



Federal Communications Commission  
Washington, D. C. 20554

International Bureau

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December 19, 2008

Ref: 2008-55

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Re: Section 214 and Transfer of Control of Sub-Cable applications

Dear Sir or Madam:

Please review the following applications and advise us whether you have any national security, law enforcement, foreign policy or trade concerns by **Noon January 7, 2009**, because we are prepared to take action on these applications. **Electronic filed (e-file) applications are able to be viewed by accessing [www.fcc.gov/ibfs](http://www.fcc.gov/ibfs) and searching by the file number.**

**ITC-214-2008-1201-00519**

ACT Telecommunications, Inc.'s (ACT-US) application for authority to provide facilities-based and resale services between the United States and permissible international points. Applicant (ACT-US) is located in St. John's, **Antigua and Barbuda**, and is a wholly owned subsidiary of ACT Telecommunications Limited (ACT-Antingua), a company organized under the laws of **Antigua and Barbuda**.

**ITC-T/C-20081212-00531 (e-file)**

Application for authority to transfer control of the international global resale section 214 authorization, ITC-214-19961125-00600 (ITC-96-657), held by VIP Communications Inc. from Pan American Telecommunications Trust to VIP (Holding), Inc., a **Virginia** corporation 100% owned by a citizen of the **United Kingdom**. This transaction has already occurred on **September 26, 2008** without prior Commission authorization.

**ITC-STA-20081212-00532 (e-file)**

**VIP Communications, Inc. seeks Special Temporary Authority (STA)** to continue operations as an international global resale carrier following a transfer of control which took place on September 26, 2008 without necessary FCC consent. VIP acknowledges that the grant of this STA will not prejudice any action the Commission may take on the underlying application, ITC-T/C-20081212-00531. VIP further acknowledges that this STA can be revoked by the Commission upon its own motion without a hearing, and that grant of an STA and the underlying application will not preclude enforcement action.

**ITC-T/C-20081215-00534 (e-file)**

Application for consent to transfer control of REACH Ltd ("REACH"), a Bermuda company and the holder of international Section 214 authorizations. This transfer will occur as a result of the proposed privatization of PCCW Limited ("PCCW"), the

transferor and an entity with 50 percent negative ownership control of REACH. Upon consummation of the proposed privatization, the transferee Pacific Century Regional Developments Limited ("PCRD"), an existing shareholder of PCCW, would acquire control of PCCW.

PCRD, a **Singapore** corporation, will hold directly approximately 22.68% and indirectly approximately 38.83% (via Starvest Ltd) of the ownership interests of PCCW Limited. Pacific Century Group (Cayman Islands) Limited will hold directly approximately 37.50 percent and indirectly approximately 37.76 percent (via Anglang Investments Limited) of the ownership interests of Pacific Century Regional Developments Limited. Pacific Century Group (Cayman Islands) Limited is 100% indirectly owned by OS Holdings Limited, a **Bermuda** corporation. China Netcom Corporation (BVI) Limited will hold directly 33.29 percent of the ownership interests of PCCW Limited. **The people's Republic of China** indirectly owns 100% of China Netcom Corporation (BVI) Limited.

Pursuant to Section 7.2 of the Agreement by and between REACH, Telstra Corporation Limited (ABN 33 051 775 556) ("Telstra"), and PCCW Limited ("PCCW"), on the one hand, and the U.S. Department of Homeland Security, the Federal Bureau of Investigation and the U.S. Department of Justice, on the other, effective November 29, 2001 and amended January 8, 2007 ("Agreement"), REACH requests that the Commission condition the grant of this Application on compliance with the terms of the Agreement.

**SCL-T/C-20081215-00023 (e-file)**

Reach Global Networks Ltd. ("RGNL") requests authority to transfer control of RGNL, a Bermuda company and the holder of a cable landing license for the Japan-U.S. Cable Network (JUSCN). This transfer will occur as a result of the proposed privatization of PCCW Limited ("PCCW"), the transferor and an entity with 50 percent negative ownership control of REACH Ltd ("REACH"), the parent company of RGNL. Upon consummation of the proposed privatization, the transferee Pacific Century Regional Developments Limited ("PCRD"), an existing shareholder of PCCW, would acquire control of PCCW. RGNL holds an 11.57324 voting interest and a 9.17313% equity interest in JUSCN.

Pursuant to Section 7.2 of the Agreement by and between REACH Ltd ("REACH"), Telstra Corporation Limited (ABN 33 051 775 556) ("Telstra"), and PCCW Limited ("PCCW"), on the one hand, and the U.S. Department of Homeland Security, the Federal Bureau of Investigation and the U.S. Department of Justice, on the other, effective November 29, 2001 and amended January 8, 2007 ("Agreement"), RGNL requests that the Commission condition the grant of this Application on compliance with the terms of the Agreement.

If we do not hear from you by **Noon January 7, 2009**, we will assume that you do not have any concerns with the above listed applications.



**For Information (Supplement)**

**ITC-T/C-20081124-00512**

On December 17, 2008 PCCW Limited (PCCW) filed a second supplement to Application to Transfer Control of BtN Access Limited and its Wholly-Owned Subsidiaries PCCW Global, Inc. and PCCW Global Limited to Pacific Century Regional Developments Limited.

PCCW requests that the Commission condition the grant of the Application on compliance with the terms of the Agreement dated as of November 29, 2001, by and between PCCW, Reach Ltd. and Telstra Corporation Limited, on the one hand, and the Federal Bureau of Investigation and the U.S. Department of Justice, on the other.

The supplement is attached in PDF. The underlying application was sent for your review on November 26, 2008 under Ref. 2008-50.

Sincerely,



George Li, Deputy Chief, Policy Division

**Janeese Parker**

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**From:** Janeese Parker  
**Sent:** Friday, December 19, 2008 3:02 PM  
**To:** 'Douglas.Klein@ic.fbi.gov'; 'edward.hand@usdoj.gov'; 'hillary.Morgan@disa.mil'; 'jarnold@ntia.doc.gov'; 'vbarrish@askaalea.net'; 'maydc@state.gov'; 'lettsw@state.gov'; 'Stephen.heifetz@dhs.gov'; 'Christopher.Steffen@ic.fbi.gov'; 'swentworth@ostp.eop.gov'; 'Erica.Bomsey@dhs.gov'; 'shannon.culbertson@associates.dhs.gov'; 'margaret.Dudek@dhs.gov'; 'CarrollD@state.gov'; 'Brian.williams@associates.dhs.gov'; 'greg.pinto@dhs.gov'; 'TTelecom@usdoj.gov'; 'Thomas.Doyle@associates.dhs.gov'; 'mary.wheaton2@usdoj.gov'; 'Siobhan.Dupuy@usdoj.gov'; 'alex.daman@dhs.gov'; 'Douglas.Daniels@dhs.gov'; 'Joanne.Ongman@usdoj.gov'; 'Jennifer.Rockoff@usdoj.gov'; 'jmchale@ustr.gov'; 'Richard.Sofield2@usdoj.gov'; 'Navin.Jaffer@dhs.gov'  
**Cc:** George Li; David Krech; Susan OConnell; JoAnn Sutton; James Ball; Cathy Hsu; Imani Ellis; Kathleen Collins; Francis Gutierrez; Howard Griboff; Kathleen Collins; Imani Ellis; Cathy Hsu  
**Subject:** Attached is Cover Letter Reference 2008-55 (Comments due: January 7, 2009).  
**Attachments:** PCCW2ND 214 SUPPLEM.pdf; Executive Branch 2008-55.doc

Good Afternoon,

Attached is Cover Letter Reference 2008-55 (Comments due: January 7, 2009).

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*Janeese Parker*  
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12/19/2008