

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

In the Matter of:	)	
	)	
<i>Travel GSM Communications, Inc.</i>	)	
	)	
And	)	
	)	File No. ITC-214-20120524-00136
	)	
	)	
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

Travel GSM Communications Inc. (“Travel GSM”) 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 pending approval y 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”).

BACKGROUND

Travel GSM is New Jersey Corporation that desires to provide international long distance calling services between carriers and end-user consumers within the United States and Internationally by and through carrier services and GSM devices under its control. Travel GSM has previously applied for authority to permanently operate as a telecommunication Carrier under File application ITC-214-20120524-00136. Travel GSM has been taken off of Streamline processing by the Commission’s International Bureau, and has begun the review process with the Executive Branch as a part of its application under ITC-214-20120524-00136 because two of the four equity shareholders of the applicant are not U.S. Citizens. To date, Travel GSM has received inquiries from the Executive Branch

and has expeditiously all prior requests, and shall continue to do so. In anticipation of any Executive Branch concerns, Travel GSM has submitted a letter of voluntary assurances in along with its application under ITC-214-20120524-00136.

Travel GSM now respectfully submits this request for Special Temporary Authority, in order to temporarily operate pursuant to 47 U.S.C. § 214 while its underlying application is pending approval by the Commission, and is being reviewed by the Executive Branch. The need for this Special Temporary Authority relates to important business and financial requirements now being pressed upon Travel GSM in the deployment of services. Travel GSM has made previously made investments into the U.S. market in the form of service deposits, set-up costs, and deployment costs that have now been depleted since its application for authority to the Commission. Travel GSM present state is such that more than mere investment is needed to sustain the business and continue deployment. Service and Bata testing is now needed to ensure the business model is viable, and transactions with carriers must logically be secured as a part of this process. In effect, initial operation is now needed to test the business model; to off-set prior losses by its passive investors; and to allow the company to slowly deploy its business plans without losing the entirety of its seed funding. Failure to commence operation at this time runs a real and substantial risk that the company may no longer be viable going forward, frustrating Travel GSM's need for permanent authority to operate under 47 U.S.C. § 214. In stating this, Travel GSM wishes to be clear that its desire is to be compliant with the Commission's Rules and the Communications Act of 1935, as amended.

Travel GSM now submits this request for Special Temporary Authority to operate as an international common carrier pursuant to 47 U.S.C. § 214 on a limited and temporary basis while its application for permanent authority under 47 U.S.C. § 214 is considered. Travel GSM is a small-sized company in the United States that is currently owned by two U.S. Citizens and two Foreign Nationals.¹ Travel GSM recognizes that referral to the Executive Branch for review is essential to any approval by the FCC for the Company to

¹ The nationalities of the two non-U.S. Citizens are Russian and Ukrainian. The Russian Federation is presently not a WTO Member however is set to become a WTO member on August 22, 2012 for purposes of consideration by the Commission, and the Ukraine has been a member of the WTO since 16 May 2008.

operate pursuant to 47 U.S.C. § 214. Travel GSM also recognizes that the Executive Branch's review process is not streamlined and may toll for a period of time of six (6) to eight (8) months or longer as it has with other foreign carriers. To not deplete its' own funds and financial resources; frustrate its intended roll-out and undertake essential contractual obligation, and to allow the FCC and Executive Branch proper time to review Travel GSM's qualifications for Section 214 Authority, Travel GSM believes Special Temporary Authority is proper and now seeks such authority contemporaneously with its Application for permanent authority. Travel GSM only seek such authority only for sufficient time that the Commission and the Executive Branch may complete their review of Travel GSM's application under file# ITC-214-20120524-00136. Furthermore, Travel GSM is willing to submit extensions of any STA granted by the Commission to cover any additional periods beyond this STA, should it be necessary.

REQUEST FOR SPECIAL AUTHORITY

Travel GSM hereby request 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 grant on further petition, and for any operation from time tolling since its Section 214 Application due to the unique and extra-ordinary nature of Travel GSM's circumstances. Travel GSM, as a reseller of long distance international services, 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.² Travel GSM recognizes that it is required to obtain Section 214 Authority prior to the rendering of International Telecommunication Services to the public. Travel GSM submits that it is undertaking affirmative efforts to be compliant with the Act and the Commission's Rules in seeking

2. 47 U.S.C. § 214(a).

this Special Authority. Travel GSM is prepared to meet 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.

Travel GSM also recognizes that formal application to the Commission as 46 C.F.R § 63.18 require 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 Request for Special Temporary Authority.³ In making such a formal application, Travel GSM recognizes that based upon its foreign ownership the review process shall include consultation by the Commission with the Executive Branch agencies regarding national security, law enforcement, foreign policy and trade concerns that may be unique to the provision of international service under Team Telecom Review.⁴ And that, such review is not streamlined, and the Commission and Team Telecom may require time in the review of Travel GSM's Formal Application for Section 214 Authority. This process may take several months, and Travel GSM does not wish to be in violation of the Act during this time period where it must provide services to sustain itself in its U.S. market entry. To avoid any possibility of violation of the Act, Travel GSM hereby submits this STA Application.

IMPACT STATEMENT

The grant of this STA request will serve the public interest, convenience and necessity because such grant will permit Travel GSM to provision regulated services during beta test and roll-out phases of the company's services to all who may rely on the company for

³ 47 C.F.R. § 63.18.

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

their telecommunication needs. The grant of this STA will further ensure that Travel GSM can meet the needs of its wholesale, resale and end-user customers while its underlying application for authority is considered by the Commission. Likewise, Travel GSM is a small-sized, new entrant provider to the telecommunications sector, and the application does not raise anti-competitive concerns.

Travel GSM 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. Travel GSM further acknowledges that grant of this STA may be revoked by the Commission upon its own motion without hearing.

CONCLUSION

For these reasons, Travel GSM 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 Travel GSM'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.

Respectfully Submitted,

Travel GSM Communications, Inc.

By : **/s/ Leonid Baranchuck /s/**

Mr. Leonid Baranchuck Director/Manager

By and through its attorney:

/s/ Edward A. Maldonado, Esq. /s/

Edward A. Maldonado, Esq.

Counsel for Travel GSM Communications, Inc.

Please Direct STA Petition Correspondence to:



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REQUEST FOR SPECIAL TEMPORARY AUTHORITY
Verification by Corporate Officer

I, Leonid Baranchuck, Director and Manager of Travel GSM Communications Inc. a New Jersey Corporation, hereby certify the following:

1. I have read the foregoing Request for Special Temporary Authority of Travel GSM Communication, Inc., 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

Respectfully Submitted,

Travel GSM Communications, Inc.

By : **/s/ Leonid Baranchuck /s/**

Mr. Leonid Baranchuck Director/Manager