

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

In the Matter of: )  
)  
*BPP Telecom, LLC* )  
)  
And )  
)  
)  
Application for Special Temporary )  
Authority to Offer International Services )  
Pursuant to Section 214 of the )  
Communications Act of 1934, as Amended )

File No. ITC-214-20100713-00279

**REQUEST FOR SPECIAL TEMPORARY AUTHORITY**

BPP Telecom International USA, LLC. ("BPP Telecom") 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**

BPP Telecom is Florida limited liability company which desires to provide international long distance calling services to carriers and end-user consumers within the United States and Internationally. BPP Telecom is submitting this request for Special Temporary Authority contemporaneously with its International Section 214 Application to operate pursuant to 47 U.S.C. § 214 in a expedited manner. BPP Telecom is a small-sized company in the United States that is currently owned by a foreign owner (SOAM – South American Telecom Corporation, herein called "SOAM") who shall invest the necessary money and resources into the BPP Telecom to establish and maintain services. SOAM acquired BPP in May of 2010. BPP Telecom had traditionally operated as an International VoIP Reseller in the international wholesale market of Voice over Internet Protocol (VoIP) sector. Prior to the sale of stock acquisition by SOAM, prior management had entered into agreements with common carriers to provide services more akin to telecommunication services as opposed to VoIP. Prior ownership of BPP Telecom

REVIEWED BY LEGAL DEPT.	
Date	Initial
9/29	F.P.

RM

had sought Section 214 authority from the Commission, but had voluntarily dismissed its application pending the sale of the company and pending final approval of carrier contracts by U.S. carriers. These carrier contracts eventually became approved and effective shortly after the closing of the BPP Telecom's change of ownership. Upon purchase, SOAM inherited these contractual obligations and in post transaction must perform upon these obligations.

BPP Telecom has applied for Section 214 authority from the Commission for this purpose under File # ITC-214-20100713-00279. The business plans of BPP Telecom now require immediate operation to fulfill contractual obligations of the company and not deplete all investor funds for Operational and Capital Expenses originally dedicated to keep the business viable. BPP Telecom however recognizes that referral to the Executive Branch for review is essential to any approval by the FCC for the Company to operate pursuant to 47 U.S.C. § 214. BPP Telecom further recognizes that the Executive Branch's review process is not streamlined and may toll for a period of time of a year or longer as it has with other foreign carriers. To not frustrate its' own business funds/resources; complete contractual obligation inherited from predecessor owners; continue continuity of service to other carriers, and to allow the FCC and Executive Branch proper time to review BPP Telecom's qualifications for Section 214 Authority, BPP Telecom believes Special Temporary Authority is proper contemporaneously with its Section 214 Application and now seeks such authority. BPP Telecom seek such authority only for sufficient time that the Commission and the Executive Branch may complete their review of BPP Telecom's application under file# ITC-214-20100713-00279 and is willing to submit extensions of any STA granted to cover such time periods.

**REQUEST FOR SPECIAL AUTHORITY**

BPP Telecom 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 its Section 214 Application due to the unique and extra-ordinary nature of BPP Telecom ' circumstances. BPP Telecom, 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

REVIEWED BY LEGAL DEPT.	
Date	Initial
9/19	F.P

KM

line.<sup>1</sup> BPP Telecom recognizes that it is required to obtain Section 214 Authority prior to the rendering of International Telecommunication Services to the public. BPP Telecom submits that it is undertaking affirmative efforts to be compliant with the Act and the Commission's Rules in seeking this Special Authority. BPP Telecom is prepared to meet other compliance requirements of the Commission including registration of a Form 499 Filer ID with USAC, the development of policies and reporting of CPNI compliance, and the payment of regulatory fee contributions, including TRS, LNP, NANPA, and FCC Fund contributions where applicable and required by the Commission's Rules for any services rendered under Temporary Authority.

BPP Telecom also recognizes that 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" is required and has done so a pre-requisite to this <sup>2</sup> In making such a formal application, BPP Telecom 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 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 time in the review of BPP Telecom's Formal Application for Section 214 Authority. This process may take several months to a year, and BPP Telecom does not wish to be in violation of the Act during this time period where it must provide services to sustain itself in its U.S. market entry. To avoid any possibility of violation of the Act, BPP Telecom hereby submits this STA Application.

#### IMPACT STATEMENT

The grant of this STA request will serve the public interest, convenience and necessity because such grant will permit BPP Telecom to provision regulated services inherited by the new ownership to all who will rely on the company for their telecommunication needs. The grant of this STA will further ensure that BPP Telecom can continue to meet the needs of its wholesale and resale customers while its underlying application for authority is considered by the Commission. Likewise, BPP Telecom is a small, new entrant provider to the telecommunications sector, and the application does not raise anti-competitive concerns.

<sup>1</sup> 47 U.S.C. § 214(a).

<sup>2</sup> 47 C.F.R. § 63.18.

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



BPP Telecom acknowledges that the grant of this STA request will not prejudice any action the Commission may take on the underlying application that seeks Commission approval for authority to operate pursuant to 47 U.S.C. § 214. BPP Telecom further acknowledges that grant of this STA may be revoked by the Commission upon its own motion without hearing.

CONCLUSION

For these reasons, BPP Telecom respectfully requests that the Commission grant it special temporary authority to provide international telecommunications services in the areas described in the STA Application until such time as the Commission acts upon BPP 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,

BPP Telecom, LLC.

By : \_\_\_\_\_

Mr. Rodrigo Rodrigues Mendes, President

By and through its attorney:

Edward A. Maldonado, Esq.

Regulatory Counsel for BPP Telecom International USA, LLC.

**Maldonado Law Group**

3399 NW 72<sup>nd</sup> Ave, Suite 216 Miami FL 33122

(305) 477-7580 Tel

(305) 477-7504 Fax

Please Direct STA Petition Correspondence to:

Edward A. Maldonado, Esq.

Regulatory Counsel for BPP Telecom International USA, LLC.

**Maldonado Law Group**

3399 NW 72<sup>nd</sup> Ave, Suite 216 Miami FL 33122

(305) 477-7580 Tel

(305) 477-7504 Fax

REVIEWED BY LEGAL DEPT.	
Date	Initials
9/9	EP

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

I, Rodrigo Rodrigues Mendes, President of BPP Telecom International USA, LLC. 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 forgoing is true and correct

BPP Telecom, LLC.

By : \_\_\_\_\_

Mr. Rodrigo Rodrigues Mendes, President

