

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

In the Matter of	)	
	)	
Future Voice, LLC	)	
("Transferor") FRN: 0011031333	)	
	)	
And	)	File No.: ITC-214-20090625-00303
	)	
Etelix.com USA, LLC	)	
("Transferee") FRN: 0018062810	)	
	)	
	)	
Joint Application for authority pursuant	)	
to Section 214 of the Communications Act	)	
of 1934, as amended, for Consent for Assignment	)	
of Customers	)	
_____	)	

INTERNATIONAL APPLICATION FOR CONSENT TO TRANSFER AND ASSIGN
SUBSCRIBER CUSTOMERS EXCLUDING TRANSFER OF UNDERLYING
SECTION 214 INTERNATIONAL AUTHORITY OF TRANSFEROR



By and through its Attorney:
Edward A. Maldonado, Esq.

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APPLICATION

Etelix.com USA, LLC ("Etelix" or "Transferee"), and Future Voice, LLC *d/b/a* "Voyze" ("**Voyze**" 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 Assets (excluding underlying Section 214 Authority) of an International Common Carrier, specifically a limited base of Voice over IP and IP PBX account customers/subscribers who use international long distance services from Voyze to Etelix. The transaction is a result of a stipulation for settlement reached in a civil action (*In RE: FUTURE VOICE, LLC, assignor, to JOHN A. MOFFA, assignee*) in Case No. 2015-006909-CA-01 before the Circuit Court in and for Miami-Dade County, Florida. The civil action was an Assignment for the Benefit of Creditors initiated by Voyze but did not advance due to the stipulated settlement.² Transferee Etelix was not a party to the lawsuit. However, Etelix entered the lawsuit in order to purchase the customer account from Voyze and continue servicing the customers of Voyze. The purchase of the customer accounts settles all claims of Voyze creditors, including the Commission and the Universal Service Administrative Company

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

² Case No. 2015-006909-CA-01 was not a federal bankruptcy but a private cause of action in Florida which as a result of the settlement agreement was resolved between creditors of Voyze privately.

(USAC) for back-owed regulatory fees of Voyze.³ Subject to approval by the Commission, the transfer and assignment of these customers/subscribers will take place immediately pursuant to the Court's Order granting settlement.⁴ Voyze presently holds international authority from the Commission to provide services pursuant to 47 U.S.C. § 214 and has since July 29, 2004. Etelix presently holds authority from the Commission to provide international services pursuant to 47 U.S.C. § 214 and has since March 9, 2010. All customers/subscribers at the heart of this transaction are VoIP and IP PBX subscribers and have been provided notice and have not objected, and, are presently consumers of international calling services of Voyze. Etelix 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 service options and lowering prices. Furthermore, the transfer of control will not result in any change of service to the contemplated customers of Voyze, insofar as Etelix will hereafter be the carrier of services instead of Voyze. Etelix 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 Voyze. 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 transaction is a result of a Court Order in Case No. 2015-006909-CA-01 *In RE: FUTURE VOICE, LLC, assignor, to JOHN A. MOFFA, assignee*. Transferor, Voyze, will cease to do business after the transfer of the subscriber customers to Etelix pursuant to the Court Order of May 3, 2016. Currently Voyze has approximately one thousand four hundred twenty-eight (1,428) subscriber customers that are comprised of consumers and enterprise businesses that utilize IP PBX and VoIP Services for long distance international services (international long distance VoIP accounts). While it is recognized that the customer services to be transferred are VoIP in nature, this transaction is between two common carriers licensed by the Commission. For this reason, this application is submitted as a part of the transaction and underlying Court Order. Etelix will undertake all carrier services of these subscribers and assume these subscribers as customers with a target date of June 10, 2016, and shall seek all necessary Special

³ The Commission and USAC were represented in the civil action and have agreed to the Stipulated Settlement, and on May 3, 2016 the Stipulation was signed into an Agreed Order by the Hon. Migna Sanchez-Llorens, Circuit Court Judge for Miami-Dade County, Florida.

⁴ In order to comply with the Court's Order

Temporary Authority from the Commission to meet this target date. The migration of Voyze's subscriber customer accounts is subject to Commission approval. Since the services are prepaid on a monthly basis, 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. Etelix has secured adequate facilities to maintain and operate services to these accounts, and will, utilize Voyze as one of its primary carriers to ensure the continuity of service quality and pricing. Upon Commission approval of this transfer of assets (customer accounts), Voyze shall surrender its international authority to the Commission and cease to operate.

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 Etelix 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. Etelix is current with its regulatory reporting and is not on Red Light Status with the Commission to prevent consideration of this Application. Etelix has had no material change of ownership since its original Section 214 Authority was first approved by the Commission, and, its previous owner was consented to by Team Telecom under that application. Etelix is compliant with CALEA requirements.

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

II. DESCRIPTION OF THE APPLICANTS

A. Etelix.com USA, LLC ("Transferee")

Etelix is a privately-held Florida Limited Liability Company with its principal offices at 4995 N.W. 72 Avenue, Suite 205, Miami, Florida 33166 and 444 Brickell Avenue, Suites 51-84, Miami, Florida 33131. Etelix provides retail and wholesale telecommunications and IP Enabled communication services in the form of International Services in and from the State of Florida. All of the services provided by Etelix are

competitive in nature and Etelix does not hold a dominant position in any market. Etelix has held the Commission's authority to provide international services since 2010⁵. The following individuals hold at least 10 percent, or more, of the equity of Etelix:

Name:	Mr. Leandro Iglesias
Address:	444 Brickell Avenue, Suites 51-84, Miami, Florida 33131
Telephone:	(786) 600-1129 and +582129353840
Ownership:	100%
Principal Business:	Telecommunications
Citizenship:	Venezuela

B. Future Voyze, LLC d/b/a "Voyze" ("Transferor")

Future Voyze, LLC d/b/a "Voyze" is a privately-held Florida Limited Liability Company with its principal offices at 19501 NE 10th Ave Building # 1 Suite C North Miami Beach FL 33179 and 1221 Brickell Avenue, Miami, FL 33131. Future Voyze, LLC provides an array of international voice over IP services, including IP PBX, to and from the United States. Future Voyze, LLC has held the Commission's authority to provide international services since 2004⁶. It is comprised of seven (7) LLC Members who serve as the management of Future Voyze, LLC and control the day-to-day operations. The following individuals directly or indirectly own or hold at least 10 percent of the equity of Future Voyze, LLC:

Name:	Mr. Daniel Ginsberg
Address:	19501 NE 10th Ave Building # 1 Suite C North Miami Beach FL 33179
Telephone:	786-735-4397
Ownership:	16%
Corp. Officer:	Director of Finance
Citizenship:	United States Citizen (since 2009)

Name:	Mr. Ilan Weinstein
Address:	19501 NE 10th Ave Building # 1 Suite C North Miami Beach FL 33179
Telephone:	786-735-4397
Ownership:	10%
Corp. Officer:	Director of Internal Operations
Citizenship:	United States Citizen (since 2010)

Name:	Mr. Hugo Bogani
Address:	19501 NE 10th Ave Building # 1 Suite C North Miami Beach FL 33179
Telephone:	786-735-4397
Ownership:	10%
Corp. Officer:	Director of External Operations
Citizenship:	United States Citizen (since 2009)

⁵ See ITC-214-20090625-00303, March 9, 2010.

⁶ See ITC-214-20040622-00236, July 29, 2004.

Name: Mr. Jorge Weinstein
Address: 19501 NE 10th Ave Building # 1 Suite C North Miami Beach FL 33179
Telephone: 786-735-4397
Ownership: 10%
Corp. Officer: General Manager
Citizenship: United States Citizen (since 2014)

Name: Mr. Leandro Finol
Address: 19501 NE 10th Ave Building # 1 Suite C North Miami Beach FL 33179
Telephone: 786-735-4397
Ownership: 10%
Corp. Officer: Director of Marketing
Citizenship: Venezuelan

Name: Mr. Luciano Solla
Address: 19501 NE 10th Ave Building # 1 Suite C North Miami Beach FL 33179
Telephone: 786-735-4397
Ownership: 10%
Corp. Officer: CFO
Citizenship: United States Citizen (since 2015)

Name: Ms. Consuelo Sanchez
Address: 19501 NE 10th Ave Building # 1 Suite C North Miami Beach FL 33179
Telephone: 786-735-4397
Ownership: 28% Equity
Principal Business: CEO
Citizenship: United States Citizen (since 2005)

III PUBLIC INTEREST CONSIDERATIONS:

As previously stated, the Applicants believe that the added competition this 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 Voyze. 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.

CONCLUSION

In conclusion of the foregoing Application and Attachments herein submitted, the Applicant Etelix 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.

Respectfully submitted,

Etelix.com USA, LLC

By: /s/ Leandro Iglesias /s/

Name: Mr. Leandro Iglesias

Title: Managing Member of Etelix.com USA, LLC

AND

Future Voice, LLC

By: /s/ Consuelo Sanchez /s/

Name: Ms. Consuelo Sanchez

Title: CEO of Future Voice, LLC

By and through their attorney:



/s/ Edward A. Maldonado /s/

Edward A. Maldonado, Esq.

MALDONADO LAW GROUP

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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 Application and Etelix' request for authorization to assign Voyze's subscriber customers from Voyze to Etelix:

Etelix 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;
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 Etelix 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 - **Response to Question 10:**

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

Transferor:

Future Voice, LLC ("Voyze")

FRN: 0011031333

19501 NE 10th Ave Building # 1 Suite C North Miami Beach FL 33179 and

Tel: (786) 735-4397

Attn: Ms. Consuelo Sanchez, CEO.

Transferee:

Etelix.com USA, LLC ("Etelix")

FRN: 0018062810

4995 N.W. 72 Avenue, Suite 205, Miami, Florida 33166 and

444 Brickell Avenue, Suites 51-84, Miami, Florida 33131

Tel: (786) 600-1129

Attn: Mr. Leandro Iglesias, Managing Member.

47 CFR § 63.18(b): Jurisdiction of Organizations

- (1) Transferor: Future Voice, LLC is a **limited liability company** incorporated under the laws of the **State of Florida**.

(2) Transferee: Etelix.com USA, LLC is a **limited liability 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 Future Voice, LLC (“VOYZE”)

1221 Brickell Avenue, Miami, FL 33131 and
19501 NE 10th Ave Building # 1 Suite C
North Miami Beach, FL 33179
Tel: (786) 735-4397
Attn: Ms. Consuelo Sanchez, CEO

With Copy to:

Edward A. Maldonado, Esq.
Maldonado Law Group
2850 Douglas Road, Suite 303
Coral Gables, FL 33134
Tel: (305) 477-7580 ex 214
Fax: (305) 477-7504

2. For Etelix.com USA, LLC (“Etelix”)

444 Brickell Avenue, Suites 51-84
Miami, Florida 33131
Tel: (786) 600-1129
Attn: Mr. Leandro Iglesias

With Copy to:

Edward A. Maldonado, Esq.
Maldonado Law Group
2850 Douglas Road, Suite 303
Coral Gables, FL 33134.
Tel: (305) 477-7580 ex 214
Fax: (305) 477-7504

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

47 CFR § 63.18(d): Future Voice, LLC has previously received authority under Section 214 of the Act.⁷ Etelix has previously received authority under Section 214 of the Act⁸.

47 CFR § 63.18(e): Applicant Etelix by and through its control and assignment of Voyze 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 Etelix 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 Etelix is not seeking facilities-based authority under paragraph (e)(4) of Section 63.18. Applicant Etelix shall comply with requirements of 47 CFR § 63.21 and 47 CFR § 63.22.

47 CFR § 63.18(g): Applicant Etelix by and through its control and assignment of Voyze subscribers will use previously authorized facilities to provide the services requested by the Application. Etelix is

⁷ See ITC-214-20040622-00236, July 29, 2004

⁸ See ITC-214-20090625-00303, March 9, 2010.

excluded from environmental assessment pursuant to Section 1.1306 of the Commission's Rules. 47 C.F.R. § 1.1306.

CFR § 63.18(h): Following the completion of the transaction between Etelix and Voyze, the information regarding the 10% or greater direct or indirect owners of Etelix.com USA, LLC shall be as follows:

Etelix.com USA, LLC (Transferee):

Name:	Mr. Leandro Iglesias
Address:	444 Brickell Avenue, Suites 51-84, Miami, Florida 33131
Telephone:	and +582129353840
Ownership:	100%
Principal Business:	Telecommunications
Citizenship:	Venezuela

There are no interlocking directorates.

Future Voice, LLC (Transferor)

Upon Approval and Consummation of the transfer and assignment of subscriber customers from Voyze to Etelix, **Future Voice, LLC shall close as a corporation pursuant to Court Order. There will be no owners of 10% or greater thereafter in Future Voice, LLC.**

47 CFR § 63.18(i): Etelix and Voyze 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, Etelix 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. Etelix is a foreign carrier in that country; or
2. Etelix controls a foreign carrier in that country; or
3. Any entity that owns more than twenty-five percent (25%) of **Etelix**, or that controls Etelix, 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): Etelix 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, Leandro Iglesias, state that I am the Managing Member of Etelix.com USA, LLC; that I am authorized to make this Verification on behalf of Etelix.com USA, LLC; 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 Application
2. Application Attachment I (above).
3. Application Attachment II (above).

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 May 26, 2016 in Miami, Florida.

Etelix.com USA, LLC

By: /s/ Leandro Iglesias /s/
Name: Mr. Leandro Iglesias
Title: Managing Member of Etelix.com USA, LLC

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VERIFICATION

I, Consuelo Sanchez, state that I am the CEO of Future Voice, LLC that I am authorized to make this Verification on behalf of Future Voice, LLC 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 Application
2. Application Attachment I (above).
3. Application Attachment II (above).

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 May 26, 2016 in Miami, Florida.

Future Voice, LLC

By: /s/ Consuelo Sanchez /s/

Name: Ms. Consuelo Sanchez
Title: CEO of Future Voice, LLC