



Federal Communications Commission  
Washington, D. C. 20554

International Bureau

E-mail: [James.Ball@fcc.gov](mailto:James.Ball@fcc.gov)

[George.Li@fcc.gov](mailto:George.Li@fcc.gov)

(202) 418-1462

(202) 418-2824 (fax)

**November 27, 2013**

**Ref: EB 2013-35**

Douglas May (202) 647-5835  
Shawn B. Cooley (202) 282-8489  
Edward T. Hand (202) 514-2464  
Richard Sofield (202) 233-0702  
Sean Desmond (202) 456-6068

Christopher Hemmerlein (202) 482-1885  
Jonathan McHale (202) 395-5656  
Mathew Bernstein (202) 324-5422  
Robert Gorman (301) 225-6116

Re: Krush/Aggregato USA  
WC DK No. 13-272  
ITC-ASG-20131018-00286

**Comments Due: December 11, 2013**  
**Reply Comments Due: December 18, 2013**

Dear Sir or Madam:

On October 25, 2013, Krush Communications, LLC (Krush) and Aggregato (USA) Inc., (Aggregato USA), (collectively, Applicants) filed an application to transfer certain assets of Krush to Aggregato USA. Applicants consummated this transaction without prior authorization from the Commission on September 1, 2013.

Aggregato USA is a wholly-owned subsidiary of Aggregato Global Limited (Aggregato Global). Aggregato Global is owned by AGMO Holdings Pty Limited (AGMO Holdings) (68 percent) and M2 Telecommunications Group Limited (M2 Telecommunications) (32 percent), both Australian entities. AGMO Holdings is a privately held company owned by the following Australian citizens: Ilario Faenza (25.5 percent), Allan Ghiassi (30 percent), Alan Barakat (20 percent) and Keith Wilson (24.5 percent). M2 Telecommunications, Australia's fourth largest telecommunications company, is a publicly held company listed on the Australian Stock Exchange. None of M2 Telecommunications' shareholders hold an ownership and/or voting interest of ten percent or more in M2 Telecommunications.

A copy of the Public Notice (DA 13-2288, rel. November 27, 2013) seeking comments on the Petition is attached. Should you have any national security, law enforcement, foreign policy, or trade concerns with respect to the Petition, please file your comments on or before **December 11, 2013**, using the Commission's Electronic Comment Filing System (ECFS): <http://efilings.fcc.gov/ecfs2/> referencing WC Docket No. 13-272. See General Information section of the attached public notice, DA 13-2288.

For further information, please contact Dennis Johnson, Wireline Competition Bureau, (202) 418-0809; or David Krech, International Bureau, (202) 418-7443.

Sincerely,

George Li,  
Deputy Chief, Policy Division

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**George Li**

**From:** Veronica Garcia-Ulloa  
**Sent:** Wednesday, November 27, 2013 2:01 PM  
**To:** Veronica Garcia-Ulloa; 'edward.hand@usdoj.gov'; 'chemmerlein@ntia.doc.gov'; 'maydc@state.gov'; 'Christopher.Stefken@ic.fbi.gov'; 'Marilyn.Shafter@usdoj.gov'; 'Tyronne.Brown@usdoj.gov'; 'Brian.williams@associates.dhs.gov'; 'shawn.coolley@dhs.gov'; 'TTelecom@usdoj.gov'; 'Siobhan.Dupuy@usdoj.gov'; 'alex.daman@dhs.gov'; 'Joanne.Ongman@usdoj.gov'; 'matthew.bernstein@ic.fbi.gov'; 'jennifer.rockoff@usdoj.gov'; 'jmhale@ustr.gov'; 'Richard.Sofield2@usdoj.gov'; 'glenn.kaminsky@hq.dhs.gov'; 'dale.barr@hq.dhs.gov'; 'sdesmond@ostp.eop.gov'; 'IP-FCC@dhs.gov'; 'kristin.taylor@usdoj.gov'; 'john.delmore@ic.fbi.gov'; 'ttwg@leo.gov'; 'mark.mcconnell@usdoj.gov'; 'robert.s.gorman.civ@mail.mil'; 'caroline.brown@usdoj.gov'; 'Hagar, Richard'  
**Cc:** George Li; David Krech; Susan OConnell; Howard Griboff; James Ball; Jodie May; Sumita Mukhoty; Dennis Johnson  
**Subject:** Cover Letter Reference EB 2013-35 (comments due by December 11, 2013)  
**Attachments:** Executive Branch 2013-35.docx; DA 13-2288.doc

Cover Letter Reference EB 2013-35 (comments due by December 11, 2013)

Thank you,

Veronica Garcia-Ulloa  
[Veronica.Garcia-Ulloa@fcc.gov](mailto:Veronica.Garcia-Ulloa@fcc.gov)  
Law Clerk  
Federal Communications Commission  
International Bureau/Policy Division  
(202) 418-0481

Streamlined

ITC-STA-20131118-00311

IB2013002649

Krush Communications LLC

Re: ITC-ASG-20131018-02286

**Granted**  
DEC - 3 2013

Policy Division

date: EXPIRE: March 4, 2014  
authorized by: Dir, Policy Div. EB

signature: James L. B...

*Applicant's acknowledge the conditions of STA.*

**ATTACHMENT 1**

**Answer to Question 10:**

Krush Communications, LLC ("Krush") and Agreggato (USA) Inc. ("Agreggato USA") (collectively the "Applicants"), pursuant to Section 214 of the Communications Act, as amended, 47 U.S.C. § 214, and Sections 63.04 and 63.24 of the Commission's Rules, 47 C.F.R. §§ 63.04, 63.24, respectfully request Special Temporary Authority ("STA") to allow Krush to continue to provide service to customers pending Commission approval of the parties' Joint Application for consent to the assignment of all of the assets of Krush to Agreggato USA that are related to Krush's business as a provider of prepaid nationwide long distance services. Because Krush is already providing services to international customers, the Applicants respectfully request that the Commission grant this STA request as soon as possible.

Krush is a holder of domestic 214 "blanket" authorization and international 214 authorization.<sup>1</sup> Agreggato USA is a recently formed Delaware corporation that intends on providing domestic and international long distance telecommunications services on a prepaid basis. Agreggato USA is not registered to provide interstate telecommunications. Agreggato USA is a wholly-owned subsidiary of Agreggato Global Limited ("Agreggato Global"). Agreggato Global is owned by AGMO Holdings Pty Limited ("AGMO Holdings") and M2 Telecommunications Group Limited ("M2 Telecommunications").

On September 1, 2013, Agreggato USA acquired all of the assets of Krush, including Krush's licenses, authorizations, customer accounts and receivables, customer and vendor contracts and agreements, equipment, and intellectual property. Applicants' failure to obtain Commission approval for the transfer of control was inadvertent. Applicants were not aware of their obligation under the Communications Act and the Commission's rules to obtain approval for the proposed transaction until consulting with Regulatory Counsel, and very much regret any inconvenience this filing may cause the Commission or its staff.

Grant of this STA request will serve the public interest. It will allow Krush to provide uninterrupted telecommunications services during the pendency of the assignment application before the FCC, thereby avoiding the loss of vital communications services by its customers. Further, as described more fully in the assignment application, allowing Krush to continue operations until such time as the application is approved will promote competition in the domestic and international communications services marketplace. Agreggato USA will be able to provide Krush's customers with additional and advanced telecommunications services that will enhance the services they already receive. Finally, grant of the instant request will allow Applicants to come into compliance, and begin the formal wind-down process for Krush, thereby reducing the administrative burden on the Commission.

The Applicants acknowledge that grant of this STA request will not prejudice any action the Commission might take on the Joint Application, and the STA may be revoked by the Commission on its own motion and without a hearing. Applicants further acknowledge that grant of this STA request and the Joint Application will not preclude enforcement action.

<sup>1</sup> On November 29, 2007, Krush received an International Section 214 authorization for authority to

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# INTERNATIONAL BUREAU Policy Division

## FAX SHEET

Fax Number: (202) 418-2824

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DATE: 12/3/13  
FROM: George / M

TELEPHONE NUMBER: (202) 418-1462

TO: Abarma Wallace

FAX NUMBER: 903 914-1330

TELEPHONE NUMBER: 1399

SPECIAL INSTRUCTIONS: Krush / Aggregado

cc-SA-A-2013118-20311 ASG. 20131018-00286

**George Li**

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**From:** George Li  
**Sent:** Tuesday, December 03, 2013 11:22 AM  
**To:** 'Brown, Caroline (NSD)'  
**Cc:** Sofield, Richard (NSD); James Ball; David Krech; Adrienne Downs; Jodie May; Dennis Johnson  
**Subject:** RE: Krush Communications LLC -- WC Docket No. 13-272; ITC-ASG-20131018-00286; ITC-STA-20131118-00311

Thank you so much Caroline and Rick.

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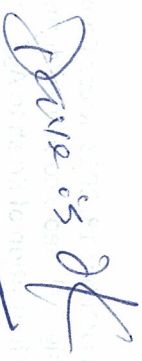
**From:** Brown, Caroline (NSD) [mailto:Caroline.Brown@usdoj.gov]  
**Sent:** Tuesday, December 03, 2013 11:17 AM  
**To:** George Li  
**Cc:** Sofield, Richard (NSD)  
**Subject:** RE: Krush Communications LLC -- WC Docket No. 13-272; ITC-ASG-20131018-00286; ITC-STA-20131118-00311

Hi George,

Team Telecom approves a 90-day STA in this matter.

Thanks.

Caroline Brown



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**From:** Brown, Caroline (NSD)  
**Sent:** Monday, December 02, 2013 10:34 AM  
**To:** 'George Li'  
**Cc:** Sofield, Richard (NSD)  
**Subject:** RE: Krush Communications LLC -- WC Docket No. 13-272; ITC-ASG-20131018-00286; ITC-STA-20131118-00311

Hi George,

Per our conversation this morning, Team Telecom will send you its comments by COB Wednesday, December 4.

Thank you.

Caroline Brown

Caroline Brown  
Attorney Advisor  
National Security Division, Foreign Investment Review Staff  
202.233.0709 (direct dial)  
[caroline.brown@usdoj.gov](mailto:caroline.brown@usdoj.gov)

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714  
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**From:** George Li [<mailto:George.LI@fcc.gov>]  
**Sent:** Monday, December 02, 2013 9:29 AM  
**To:** Adrienne Downs; Sofield, Richard (NSD); Shaifer, Marilyn (NSD); Ongman, Joanne (NSD); Brown, Tyrone (NSD); Brown, Caroline (NSD); Taylor, Kristin (NSD)  
**Cc:** Jodie May; Dennis Johnson  
**Subject:** RE: Krush Communications LLC -- WC Docket No. 13-272; ITC-ASG-20131018-00286; ITC-STA-20131118-00311

Can we have your comments today please ?

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**From:** Adrienne Downs  
**Sent:** Thursday, November 21, 2013 4:14 PM  
**To:** Sofield, Richard (NSD) ([Richard.Sofield2@usdoj.gov](mailto:Richard.Sofield2@usdoj.gov)); Shaifer, Marilyn (NSD) ([Marilyn.Shaifer@usdoj.gov](mailto:Marilyn.Shaifer@usdoj.gov)); Ongman, Joanne (NSD) ([Joanne.Ongman@usdoj.gov](mailto:Joanne.Ongman@usdoj.gov)); Brown, Tyrone (NSD) ([Tyrone.Brown@usdoj.gov](mailto:Tyrone.Brown@usdoj.gov)); Brown, Caroline (NSD) ([Caroline.Brown@usdoj.gov](mailto:Caroline.Brown@usdoj.gov))  
<[Caroline.Brown@usdoj.gov](mailto:Caroline.Brown@usdoj.gov)> ([Caroline.Brown@usdoj.gov](mailto:Caroline.Brown@usdoj.gov)); [kristin.taylor@usdoj.gov](mailto:kristin.taylor@usdoj.gov)  
**Cc:** James Ball; David Krech; George Li; Sumita Mukhoby; Jodie May; Dennis Johnson  
**Subject:** Krush Communications LLC -- WC Docket No. 13-272; ITC-ASG-20131018-00286; ITC-STA-20131118-00311

Hi,

On October 18, 2013, Krush Communications LLC (Krush or Assignor) and Agregato (USA) Inc., (Agregato USA or Assignee) filed a combined domestic and international applications for the transfer of assets and Section 214 authorization of Krush to Agregato USA. (WC DK 13-272 and ITC-ASG-20131018-00286). On September 1, 2013, **without Commission authorization**, Agregato USA acquired all of the assets of Krush's license, authorization, customer accounts and receivables, customer and vendor contracts and agreements, equipment, and intellectual property.

Aggregate USA is a wholly-owned subsidiary of Aggregate Global Limited ("Aggregate Global") an **Australian** company. Aggregate Global is owned by AGMO Holdings Pty Limited ("AGMO Holdings") and M2 Telecommunications Group Limited ("M2 Telecommunications"). AGMO Holdings is a privately held company owned by Ilario Faenza, Allan Ghlassi, Alan Barakat and Keith Wilson, citizens of **Australia**. M2 Telecommunications, Australia's fourth largest telecommunications company, is a publicly held company listed on the Australian Stock Exchange. None of M2 Telecommunications' shareholders hold an ownership and/or voting interest of 10% or more in M2 Telecommunications.

On November 18, 2013, applicants requested Special Temporary Authority (STA) to allow Krush to continue to provide service to customers pending Commission approval of the above listed underlying applications. (WC DK 13-272 and ITC-STA-20131118-00311).

Please let us know if you have any national security, law enforcement, foreign policy or trade concerns with grant of the STA requests by **C.O.B. Monday, December 2, 2013**. (We will formally refer to underlying application when the public notice is released.)

Adrienne Downs