

George Li

From: Sofield, Richard (NSD) <Richard.Sofield2@usdoj.gov>
Sent: Wednesday, January 16, 2013 1:15 PM
To: David Krech; Rockoff, Jennifer (NSD); George Li; Adrienne Downs
Cc: Howard Griboff; Susan OConnell; James Ball
Subject: RE: Cover Letter Reference EB 2013-02 (comments due by January 16, 2013)

Thank you.

I talked with Tom Lynch, Ocean's counsel. He has agreed to extend the time by which we need to respond to the STA request until February 15, 2013. This will allow us to better understand whether we believe a STA would be acceptable from our perspective.

Thank you for the quick replies.

574-11328

Richard C. Sofield
Director
Foreign Investment Review Staff
National Security Division
U.S. Department of Justice

W-(202) 233-0702
M-(202) 598-0667

From: David Krech [mailto:David.Krech@fcc.gov]
Sent: Wednesday, January 16, 2013 12:37 PM
To: Rockoff, Jennifer (NSD); Sofield, Richard (NSD); George Li; Adrienne Downs
Cc: Howard Griboff; Susan OConnell; James Ball
Subject: RE: Cover Letter Reference EB 2013-02 (comments due by January 16, 2013)

Sorry, that is my fault; I misread Rick's email.

Here is what the Ocean Technology STA request states:

Ocean applied for the international section 214 authorization from the FCC and its application has been sent to Team Telecom for review. Based on the experience of its counsel, Ocean's application will likely be under review at various agencies of Team Telecom for about 12 months. It is estimated that Ocean will be ready to launch within the next two weeks and is counting on the FCC 214 license to provide international services as soon as possible.

If Ocean is unable to launch its services within a few weeks, it will likely not be able to retain the employees hired to manage and implement the U.S. launch. Ocean will also lose market share to competitors and its entire investment and business could be jeopardized. In the competitive and dynamic market for international VOIP services, weeks are critical and a year-long wait would mean the end of Ocean's business.

From: Rockoff, Jennifer (NSD) [mailto:Jennifer.Rockoff@usdoj.gov]
Sent: Wednesday, January 16, 2013 12:32 PM
To: David Krech; Sofield, Richard (NSD); George Li; Adrienne Downs
Cc: Howard Griboff; Susan OConnell; James Ball
Subject: RE: Cover Letter Reference EB 2013-02 (comments due by January 16, 2013)

My apologies but just to be clear: George, you are asking about the STA in the other case (Ocean Technology Limited, ITC-STA-20121226-00328)? Correct? Not the Moontius case that I emailed with our objection?

From: David Krech [mailto:David.Krech@fcc.gov]
Sent: Wednesday, January 16, 2013 12:20 PM
To: Sofield, Richard (NSD); George Li; Rockoff, Jennifer (NSD); Adrienne Downs
Cc: Howard Griboff; Susan OConnell; James Ball
Subject: RE: Cover Letter Reference EB 2013-02 (comments due by January 16, 2013)

Here is what they state in the STA request:

Moontius LLC (“Moontius”) is a new Delaware company, formed to provide prepaid calling card and wireless resale services. Moontius applied for an international section 214 authorization from the FCC on July 9, 2012. Its application was sent to Team Telecom for review on or around August 3, 2013. Moontius has completed the Team Telecom triage questionnaire and submitted it for review. Based on the experience of its counsel, Moontius’s application will likely be under review at various federal agencies of Team Telecom for another 8 months.

Moontius is currently undertaking the acquisition of approximately 130,000 customers of UltraTone Sdn Bhd, a Malaysian company, and must do so by the end of January. It has not yet acquired the customers. The UltraTone customers require origination and termination in the United States and Moontius must have the international Section 214 authorization to legally provide them services. If Moontius is unable to obtain the 214 authorization by the end of January, it may not be able to complete the acquisition of the UltraTone customers and the investment of time and money by its founders may be lost. In addition, UltraTone may transfer the customers to another entity instead of Moontius, and Moontius will lose market share to its competitors. In the competitive and dynamic market for international prepaid calling card and wireless services, weeks are critical and an 8-month wait would mean Moontius would likely fail.

From: Sofield, Richard (NSD) [mailto:Richard.Sofield2@usdoj.gov]
Sent: Wednesday, January 16, 2013 12:01 PM
To: George Li; Rockoff, Jennifer (NSD); Adrienne Downs
Cc: David Krech; Howard Griboff; Susan OConnell; James Ball
Subject: RE: Cover Letter Reference EB 2013-02 (comments due by January 16, 2013)

Do we know if there’s a particular reason that they need the STA?

Richard C. Sofield

Director

Foreign Investment Review Staff

National Security Division

U.S. Department of Justice

W-(202) 233-0702
M-(202) 598-0667

From: George Li [mailto:George.Li@fcc.gov]
Sent: Wednesday, January 16, 2013 11:53 AM
To: Rockoff, Jennifer (NSD); Adrienne Downs
Cc: David Krech; Howard Griboff; Sofield, Richard (NSD); Susan OConnell; James Ball
Subject: RE: Cover Letter Reference EB 2013-02 (comments due by January 16, 2013)

Thank you Jennifer. How about the ITC-STA-20121226-00328 ?

From: Rockoff, Jennifer (NSD) [mailto:Jennifer.Rockoff@usdoj.gov]
Sent: Wednesday, January 16, 2013 11:30 AM
To: Adrienne Downs
Cc: David Krech; Howard Griboff; George Li; Sofield, Richard (NSD); Susan OConnell; James Ball
Subject: RE: Cover Letter Reference EB 2013-02 (comments due by January 16, 2013)

Hello Adrienne,

Team Telecom objects to the grant of a STA for Moontius LLC (ITC-STA-20130103-0003) referenced in the attached EB letter.

Many thanks, Jennifer

From: Adrienne Downs [mailto:Adrienne.Downs@fcc.gov]
Sent: Thursday, January 10, 2013 4:13 PM
To: Adrienne Downs; 'robert.spiva@ic.fbi.gov'; 'edward.hand@usdoj.gov'; 'Morgan, Hillary J CIV (US)'; 'chenmerlein@nta.doc.gov'; 'vbarish@askalea.net'; 'maydc@state.gov'; 'Christopher.Siefken@ic.fbi.gov'; 'Marilyn.Shaifer@usdoj.gov'; 'Tyronne.Brown@usdoj.gov'; 'Brian.williams@associates.dhs.gov'; 'shawn.cooley@dhs.gov'; 'TTelecom@usdoj.gov'; 'Siobhan.Dupuy@usdoj.gov'; 'Joanne.Ongman@usdoj.gov'; 'Jennifer.Rockoff@usdoj.gov'; 'jmhale@ustr.gov'; 'Richard.Sofield2@usdoj.gov'; 'glenn.kaminsky@hq.dhs.gov'; 'sdesmond@ostp.eop.gov'; 'dale.barr@hq.dhs.gov'; 'JP-FCC@dhs.gov'; 'john.delmore@ic.fbi.gov'; 'ttwg@leo.gov'; 'Kimberly.Schmid@usdoj.gov'
Cc: George Li; David Krech; Susan OConnell; Howard Griboff; James Ball
Subject: Cover Letter Reference EB 2013-02 (comments due by January 16, 2013)

Cover Letter Reference EB 2013-02 (comments due by January 16, 2013).

Adrienne Downs
International Bureau, FCC
(202) 418-0412
Adrienne.Downs@fcc.gov

George Li

From: Thomas Lynch <tlynch@telecomlawyers.com>
Sent: Wednesday, January 16, 2013 1:10 PM
To: George Li
Cc: richard.softfield2@usdoj.gov
Subject: Ocean Technology Limited - ITC-214-20121210-00323 - STA Request - ITC-STA-20121226-00328/

George,

I spoke with Richard Softfield at the DOJ about the STA application for Ocean. They'd like some additional time to consider the request - until February 15. Im ok with that additional time. In the meantime, we will supply them with information about Ocean and cooperate fully. Accordingly, please hold this STA application in abeyance until February 15.

Best regards,

Tom Lynch

Thomas M. Lynch, Esq.
Thomas Lynch & Associates
Attorneys at Law
(410) 349-4990
(410) 929-2912/direct
(443) 926-0574/efax
www.telecomlawyers.com

This message contains information which is confidential or privileged. If you are not the intended recipient, please notify me immediately by telephone or electronic mail and delete this e-mail. Any unauthorized disclosure, copying, distribution or use of the contents of this information is prohibited. Thank you.

FEB 13 2013

Policy Division
International Bureau

George Li

From: George Li
Sent: Wednesday, February 13, 2013 11:35 AM
To: 'Brown, Tyrone (NSD)'; Adrienne Downs; David Krech
Subject: RE: [TTWG] FCC # ITC-STA-20121226-00328 Ocean Technology Ltd.

Thank you Ty.

From: Brown, Tyrone (NSD) [mailto:Tyrone.Brown@usdoj.gov]
Sent: Wednesday, February 13, 2013 11:33 AM
To: George Li; Adrienne Downs; David Krech
Subject: RE: [TTWG] FCC # ITC-STA-20121226-00328 Ocean Technology Ltd.

Team Telecom has no objection to the STA in this matter.

Thanks,
Ty