCom, Inc. shall be as follows:

Name :	Ms. Lina Betancur
Address:	1728 Coral Way, Miami, Florida 33145
Citizenship:	Colombian Citizen/Corporation
Principal Business:	Telecommunications
Ownership:	100%

There are no interlocking directorates.

47 CFR § 63.18(i): AGCom and CIMA respectively certify that they are not affiliated with any foreign facilities-based carriers or US dominant carriers.

47 CFR § 63.18(j): As stated in Attachment I AGCom respectively certifies that in connection with this transfer of subscribers they do not seek to provide international telecommunication services to any destination country for which any of the following are true:

1. AGCom is a foreign carrier in that country; or
2. AGCom controls a foreign carrier in that country; or
3. Any entity that owns more than twenty-five percent (25%) of AGCom, or that controls AGCom, controls a foreign carrier in that country.

47 CFR § 63.18(k): Not Applicable.

47 CFR § 63.18(l): Not Applicable.

47 CFR § 63.18(m): Not Applicable.

47 CFR § 63.18(n): AGCom certifies that neither has agreed and will not agree in the future to accept any direct or indirect special concessions from a foreign carrier or administration with regards to traffic or revenue flows between the United States and any foreign countries the company is authorized to serve.

47 CFR § 63.18(o): The Applicants certify that no party to this application has been denied federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988.

47 CFR § 63.18(p): The Applicant respectively request Streamline Processing of this Application pursuant to Section 63.12 of the Commission's Rules. 47 C.F.R. § 63.12.

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VERIFICATION

I, Lina Betancur, state that I am the President of AGCom Group, Inc.; that I am authorized to make this Verification on behalf of AGCom Group, Inc.; that the foregoing filing was prepared under my direction and supervision; and that the contents are true and correct to the best of my knowledge, information, and belief. This includes:

1. The Joint Application
2. Application Attachment I
3. Application Attachment II

I declare under penalty of perjury that the foregoing answers and statement in the above Application and Attachments thereto are true and correct.

Executed this December 15, 2010 in Miami, Florida.

AGCom Group, Inc.
By: 
Name: Lina Betancur
Title: President of AGCom Group, Inc.