

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

In the Matter of: )  
)  
**America Net Communication LLC** )  
And )  
) **File No. ITC-214-20140522-00160**  
)  
Application for Special Temporary )  
Authority to Offer International Services )  
Pursuant to Section 214 of the )  
Communications Act of 1934, as Amended )

**REQUEST FOR SPECIAL TEMPORARY AUTHORITY**

America Net Communication LLC (“America Net”) 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”). In support of this request, America Net states as follows:

**BACKGROUND**

America Net is a small-sized Florida limited liability company that desires to provide international long distance calling services to end-user consumers within the United States and Internationally. Specifically, America Net intends to offer services as a reseller MVNO and a Reseller of Carrier service. America Net has previously applied for streamline International authority to operate pursuant to 47 U.S.C. § 214 in October of 2013. This filing was made as a self-application but staff of the company. Due to unfamiliarity with the Commission’s procedures, the application was dismissed by the Commission by delegated authority in December of 2013. America Net later became aware of the dismissal in April of 2014 and sought regulatory counsel to re-apply for International Authority and this second application is anticipated to be removed from current streamline processing for review by Team Telecom because of America Net’s foreign ownership by a Brazilian national.<sup>1</sup> America Net now anticipates its first set of triage questions

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<sup>1</sup> See. America Net Communication LLC’s Application for Authority to provide international facilities-based and resold services File Number ITC-214-INTR2014-00980 submitted 05/21/2014; now ITC-214-20140522-00160.

from the Executive Branch as a part of Team Telecom Review to be forwarded in the near future and is prepared to answer any questions from the Executive Branch. While America Net fully intends to proceed with all questions and information needed by the Executive Branch's processes, America Net now seeks Temporary Section 214 Authority at this time so that it may operate during the application process. America Net previously anticipated high traffic and demand for termination services to its primary destination, Brazil, in the summer months due to the World Cup being hosted in that country. Management of America Net delegated that the company apply for Section 214 Authority in October of 2013 anticipating that review by the Executive Branch was required and the demand of its services beginning in the summer of 2014. However, that prior application became frustrated and off-set its place in the regular application process by months. America Net has already committed itself to undertake overflows of international calls to and from Brazil for this period due to this special world-wide event. Temporary Section 214 Authority is now necessary so that the applicant can perform under existing carrier agreements and support the flow of calls by U.S. attendees to the Brazilian World Cup; support other U.S. carriers supplying services to that destination; and, offer services to the public while its foreign owner is being reviewed by Team Telecom. America Net fully understands the importance, need and requirement for Team Telecom review and does not desire to side-step this process. America Net however needs to begin providing services as the World Cup is quickly approaching and anticipates an increased demand for services to Brazil before, during and after the games. America Net believes that such circumstances are unique and special and for that reason desires Special Temporary Authority to operate.

America Net applied the second time for Section 214 authority from the Commission under File No.: ITC-214-20140522-00160 on May 21, 2014 indicating to the Commission that it does have foreign ownership interests in the company. America Net believes that Special Temporary Authority is proper to operate traffic to Brazil and to allow the Commission and Executive Branch proper time to review America Net's qualifications for Section 214 Authority. America Net herein seeks such special and temporary authority only for sufficient time that the Commission and the Executive Branch may complete their review of America Net's application under File Number ITC-214-20140522-00160 and is willing to submit extensions of any STA granted to cover such time periods. In the event America Net is denied permanent authority by the Commission, tentative emergency arrangements will be made by the applicant with other carriers to temporarily sustain service for a very limited period to ensure carrier and customer services continue and there is a continuity of services. This has been established by America Net only as a contingency of last resort.

### REQUEST FOR SPECIAL AUTHORITY

America Net hereby requests 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 America Net's circumstances. America Net 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 line.*<sup>2</sup> America Net recognizes that it is required to obtain Section 214 Authority prior to the rendering of International Telecommunication Services to the public. America Net submits that it is undertaking an affirmative effort to be compliant with the Act and the Commission's Rules by seeking this Special Authority. America Net is prepared to meet all 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.

America Net further recognizes that application to the Commission pursuant to 46 C.F.R § 63.18 requires 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 Special Temporary Authority request.<sup>3</sup> In making its request for Special Temporary Authority, America Net acknowledges that its foreign ownership will require review and consultation by the Commission in conjunction with the Executive Branch agencies in regard to national security, law enforcement, foreign policy and trade issues and concerns that are unique to Team Telecom Review.<sup>4</sup> It is acknowledged that such review is not streamlined, and the Commission as well as Team Telecom may require time to review

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<sup>2</sup> 47 U.S.C. § 214(a).

<sup>3</sup> 47 C.F.R. § 63.18.

<sup>4</sup> *See. 1998 International Biennial Review Order*, 14 FCC Rcd at 4914-15 ¶ 14; *PCIA Forbearance Order*, 13 FCC Rcd at 16882 ¶ 50.

America Net's full Application for Section 214 Authority. This process may take several months to a year, and America Net does not wish to be in violation of the Act during this time period where it must provide services to meet market demand to the destination of Brazil and support the U.S. carrier and consumer demand to that destination. Therefore to meet this special increased market demand to the destination of Brazil during the summer months and avoid any possibility of violation of the Act, America Net hereby submits this Request for Special Temporary Authority.

### **IMPACT STATEMENT**

The grant of this STA request will serve the public interest, convenience and necessity because such grant will permit America Net to provide regulated services to carriers and underlying consumer who will rely on America Net for their telecommunication needs thereafter. The grant of this STA will further ensure that America Net can continue to meet the needs of the telecommunication client carrier and underlying consumer alike, while its underlying application for authority is considered by the Commission. Likewise, America Net is a small, new entrant provider to the telecommunications sector, and the application does not raise anti-competitive concerns.

America Net 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. America Net further acknowledges that grant of this STA may be revoked by the Commission upon its own motion without hearing. In the event America Net is denied authority or the STA is revoked by the Commission without grant of final authority, tentative emergency and limited arrangements have been made with other carriers to temporarily sustain service for a very limited period as a contingency of last resort.

## CONCLUSION

For the above reasons, America Net Communication LLC 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 America Net'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 as needed.

Respectfully Submitted,

America Net Communication LLC

By : /s/ Lincoln Oliveira da Silva /s/

Mr. Lincoln Oliveira da Silva, Owner

By and through its attorney for this application:

**Edward A. Maldonado, Esq.**

**Regulatory Counsel for America Net Communication LLC**

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**Please Direct STA Petition Correspondence to above Regulatory Counsel.**

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

I, Lincoln Oliveira da Silva, Owner of America Net Communication 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 foregoing is true and correct

America Net Communication LLC

By : /s/ Lincoln Oliveira da Silva /s/

Mr. Lincoln Oliveira da Silva

Owner of Applicant