



Federal Communications Commission
Washington, D.C. 20554

International Bureau

E-mail: James.Ball@fcc.gov

George.Li@fcc.gov

(202) 418-1462

(202) 418-2824 (fax)

June 12, 2009

Ref: EB 2009-21

Hillary Morgan (703) 607-6092
Stephen Heifetz (202) 282-8973
Josephine Arnold (202) 482-5461
Jonathan McHale (202) 395-5656
Douglas A. Klein (202) 324-0853

Steven W. Lett
Alex Darnan
Edward T. Hand
Richard Soffield

(202) 647-5835
(202) 282-9940
(202) 514-2464
(202) 514-0945

Re: Section 214, 310(b)(4) and Cable T/C applications

Dear Sir or Madam:

Please review the following applications and advise us whether you have any national security, law enforcement, foreign policy or trade concerns by **Noon July 1, 2009**, because we are prepared to take action on these applications. **Electronic filed (e-file) applications are able to be viewed by accessing www.fcc.gov/ibis and searching by the file number.**

ITC-214-20090529-00261 (e-file)
Broadvox-CLEC, LLC's application for authority to provide facilities-based and resale services between the United States and permissible international points. Applicant is 16.96% indirectly owned by a citizen of **Turkey**.

ITC-214-20090602-00269 (e-file)
Haycon International, Inc.'s application for authority to provide resale services between the United States and permissible international points. Applicant is 100% owned by a citizen of **The Netherlands**.

ITC-214-20090609-00276 (e-file)
ZEN prepaid, LLC's application for authority to provide resale services between the United States and permissible international points. Three citizens of **Colombia**, each of whom owns 59.34%, 20.84% and 10.86% of the applicant, respectively.

ITC-214-20090611-00279 (e-file)
Varnol Communications, Inc.'s application for authority to provide facilities-based and resale services between the United States and permissible international points. Two citizens of the **Dominican Republic**, each of whom owns 10% or greater of the applicant.

ITC-214-20090611-00280 (e-file)
Espinal Technologies Group USA, Inc.'s application for authority to provide facilities-based and resale services between the United States and permissible international points. Four citizens of the **Dominican Republic**, each of whom owns 63%, 7%, 3% and 3% of the applicant, respectively.

Application for consent to transfer the control of section 214 authorization, ITC-214-20030515-00268, held by Trinity Communications Ltd. from Columbus Communications Ltd. to the remainder of the shareholders of Cable Bahamas Ltd. (CBL). Following the transaction, a 5.0% or greater equity interest in CBL will be held by the National Insurance Board, an instrumentality of the Government of The Bahamas (22.14%) and by the Treasurer of the Government of The Bahamas (7.04%). No other individuals or entities will hold a 5% or greater equity interest. Therefore, the **Government of The Bahamas** will have a cumulative 29.18% equity interest in CBL.

SCL-T/C-20090506-00009 (e-file)

Caribbean Crossing Ltd. ("CCL") requests authority to effectuate a transfer of control in its parent corporation, Cable Bahamas Ltd. ("CBL") from Columbus Communications Ltd. ("Columbus") to the remainder of the shareholders of CBL. CCL operates the Bahamas Internet Cable System ("BICS"), extending between the United States and The Bahamas. (See SCL-MOD-20020925-00094). Following the transaction, a 5.0% or greater equity interest in CBL will be held by the National Insurance Board, an instrumentality of the Government of The Bahamas (22.14%) and by the Treasurer of the Government of The Bahamas (7.04%). No other individuals or entities will hold a 5% or greater equity interest. Therefore, the **Government of The Bahamas** will have a cumulative 29.18% equity interest in CBL.

ISP-PDR-20090526-00003 (e-file)

Pride Network, Inc. ("Pride Network" or "Petitioner"), petitions the Commission for a declaratory ruling under Section 310(b)(4) of the Communications Act, as amended (the "Act"), that indirect foreign ownership of Petitioner's U.S. parent company in excess of the 25 percent foreign ownership benchmark applicable to common carrier radio licensees is in the public interest. Pride Network, a Texas corporation, currently holds no radio station licenses under the Act, but intends to file an application for initial authority to provide Wireless Broadband Services in the 3650-3700 MHz band. Pride Network is a wholly owned subsidiary of NTS Communications, Inc. ("NTS"), a Texas corporation. NTS is a wholly owned subsidiary of Xfone, Inc. ("Xfone"). Xfone is a publicly traded Nevada holding and managing company. The aggregate indirect foreign ownership interests of Xfone's officers and directors equal 39.71% (24.19% owned by a citizen of **Israel and British**, 14.16% owned by a citizen of **British and Argentina** and 1.36% by six **Israeli**).

For further information, please contact David Krech at (202) 418-7443; Susan O'Connell at (202) 418-1484; or Francis Gutierrez at (202) 418-7370.

Sent: Friday, June 12, 2009 12:15 PM
To: Francis Gutierrez
Cc: Susan OConnell; David Krech
Subject: FW: Cover Letter Reference EB 2009-2 (Comments due: July 1, 2009)

To: 'douglas.klein@ic.fbi.gov'; 'edward.hand@usdoj.gov'; 'hillary.Morgan@disa.mil'; 'jarnold@nta.doc.gov'; 'vbarrish@askcalca.net'; 'maydc@state.gov'; 'lettsw@state.gov'; 'Stephen.heifetz@dhs.gov'; 'Christopher.Stefken@ic.fbi.gov'; 'Erica.Bomsey@dhs.gov'; 'Christina.saari@associates.hq.dhs.gov'; 'CarrollD@state.gov'; 'Brian.williams@associates.dhs.gov'; 'greg.pinto@dhs.gov'; 'TTelecom@usdoj.gov'; 'Thomas.Doyle@associates.dhs.gov'; 'mary.wheaton2@usdoj.gov'; 'Siobhan.Dupuy@usdoj.gov'; 'alex.daman@dhs.gov'; 'Joanne.Ongman@usdoj.gov'; 'Jennifer.Rockoff@usdoj.gov'; 'jmchale@ustr.gov'; 'Richard.Sofield2@usdoj.gov'; 'glenn.kaminsky@hq.dhs.gov'; 'richard.gault@ic.fbi.gov'; 'Katrina.Carille@hq.dhs.gov'; 'Brittney.Corrow@associates.hq.dhs.gov'; 'Jenny.R.Randall@hq.dhs.gov'; 'dale.barr@hq.dhs.gov'

Cc: George Li; David Krech; JoAnn Sutton; Susan OConnell; Howard Griboff; James Ball; Imani Ellis

Subject: Cover Letter Reference EB 2009-2 (Comments due: July 1, 2009)



Federal Communications Commission
Washington, D.C. 20554

International Bureau

E-mail: James.Ball@fcc.gov

George.Li@fcc.gov

(202) 418-1462

(202) 418-2824 (fax)

June 26, 2009

Ref: EB 2009-24

Hillary Morgan (703) 607-6092
Stephen Heifetz (202) 282-8973
Josephine Arnold (202) 482-5461
Jonathan McHale (202) 395-5656
Douglas A. Klein (202) 324-0853

Steven W. Left
Alex Darnan
Edward T. Hand
Richard Soffield

(202) 647-5835
(202) 282-9940
(202) 514-2464
(202) 514-0945

Re: Section 214 and STA

Dear Sir or Madam:

Please review the following applications and advise us whether you have any national security, law enforcement, foreign policy or trade concerns by **Noon July 15, 2009**, because we are prepared to take action on these applications. **Electronic filed (e-file) applications are able to be viewed by accessing www.fcc.gov/ibfs and searching by the file number.**

ITC-214-200900612-00283 (e-file)
Hibernia Atlantic U.S. LLC's application for authority to provide facilities-based and resale services between the United States and permissible international points. Applicant is a wholly-owned subsidiary of Hibernia Group ehf ("Hibernia Group). Hibernia Group is a company organized under the laws of **Iceland** and located in **Ireland**.

ITC-214-200900616-00285 (e-file)
Globe Routers LLC's application for authority to provide facilities-based and resale services between the United States and permissible international points. Applicant is 100% owned by a citizen of **Mexico**.

ITC-214-200900616-00288 (e-file)
Hola Maria Corp.'s application for authority to provide facilities-based and resale services between the United States and permissible international points. Applicant is 100% owned by a citizen of **Argentina**.

ITC-214-200900601-00289 (e-file)
BBG Global A.G.'s application for authority to provide facilities-based and resale services between the United States and permissible international points. Applicant is owned by two U.S. Family Trusts, but is located in **Switzerland**.

ITC-214-200900625-00302 (e-file)
Clear Telecom, LLC's application for authority to provide facilities-based and resale services between the United States and permissible international points. Applicant is 100% owned by a citizen of **Cuba**.

ITC-214-20090625-00303 (e-file)
Eteix.com USA, LLC's application for authority to provide facilities-based and resale services between the United States and permissible international points. Applicant is 100% owned by a citizen of **Venezuela**.

ITC-214-20090624-00301 (e-file)
STANACARD, LLC (dba Stanatel)'s application for authority to provide facilities-based and resale services between the United States and permissible international points. Applicant is 10% owned by a citizen of **Ukraine**.

ITC-STA-20090625-00304 (e-file)
STANACARD, LLC (dba Stanatel)'s application for Special Temporary Authority to continue providing international resale services pending the grant of underlying application, ITC-214-20090624-00301, listed above.

If we do not hear from you by **Noon July 15, 2009**, we will assume that you do not have any concerns with these applications.

Supplemental Filing

ITC-T/C-20090506-00204 **Trinity Communications Ltd. (Trinity)**

SCL-T/C-20090506-00009 **Caribbean Crossing Ltd. (CCL)**

By the submission of June 24, 2009, Trinity agrees to be regulated as a **dominant** carrier on the US/Bahamas route pursuant to Section 63.10 of the Commission's rules, and CCL agrees to comply with the requirements of Section 1.767(1) of the Commission's rules.

SCL-LIC-20081008-00017 and **ITC-214-20081008-00453** **Honotua Cable**

On May 18, 2009, Office des Postes et Telecommunications de Polynesie francaise (OPT) filed consolidated amendments to applications for Cable Landing License (SCL-LIC-20081008-00017) and International Section 214 Authorization (ITC-214-20081008-00453) seeking waiver of sections 63.10(c)(1) and 1.767(h)(1) of the Commission's Rules.

ITC-214-20081008-00452

On June 17, 2009 Office des Postes et Telecommunications de Polynesie francaise ("OPT"), **withdrew** the above-captioned application for international operating authority.

Sincerely,



From: Janeese Parker

Sent: Friday, June 26, 2009 3:48 PM

To: 'douglas.klein@ic.fbi.gov'; 'edward.hand@usdoj.gov'; 'hillary.Morgan@disa.mil'; 'jarnold@nta.doc.gov'; 'vbarish@askcalca.net'; 'maydc@state.gov'; 'lettsw@state.gov'; 'Stephen.heifetz@dhs.gov'; 'Christopher.Siefken@ic.fbi.gov'; 'Erica.Bomsey@dhs.gov'; 'Christina.saari@associates.hq.dhs.gov'; 'CarrollD@state.gov'; 'Brian.williams@associates.dhs.gov'; 'greg.pinto@dhs.gov'; 'TTelecom@usdoj.gov'; 'Thomas.Doyle@associates.dhs.gov'; 'mary.wheaton2@usdoj.gov'; 'Siobhan.Dupuy@usdoj.gov'; 'alex.daman@dhs.gov'; 'Joanne.Ongman@usdoj.gov'; 'Jennifer.Rockoff@usdoj.gov'; 'jinchale@ustr.gov'; 'Richard.Sofield2@usdoj.gov'; 'glenn.kaminsky@hq.dhs.gov'; 'richard.gault@ic.fbi.gov'; 'Katrina.Carlie@hq.dhs.gov'; 'Brittney.Corrow@associates.hq.dhs.gov'; 'Jenny.R.Randall@hq.dhs.gov'; 'dale.barr@hq.dhs.gov'

Cc: George Li; David Krecht; JoAnn Sutton; Susan O'Connell; Howard Griboff; James Ball

Subject: Cover Letter Reference EB 2009-24 (Comments due: July 15, 2009)

Attachments: Executive Branch 2009-24.doc

JoAnn Sutton

From: Susan OConnell
Sent: Tuesday, June 30, 2009 6:29 PM
To: Sumita Mukhoty; Imani Ellis
Cc: Janeese Parker; George Li; David Krech; JoAnn Sutton; Howard Griboff; James Ball
Subject: RE: write ups for this week's PN
Importance: High

Thanks Sumita. We will need to hold Trinity-Cable Bahamas 214 TC application (and the companion Caribbean Crossing SCL TC) application for now.

It finally dawned on me today that our rules may prohibit us from granting the Trinity application (or the companion Caribbean Crossing SCL transfer application) at all (even with dominant carrier safeguards/reporting requirements) because the Bahamas is not a member of the WTO and it is a closed market for telecom services: the govt-owned telco is a monopoly.

The operative rules are Sec. 63.18(j)(3) and (k). Post-transaction, Trinity (and Caribbean Crossing) will become affiliated with the Bahamian telco within the meaning of 63.18(j) due to the Bahamian govt's ownership interest in Trinity (and Caribbean Crossing), which will exceed 25 percent, and the govt's controlling interest in the Bahamian telco. An applicant caught by 63.18(j)(3) must satisfy the requirements of (k) in order to satisfy our foreign carrier entry policies (which are codified in 63.18(k)). Trinity (and Caribbean Crossing) cannot satisfy the requirements of (k) because the Bahamas is non-WTO and Trinity's (and Caribbean Crossing's) foreign carrier affiliate is a monopoly carrier in the Bahamas.

The relevant SCL rule for Caribbean Crossing is 1.767(a)(8), which incorporates Sec. 63.18(j)(3) and (k) by reference.

I think this is the first time since 1998 (when these rules became effective after adoption of the Foreign Participation Order) that an applicant has filed an application that is not grantable due to an affiliation with a foreign carrier that has market power in a non-WTO country. The Bahamas has asked to become a Member of the WTO.

From: Sumita Mukhoty
Sent: Tue 6/30/2009 4:08 PM
To: Susan OConnell; Imani Ellis; George Li; David Krech; JoAnn Sutton
Cc: Sumita Mukhoty; Janeese Parker
Subject: write ups for this week's PN

Here are the remaining two write-ups for- OnStar LLC – GM LLC (ITC-TC-20090622-00295) and Trinity Communications Ltd – Cable Bahamas Ltd (ITC-TC-20090506-00204 – ignore earlier write-up from June 11). That will be all for this week's AFF PN for streamlined applications. Nothing else pending at this end.

From: Susan OConnell
Sent: Tuesday, June 30, 2009 3:09 PM
To: Sumita Mukhoty; Imani Ellis; George Li; David Krech; JoAnn Sutton
Subject: RE: Please review '2009 asg ptgi'

Sumita and Imani: Thank you both for the drafts. I'll start reviewing in David's absence.

From: Sumita Mukhoty
Sent: Tue 6/30/2009 1:28 PM
To: Imani Ellis; Susan OConnell; George Li; David Krech; JoAnn Sutton
Cc: Sumita Mukhoty
Subject: RE: Please review '2009 asg ptgi'

I have this application, ITC-TC-20090619-00293 (STSJ Telephone – PTGI). Seems almost identical to ITC-TC-20090515-00227 (already granted earlier), except for the SCL portions. I understand that there was a conference call last week and David, George and JoAnn specifically asked counsel to file the 214 TC in addition to the SCL applications. Therefore, here is the write up for x00293. Sumita

<<TC STSJ Telephone - PTGI.0630'09.doc>>

From: Imani Ellis
Sent: Tuesday, June 30, 2009 11:37 AM
To: Susan OConnell; George Li; David Krech; Sumita Mukhoty
Subject: Please review '2009 asg ptgi'

Please review the attached document.

<< File: 2009 asg ptgi.doc >>