

**Before the  
FEDERAL COMMUNICATION COMMISSION  
Washington D.C. 20554**

In the Matter of: )  
)  
*Nu Era Telecom, Inc* )  
)  
And ) Docket No. \_\_\_\_\_  
) File No. ITC \_\_\_\_\_  
)  
)  
)  
Application for Special Temporary )  
Authority to Offer International Services )  
Pursuant to Section 214 of the )  
Communications Act of 1934, as Amended )

**REQUEST FOR SPECIAL TEMPORARY AUTHORITY**

Nu Era Telecom, Inc. (“Nu Era”) by its attorneys, hereby requests Special Temporary Authority to temporarily provide international telecommunications services and to operate pursuant to 47 U.S.C. § 214, as amended (herein called the “STA Application”), while application is being contemporaneously sought by the Federal Communications Commission (the “Commission”) for permanent Authority pursuant Section 214 of the Communications Act of 1934, as amended and codified under 47 U.S.C. § 214 et. al. (The “Act” ).

**BACKGROUND**

Nu Era is Florida corporation which provides long distance calling services to business and residential consumers domestically within the United States and Internationally. Nu Era is a small-sized business that operates with a staff of less than seven (7) employees in the company. The company has been in existence since March 03, 2005 offering international long distance calling service since January of 2008 as an long distance international carrier. Nu Era’s management retained an internal employee at that time to procure and secure regulatory licensure, certification and registration for the Company including proper Authority to provide International Services under 47 U.S.C. § 214, as amended.

On or about June 20, 2007 the Nu Era employee dedicated to regulatory affairs for the Company's roll-out of services and securing Section 214 Authority for the company began to suffer the effects of a diagnosed and long-term illness that resulted in, hospitalization, frequent absents and impaired her memory. While some registrations were completed and obtained for the company, others such as Nu Era's Section 214 Authority application were not and likewise were not transitioned properly to other employees. As time continued, from the period of June 2007 to November 2008 this employee's illness was ultimately diagnosed as cancer and after a brief hospital stay, the employee regrettably passed away on or about December 24, 2008. Due to the abrupt loss of this key person, there was no transition of critical records.

Unfortunately at the time of the employee's passing, company files and records of needed licensure and registration of the late employee were not organized, fully indexed, or transferred to other employees or the management of Nu Era in a logical fashion. After several lengthy attempts to locate and verify licensure themselves, Nu Era retained regulatory counsel on February 1, 2010 to assist the company in inventorying all documents in their possession to determine what items had and had not been filed during the period in which the former employee had administered the company's regulatory affairs. Past communications with the former employee prior to her final hospitalization lead management to believe that the company had already filed and obtained its Section 214 Authority from the Commission sometime in the period of January of 2008 or shortly thereafter. However, the final inventory of all licensure in conjunction with regulatory counsel indicated that Nu Era had not yet applied for Section 214 Authority. This was determined on February 12, 2010. Nu Era now makes immediate petition for this STA Application contemporaneously with an application for permanent Authority pursuant to 47 U.S.C. § 214, as amended.

### **REQUEST FOR SPECIAL AUTHORITY**

Nu Era hereby request Special Temporary Authority to temporarily provide international telecommunications services and to operate pursuant to 47 U.S.C. § 214 for the interim period that it may take to be properly reviewed by the Commission in an Application for a grant of permanent Authority, or alternatively a six (6) month period that may be extended by further petition, and for any operation from time tolling since January 1, 2008 due to the unique and

extra-ordinary nature of Nu Era' circumstances. Nu Era, as a switchless inter-exchange reseller of long distance and international services, recognizes that Section 214(a) of the Act prohibits any carrier from constructing, extending, or operating any line, and from engaging in transmission through any such line, "unless and until there shall first have been obtained from the Commission a certificate that the present or future public convenience and necessity" require, or will require, the construction, extension, or operation of the line.<sup>1</sup> Nu Era recognizes that it is required to obtain Section 214 Authority prior to the rendering of International Telecommunication Services to the public. Nu Era submits that it undertook affirmative efforts to be compliant with the Act and the Commission's Rules.

However due to the above stated extraordinary circumstances combined with Nu Era's small-size and limited manpower; the loss of a critical regulatory person within the organization due to illness and death; and the inability to properly transition regulatory matters after her death, Nu Era was not able to comply fully by obtaining Section 214 Authority from the Commission prior to offering services. Other important requirements under the Act and the Commission's Rules have been met by Nu Era based on the assumption it already had been granted Section 214 Authority. Nu Era has obtained its required 499-A Filer ID and has filed its annual Telecommunications Reporting Worksheet as an Inter-Exchange Carrier. Nu Era has also made payment toward regulatory fee contributions, including TRS, LNP, NANPA, and FCC Fund contributions where applicable and required by the Commission's Rules.

Nu Era also recognizes that it must now make formal application to the Commission as 46 C.F.R § 63.18 require that "any party seeking authority pursuant to Section 214 ... for the provision of common carrier communications services between the United States, its territories or possessions, and a foreign point shall request such authority by formal application."<sup>2</sup> In making such a formal application, Nu Era recognizes that based upon its foreign ownership the review process shall include consultation by the Commission with the Executive Branch agencies regarding national security, law enforcement, foreign policy and trade concerns that

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<sup>1</sup> 47 U.S.C. § 214(a).

<sup>2</sup> 47 C.F.R. § 63.18.

may be unique to the provision of international service under Team Telecom Review.<sup>3</sup> And that, such review is not streamlined, and the Commission and Team Telecom may require reasonable time in the review of Nu Era's Formal Application for Section 214 Authority. This process may take several months, and Nu Era does not wish to be in violation of the Act during this time period in providing services to already established customers of its domestic and international long distance services. To avoid any possibility of continued violation of the Act, Nu Era hereby submits this STA Application.

## **CONCLUSION**

For these reasons, Nu Era respectfully requests that the Commission grant it special temporary authority to provide domestic and international telecommunications services in the areas described in the STA Application until such time as the Commission acts upon Nu Era Telecom's Formal Application for permanent Authority pursuant to 47 U.S.C. § 214, as amended or alternatively a six (6) month period that may be extended by further STA Application.

Respectfully Submitted,

Nu Era Telecom, Inc.

By :     /s/ Roberto Conrado    /s/    

Mr. Roberto Conrado, President

Please Direct STA Petition Correspondence to:

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<sup>3</sup> 1998 *International Biennial Review Order*, 14 FCC Rcd at 4914-15 ¶ 14; *PCIA Forbearance Order*, 13 FCC Rcd at 16882 ¶ 50.

Its Attorneys

December 3, 2009

**REQUEST FOR SPECIAL TEMPORARY AUTHORITY**  
**Verification by Corporate Officer**

I, Roberto Conrado, President and owner of Nu Era Telecom, Inc., a Florida Corporation, hereby certify the following:

1. I have read the foregoing Request for Special Temporary Authority, and, to the best of my knowledge, all of the states therein are true and correct; and
2. No party to this application is subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988.

I declare under the penalty of perjury that the foregoing is true and correct

By :       /s/ Roberto Conrado /s/      

Mr. Mr. Roberto Conrado, President Nu Era Telecom, Inc.