

**REQUEST FOR SPECIAL TEMPORARY AUTHORITY**

**ATTACHMENT 1**

**ANSWER TO QUESTION 10**

Angel Americas LLC (“Angel Americas”), hereby requests Special Temporary Authority (“STA”) for a period of 180 days to allow Angel Americas to provide service to the customers of STi Prepaid LLC (“STi”) pending approval of the applications filed for assignment of STi’s international and domestic Section 214 authority to Angel Americas.<sup>1</sup>

As explained in the pending assignment applications, Angel Americas seeks Commission consent to the assignment of the international and domestic Section 214 authorizations held by STi to Angel Americas. STi is currently in bankruptcy and may soon be unable to provide telecommunications services to customers. Angel Americas has purchased the assets of STi out of bankruptcy and the associated Asset Purchase and Sale Agreement, dated February 8, 2013, has been approved by the Bankruptcy court. Only approval from the Commission is required to fully consummate the transaction.

If approval for Angel Americas to provide service to the customers of STi is not consummated prior to September 30, 2013, Angel Americas will incur significant additional expenses on October 1 that could compromise its ability to continue to provide services to the extensive customer base of STi. By granting this STA application, Angel Americas will be able to, and commits to, serve the customers of STi still holding unused or unexpired prepaid calling cards and minutes during the period authorized by the STA (and thereafter if the transfer is ultimately approved). Angel Americas has the financial and technical capabilities to provide continued and even improved service to STi’s existing customers, and granting the STA requested herein is in the public interest. Furthermore, Angel Americas agrees to abide by the Authorization Conditions proposed by the Enforcement Bureau for an entity providing services to the customers of STi, and set forth in Exhibit A to this Attachment 1.

Angel Americas acknowledges that the grant of its request for Special Temporary Authority will not prejudice action by the Commission, or other reviewing agencies, on the underlying Section 214 assignment applications. Angel Americas also acknowledges that any authority granted pursuant to the request is subject to cancellation or modification upon notice, but without a hearing.

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<sup>1</sup> The international 214 assignment application is ITC-ASG-20130130-00035. The Domestic 214 assignment application was filed jointly with the international applications on January 30, 2013.

**ANSWER TO QUESTION 12**

**Section 63.18(i):**

Angel Americas is not a foreign carrier, but through its ownership by Angel Telecom and Marcatel, it is affiliated with the following foreign carriers:

- Marcatel Com, S.A. de C.V. (“Marcatel Mexico”) is a Mexican long distance and international carrier.
- Angel Telecom AG, a telecommunications company in Switzerland, provides international call services through a VoIP network.

Angel Americas has no other foreign carrier affiliations.

**Section 63.18(j):**

Pursuant to Section 63.18(j) of the Commission’s rules, 47 C.F.R. § 63.18(j), Angel Americas certifies that it is not a foreign carrier but that will provide service to Mexico, where it is affiliated with foreign carrier Marcatel Mexico, and Switzerland, where it is affiliated with foreign carrier Angel Telecom AG.

**Section 63.18(k):**

Mexico and Switzerland are WTO member countries.

**Section 63.18(l):**

Pursuant to Section 63.10 of the Commission’s rules, 47 C.F.R. § 63.10, Angel Americas qualifies for non-dominant classification on the route between the United States and Mexico because Marcatel Mexico has no market power in Mexico. *See id.* § 63.10(a)(3). Marcatel Mexico is a competitive long distance and international carrier in Mexico, with less than a two percent market share. The Commission has previously found that “Marcatel [Mexico] has a limited market share, no market power, and a lack of control over bottleneck services or facilities.”<sup>2</sup> The same remains true today.

Angel Americas also qualifies for non-dominant classification on the route between the United States and Switzerland because Angel Telecom AG has no market power in Switzerland. *See id.* § 63.10(a)(3). Angel Telecom AG lacks 50 percent market share in the international transport and the local access markets in Switzerland.

Moreover, Marcatel Mexico and Angel Telecom are not listed on the Commission’s List of Foreign Telecommunications Carriers that Are Presumed to Possess Market Power in Foreign

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<sup>2</sup> *Progress International, L.L.C.; Application for Global Authorization Pursuant to Section 214 of the Communications Act of 1934, as Amended, to Resell International Communications Services*, Order, Authorization and Certificate, 12 FCC Rcd 9799 (1997).

Telecommunications Markets.<sup>3</sup> As such, Angel Americas is presumptively classified as non-dominant on the U.S.-Mexico route and the U.S.-Switzerland route.

**Section 63.18(m):**

See response to Section 63.18(l).

**ANSWER TO QUESTION 13**

See response to Question 12.

**ANSWER TO QUESTION 14**

See response to Question 12.

**ANSWER TO QUESTION 16**

**Section 63.18(d):**

Angel Americas does not hold any international Section 214 authorizations. Angel Americas has two direct owners: Angel Telecom (USA) Inc. (“Angel Telecom”) and Marcatel Telecommunications, LLC (“Marcatel”). Marcatel holds an authorization to provide global resale services, File No. ITC-214-20120913-00230.

**Section 63.18(e)(3):**

Angel Americas is not applying for authority to acquire facilities or to provide services not covered by Sections 63.18(e)(1) and (e)(2) of the Commission’s rules, nor is it seeking additional authority under Section 63.18(e)(3).

**Section 63.18(g):**

Not applicable.

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<sup>3</sup> *The International Bureau Revises and Reissues the Commission’s List of Foreign Telecommunications Carriers that Are Presumed to Possess Market Power in Foreign Telecommunications Markets*, Public Notice, DA 07-233 (Jan. 26, 2007).

**ATTACHMENT 2**

**ANSWER TO QUESTION 15**

**Ownership:**

**Direct Ownership:**

The following individuals have a ten percent or greater direct ownership interest in Angel Americas:

**Direct Shareholder Name: Angel Telecom (USA) Inc.**  
Address: c/o WUERSCH & GERING LLP  
100 Wall Street, 10th Fl.  
New York, NY 10005  
Citizenship: United States  
Principal Business: Telecommunications  
Percentage Equity and Voting Ownership in Angel Americas: 85%

**Direct Shareholder Name: Marcatel Telecommunications, LLC**  
Address: 10190 Katy Freeway, Suite 410  
Houston, TX 77043  
Citizenship: United States  
Principal Business: Telecommunications  
Percentage Equity and Voting Ownership in Angel Americas: 15%

**Indirect Ownership:**

**Angel Telecom Ownership:**

**Angel Telecom (USA) Inc. Ownership:**

**Indirect Shareholder Name: Angel Telecom Holding AG**  
Address: Blegistrasse 11a,  
CH-6340 Baar, Switzerland  
Citizenship: Switzerland  
Principal Business: Holding Company  
Equity and Voting Ownership in Angel Telecom: 100%

**Indirect Individual Shareholder in Angel Telecom Holding AG (5% or greater)**

Name: Helmut Koechler  
Address: Studenbuehlstrasse 35  
8832 Wollerau, Switzerland  
Telephone: +41 (41) 767 4100 (W)  
+41 (78) 651 7755 (M)  
Citizenship: Switzerland

Principal Business: Telecom  
Equity and Voting Ownership in Angel Telecom Holding AG: 21.2%

**Indirect Individual Shareholder in Angel Telecom Holding AG (5% or greater)**

Name: Peter Waneck (business address)  
Address (Bus): Angel Telecom Corp.  
Blegistrasse 11a  
6340 Baar  
Switzerland  
Address (Home): Grossmatt 49  
6314 Ungeraegeri  
Switzerland  
Telephone: +41 (41) 767 4114 (W)  
+41 (79) 597 4906 (M)  
Citizenship: Austria  
Principal Business: Telecom  
Equity and Voting Ownership in Angel Telecom Holding AG: 35.3%

Marcatel Ownership:

**Indirect Shareholder Name: IXC International LLC**

Address: 10190 Katy Freeway, Suite 410  
Houston, TX 77043

Citizenship: United States  
Principal Business: Holding Company  
Equity and Voting Ownership in Marcatel: 100%

**Indirect Shareholder Name: Telecom Overseas C.V. ("TOCV")**

Address: AJ Emstraat 199  
Amsterdam, Netherlands

Citizenship: Netherlands  
Principal Business: Holding Company  
Equity and Voting Ownership in IXC International LLC: 100%

**Indirect Shareholder Name: Gustavo M. de la Garwa**

Address: Avenida San Jeronimo 210 Poniente,  
Colonia San Jeronimo, Monterrey,  
Nuevo Leon, Mexico

Citizenship: Mexico  
Principal Business: Telecommunications  
Equity and Voting Ownership in Telecom Overseas C.V.: 99%

No other individual or entity will hold a ten percent or greater ownership interest in Angel Americas.

**Interlocking Directorates:**

Through its ownership by Angel Telecom, Angel Americas will have the following interlocking directorates:

- Peter Waneck is a director of Angel Americas and the Chief Executive Officer of Angel Telecom AG, a telecommunications carrier in Switzerland.

Through its ownership by Marcatel, Angel Americas will have the following interlocking directorates:

- Gustavo Mario de la Garza Ortega is a director of Angel Americas and the President and Secretary of Marcatel, and a director of Marcatel Com, S.A. de C.V. ("Marcatel Mexico"), a Mexican long distance and international carrier.