

REQUEST FOR SPECIAL TEMPORARY AUTHORITY

ATTACHMENT 1

ANSWER TO QUESTION 10

Angel Americas LLC (“Angel Americas”), hereby requests an extension of its Special Temporary Authority (“STA”) granted September 27, 2013, and extended to May 14, 2014,¹ for an additional period of 14 days, to allow Angel Americas to continue to provide service to the former customers of STi Telecom Inc. (“STi”) pending approval of the applications filed for assignment of STi’s international and domestic Section 214 authority to Angel Americas.²

STi is currently in bankruptcy and is unable to provide telecommunications services to customers. Angel Americas purchased the assets of STi out of bankruptcy and the associated Asset Purchase and Sale Agreement, dated February 8, 2013, was approved by the bankruptcy court. With the grant of the original STA, the customers of STi were transferred to Angel Americas and service has been provided during the STA period, which, as extended, expires May 14, 2014. If the STA expires prior to grant of the underlying assignment application, Angel Americas will no longer be permitted to provide services to such customers under the cards and PIN numbers they purchased from STi. As of February 26, 2014, Angel Americas estimates that approximately 299,200 cards of former STi customers are outstanding, with a face value of \$1,338,495.

By granting this STA extension request, Angel Americas will be able to, and commits to, serve the unused or unexpired prepaid calling cards and minutes of the former STi customers 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 such 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.

¹ The original STA was granted under ITC-STA-2013092600265.

² The international 214 assignment application is ITC-ASG-20130130-00037. 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.”³ 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

³ *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.⁴ 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 holds an international Section 214 authorization in its own name, File No. ITC-214-20130429-00125. 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.

⁴ *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 Shareholders 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%

Name: Peter Waneck
Address (Bus): Angel Telecom Corp.
Blegistrasse 11a
6340 Baar
Switzerland

Address (Home): Grossmatt 49
6314 Ungerageri
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%

Name: Ahmed Al-Araimi
Address (Bus): Qurum Investment Projects LLC
Qurum Plaza, Penthouse 51
P.O. Box 436
Mina Al Fahal, PC 116 Muscat
Oman

Address (Home): Villa 440
Way no 4627
Azaiba, Muscat
Oman

Telephone: +968 24567907

Citizenship: Oman

Principal Business: Telecom
Equity and Voting Ownership in Angel Telecom Holding AG: 10.9%

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.