



Federal Communications Commission
Washington, D.C. 20554

February 9, 2016

Mr. Roberto O. Castro
Dasaro USA, LLC
2950 SW 27th Avenue, Suite 320
Miami, FL 33133
rcastro@crossfone.com.ar (via email)


Re: Dismissal of International Application for Transfer of Control
File No. ITC-T/C-20150727-00180
Sent via Email and Certified Mail, Return Receipt Requested

Dear Mr. Castro:

On December 23, 2015, we sent you and your representative, Mr. Edward Maldonado, a letter indicating that the Executive Branch Agencies informed us that you have failed to respond to multiple attempts to contact you for the purpose of entering into a Letter of Agreement (LOA) concerning the above referenced application.¹ We asked that you contact us by January 11, 2016 confirming that you contacted the Executive Branch Agencies and failure to respond by that date would subject the application to dismissal without prejudice.²

You failed to respond by January 11, 2016 as requested by our letter. Accordingly, we have dismissed your application without prejudice by the attached Public Notice Report No. TEL-01773; DA No. 16-121; released February 4, 2016.

Sincerely,


Denise Coca, Chief
Telecommunications and Analysis Division
International Bureau

cc: Edward Maldonado
Maldonado Law Group
800 Douglas Road, Suite 149
Coral Gables, FL 33134
eam@maldonado-group.com (via email)

¹ Letter from Denise Coca, Chief, Policy Division, International Bureau, Federal Communications Commission, to Mr. Roberto O. Castro, Dasaro USA, LLC (Dec. 23, 2015).

² 47 CFR §§ 0.261, 1.748(a), 63.51(b).



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
445 12th STREET S.W.
WASHINGTON D.C. 20554

News media information 202-418-0500
Internet: <http://www.fcc.gov> (or <ftp.fcc.gov>)
TTY (202) 418-2555

DA No. 16-121

Report No. TEL-01773

Thursday February 4, 2016

International Authorizations Granted

Section 214 Applications (47 C.F.R. § 63.18); Section 310(b) Requests

The following applications have been granted pursuant to the Commission's streamlined processing procedures set forth in Section 63.12 of the Commission's rules, 47 C.F.R. § 63.12, other provisions of the Commission's rules, or procedures set forth in an earlier public notice listing applications accepted for filing.

Unless otherwise noted, these grants authorize the applicants (1) to become a facilities-based international common carrier subject to 47 C.F.R. § 63.22; and/or (2) to become a resale-based international common carrier subject to 47 C.F.R. § 63.23; or (3) to exceed the foreign ownership benchmark applicable to common carrier radio licensees under 47 U.S.C. § 310(b).

THIS PUBLIC NOTICE SERVES AS EACH NEWLY AUTHORIZED CARRIER'S SECTION 214 CERTIFICATE. It contains general and specific conditions, which are set forth below. Newly authorized carriers should carefully review the terms and conditions of their authorizations. Failure to comply with general or specific conditions of an authorization, or with other relevant Commission rules and policies, could result in fines and forfeitures.

Petitions for reconsideration under Section 1.106 or applications for review under Section 1.115 of the Commission's rules in regard to the grant of any of these applications may be filed within thirty days of this public notice (see Section 1.4(b)(2)).

For additional information, please contact the FCC Reference and Information Center, Room CY-A257, 445 12th Street SW, Washington, D.C. 20554, (202) 418-0270.

ITC-214-20151230-00311 E Coon Valley Co-op Telephone Association, Inc.

International Telecommunications Certificate

Service(s): Global or Limited Global Resale Service

Grant of Authority

Date of Action: 01/29/2016

Application for authority to provide resale service in accordance with section 63.18(c)(2) of the Commission's rules, 47 C.F.R. § 63.18(c)(2).

ITC-214-20151230-00312 E STANCE Technology Solutions Inc

International Telecommunications Certificate

Service(s): Global or Limited Global Facilities-Based Service, Global or Limited Global Resale Service

Grant of Authority

Date of Action: 01/29/2016

Application for authority to provide facilities-based service in accordance with section 63.18(e)(1) of the Commission's rules, and also to provide resale service in accordance with section 63.18(c)(2) of the Commission's rules, 47 C.F.R. § 63.18(c)(1), (2).

ITC-214-20160104-00011 E Farmers Telephone Company
International Telecommunications Certificate
Service(s): Global or Limited Global Resale Service
Grant of Authority Date of Action: 01/29/2016

Application for authority to provide resale service in accordance with section 63.18(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(2).

ITC-214-20160106-00009 E Palo Cooperative Telephone Association
International Telecommunications Certificate
Service(s): Global or Limited Global Resale Service
Grant of Authority Date of Action: 01/29/2016

Application for authority to provide resale service in accordance with section 63.18(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(2).

ITC-214-20160107-00012 E PacOptic Networks, LLC
International Telecommunications Certificate
Service(s): Global or Limited Global Resale Service
Grant of Authority Date of Action: 01/29/2016

Application for authority to provide resale service in accordance with section 63.18(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(2).

ITC-214-20160112-00008 E Interstate Cablevision Company
International Telecommunications Certificate
Service(s): Global or Limited Global Resale Service
Grant of Authority Date of Action: 01/29/2016

Application for authority to provide resale service in accordance with section 63.18(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(2).

ITC-214-20160112-00014 E Great Lakes Communication Corp.
International Telecommunications Certificate
Service(s): Global or Limited Global Facilities-Based Service, Global or Limited Global Resale Service
Grant of Authority Date of Action: 01/29/2016

Application for authority to provide facilities-based service in accordance with section 63.18(e)(1) of the Commission's rules, and also to provide resale service in accordance with section 63.18(c)(2) of the Commission's rules, 47 C.F.R. § 63.18(c)(1), (2).

ITC-214-20160112-00016 E Interstate 35 Telephone Company
International Telecommunications Certificate
Service(s): Global or Limited Global Resale Service
Grant of Authority Date of Action: 01/29/2016

Application for authority to provide resale service in accordance with section 63.18(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(2).

ITC-ASG-20151130-00286

E

X5 OpCo LLC

Assignment

Grant of Authority

Date of Action: 01/28/2016

Current Licensee: Richmond Connections, Inc.

FROM: Richmond Connections, Inc.

TO: X5 OpCo LLC

Application filed for consent to the assignment of international section 214 authorization, ITC-214-19991019-00660, held by Richmond Connections, Inc. d/b/a Richmond Networx (Richmond Networx), a Massachusetts corporation that is a wholly owned direct subsidiary of Richmond Telephone Company (RTC), from RTC's 100 percent parent Cornerstone Telephone Company, LLC, a New York limited liability company, to X5 OpCo LLC (X5 OpCo), a Delaware limited liability company. Pursuant to an assets purchase agreement, X5 OpCo will acquire substantially all of the operational assets and business, including customer base, supplier contracts and personnel of CornerStone Telephone and its subsidiaries, including international 214 authorization, ITC-214-19991019-00660, held by Richmond Networx. Upon closing X5 OpCo will provide telecommunications services to Richmond Networx' customers.

The following entities and individuals, all U.S. citizens, hold 10 percent or greater direct or indirect ownership interests in X5 OpCo: X5 Holdings LLC (X5 Holdings), a Delaware limited liability company is the direct 100 percent parent of X5 OpCo, and X5 Holdings is in turn majority owned by X5 Partners LLC (X5 Partners), a Delaware limited liability company (70.2%). X5 Partners is majority owned by NewSpring Holdings LLC (NewSpring Holdings), a Delaware limited liability company (68.0%) and minority owned by NewSpring Holdings Parallel LLC (NewSpring Holdings Parallel), a Delaware limited liability company (32.0%). Ohana Holdings, LLC (Ohana Holdings), a Delaware limited liability company holds 40.3% equity interest in NewSpring Holdings. Ohana Holdings is wholly owned by the Pierre M. Omidyar Trust (100%) (trustees: Pierre M. Omidyar and Michael G. Mohr; beneficiary Pierre M. Omidyar). NewSpring Holdings Parallel is owned by Carbon Investments LLC (98%), which is in turn majority owned by the Charles G. Koch 1997 Trust (75%) (trustee and beneficiary: Charles G. Koch). X5 OpCo is ultimately controlled by NewSpring Holdings Management Company LLC (NSHMC), a Delaware limited liability company that is managed by Walter P. Maner and James Ashton. NSHMC is the non-member manager of X5 Partners and the member manager of NewSpring Holdings and NewSpring Holdings Parallel.

This authorization is without prejudice to the Commission's action in any other related pending proceedings.

ITC-ASG-20151130-00287

E

X5 OpCo LLC

Assignment

Grant of Authority

Date of Action: 01/28/2016

Current Licensee: CornerStone Telephone Company, LLC

FROM: CornerStone Telephone Company, LLC

TO: X5 OpCo LLC

Application filed for consent to the assignment of international section 214 authorization, ITC-214-2011013-100021, held by CornerStone Telephone Company, LLC (CornerStone), a New York limited liability company, to X5 OpCo LLC (X5 OpCo), a Delaware limited liability company. Pursuant to an assets purchase agreement, X5 OpCo will acquire substantially all of the assets and business of CornerStone and its subsidiaries, including international section 214 authorization, ITC-214-20110131-00021. Upon closing X5 OpCo will provide telecommunications services to CornerStone's customers.

The following entities and individuals, all U.S. citizens, hold 10 percent or greater direct or indirect ownership interests in X5 OpCo: X5 Holdings LLC (X5 Holdings), a Delaware limited liability company is the direct 100 percent parent of X5 OpCo, and X5 Holdings is in turn majority owned by X5 Partners LLC (X5 Partners), a Delaware limited liability company (70.2%). X5 Partners is majority owned by NewSpring Holdings LLC (NewSpring Holdings), a Delaware limited liability company (68.0%) and minority owned by NewSpring Holdings Parallel LLC (NewSpring Holdings Parallel), a Delaware limited liability company (32.0%). Ohana Holdings, LLC (Ohana Holdings), a Delaware limited liability company holds 40.3% equity interest in NewSpring Holdings. Ohana Holdings is wholly owned by the Pierre M. Omidyar Trust (100%) (trustees: Pierre M. Omidyar and Michael G. Mohr; beneficiary Pierre M. Omidyar). NewSpring Holdings Parallel is owned by Carbon Investments LLC (98%), which is in turn majority owned by the Charles G. Koch 1997 Trust (75%) (trustee and beneficiary: Charles G. Koch). X5 OpCo is ultimately controlled by NewSpring Holdings Management Company LLC (NSHMC), a Delaware limited liability company that is managed by Walter P. Maner and James Ashton. NSHMC is the non-member manager of X5 Partners and the member manager of NewSpring Holdings and NewSpring Holdings Parallel.

This authorization is without prejudice to the Commission's action in any other related pending proceedings.

ITC-ASG-20160119-00017 E Matrix Telecom, LLC
Assignment
Grant of Authority Date of Action: 02/03/2016

Current Licensee: Matrix Telecom Inc.

FROM: Matrix Telecom Inc

TO: Matrix Telecom, LLC

Notification filed January 19, 2016, of the pro forma assignment of international section 214 authorizations, ITC-214-19900713-00004, ITC-214-19930330-00053, ITC-214-19940830-00266, ITC-214-19970415-00212, ITC-214-19980507-00300, ITC-214-19980915-00644 held by Matrix Telecom, Inc. to Matrix Telecom, LLC, effective December 23, 2015. Matrix Telecom converted from a Texas corporation to a Texas limited liability company.

ITC-ASG-20160120-00034 E Utility Telecom Group, LLC
Assignment
Grant of Authority Date of Action: 02/03/2016

Current Licensee: Utility Telephone, Inc.

FROM: Utility Telephone, Inc.

TO: Utility Telecom Group, LLC

Notification filed January 20, 2016, of the pro forma assignment of international section 214 authorization, ITC-214-20091019-00447, held by Utility Telephone, Inc. (UTI) to its subsidiary Utility Telecom Group, LLC (UTG), effective December 21, 2015. In connection with a financing transaction, the sole shareholder of UTI formed UTG to carry on the operations of UTI as a subsidiary and then UTI assigned its licenses and other assets to UTG.

ITC-T/C-20160105-00002 E Airbus DS SatCom Government, Inc.
Transfer of Control
Grant of Authority Date of Action: 02/03/2016

Current Licensee: Airbus DS SatCom Government, Inc.

FROM: Airbus DS Systems Holdings Corp.

TO: Airbus DS Systems Holdings, LLC

Notification filed January 5, 2016 of the pro forma transfer of control of the international Section 214 authorizations listed below, held by Airbus DS SatCom Government, Inc. (ADSG), from Airbus DS Systems Holdings, Inc. to Airbus DS Systems Holdings, LLC, effective December 21, 2015. Airbus DS Systems Holdings, the immediate parent company of ADSG, converted from a Delaware corporation to a Delaware limited liability company. ADSG holds the following of international Section 214 authorizations: ITC-214-19860710-00002, ITC-214-19861016-00003, ITC-214-19870226-00006, ITC-214-19870630-00007, ITC-214-19880630-00009, ITC-214-19890928-00007, ITC-214-19900913-00017, ITC-214-19901231-00018, ITC-214-19910930-00021, ITC-214-19910930-00022, ITC-214-19910930-00023, ITC-214-19910930-00024, ITC-214-19911230-00019, ITC-214-19911230-00020, ITC-214-19920121-00132, ITC-214-19920131-00133, ITC-214-19920312-00134, ITC-214-19920326-00135, ITC-214-19920512-00136, ITC-214-19920904-00137, ITC-214-19930112-00263, ITC-214-19930112-00264, ITC-214-19930112-00265, ITC-214-19930112-00266, ITC-214-19930112-00267, ITC-214-19930112-00268, ITC-214-19930112-00269, ITC-214-19930112-00270, ITC-214-19931203-00272, ITC-214-19931217-00271, ITC-214-19940121-00394, ITC-214-19940131-00395, ITC-214-19940217-00396, ITC-214-19960501-00176, ITC-214-19960510-00018, ITC-214-19970414-00206, ITC-214-20020926-00462, ITC-214-20061213-00558, and ITC-214-20061213-00559.

ITC-T/C-20160106-00001 E Fidelity Telecom, LLC

Transfer of Control
Grant of Authority

Date of Action: 01/29/2016

Current Licensee: Fidelity Telecom, LLC

FROM: Fidelity Telecom, LLC

TO: Fusion NBS Acquisition Corp.

Application filed for consent to the assignment of international section 214 authorization, ITC-214-20091217-00545, held by Fidelity Telecom, LLC (Fidelity Telecom), an Ohio limited liability company, to Fusion NBS Acquisition Corp. (FNBS), a Delaware corporation that is the direct wholly owned subsidiary of Fusion Telecommunications International, Inc. (Fusion), a publicly-held Delaware corporation. Pursuant to a Stock Purchase and Sale Agreement, FNBS will acquire all of the equity interests of Fidelity Telecom from its current owners. Upon closing, Fidelity Telecom will become a direct, wholly owned subsidiary of FNBS and indirect subsidiary of Fusion.

The following entities hold ten percent or greater direct or indirect interest in Fusion: Direct - Unterberg Technology Partners LP, a Delaware limited partnership (14.2% direct). Indirect - The following entities and individuals, each holds an indirect 18.7% interest in Fusion by virtue of their position in Unterberg and certain other affiliated funds that collectively are known as the "Diker Funds": Diker GP, LLC, a Delaware limited liability company (general partner of Unterberg and Diker Funds); Diker Management LLC, a Delaware limited liability company (investment manager of the Diker Funds); Mark N. Diker, a U.S. citizen (co-managing manager of Diker GP, LLC and Diker Management, LLC); and Charles M. Diker, a U.S. citizen (co-managing manager and one of two members of Diker GP, LLC and Diker Management, LLC). Applicants state that no other person or entity holds a ten percent or greater direct or indirect ownership interest in Fusion.

This authorization is without prejudice to the Commission's action in any other related pending proceedings.

ITC-T/C-20160114-00019 E General Dynamics Satellite Communication Services, LLC

Transfer of Control
Grant of Authority

Date of Action: 02/03/2016

Current Licensee: General Dynamics Satellite Communication Services, LLC

FROM: General Dynamics C4 Systems

TO: General Dynamics Mission Systems, Inc.

Notification filed January 14, 2016, of the pro forma transfer of control of international section 214 authorization, ITC-214-19980807-00547, held by General Dynamics Satellite Communication Services, LLC (GD SCS), from General Dynamics C4 Systems, Inc. (GDC4S) to General Dynamics Mission Systems, LLC (GD Mission Systems, LLC), effective January 1, 2016. In an internal corporate restructuring, GDC4S, the parent of GD SCS, was merged with and into General Dynamics Advanced Information Systems, Inc. (GDAIS), with GDAIS being the surviving entity. GDC4S and GDAIS were both wholly-owned subsidiaries of General Dynamics Mission Systems, LLC (GD Mission Systems, LLC). GDAIS was then merged with and into GD Mission Systems, LLC, with GDAIS being the surviving entity. GDAIS then changed its name to General Dynamics Mission Systems, Inc. and is now the parent of GD SCS.

Dismissal

ITC-T/C-20150727-00180 Dasaro USA, LLC

Application hereby dismissed by Chief, Telecommunications and Analysis Division, International Bureau on January 21, 2016, pursuant to sections 1.748(a) and 63.51(b) of the Commission's rules, 47 CFR 1.748(a), 63.51(b), for failure to respond to the Commission's request for information. This dismissal is without prejudice to re-filing the application in accordance with the Commission's rules.

SURRENDER

ITC-214-20040607-00220 Newcom International, Inc.

Applicant notified the Commission of the Surrender of its international section 214 authorization effective January 21, 2016.

CONDITIONS APPLICABLE TO INTERNATIONAL SECTION 214 AUTHORIZATIONS

- (1) These authorizations are subject to the Exclusion List for International Section 214 Authorizations, which identifies restrictions on providing service to particular countries or using particular facilities. The most recent Exclusion List is at the end of this Public Notice. The list applies to all U.S. international carriers, including those that have previously received global or limited global Section 214 authority, whether by Public Notice or specific written order. Carriers are advised that the attached Exclusion List is subject to amendment at any time pursuant to the procedures set forth in Streamlining the International Section 214 Authorization Process and Tariff Requirements, IB Docket No. 95-118, 11 FCC Rcd 12884 (1996), para. 18. A copy of the current Exclusion List will be maintained in the FCC Reference and Information Center and will be available at <http://transition.fcc.gov/ib/pd/pf/exclusionlist.html>. It also will be attached to each Public Notice that grants international Section 214 authority.
- (2) The export of telecommunications services and related payments to countries that are subject to economic sanctions may be restricted. For information concerning current restrictions, call the Office of Foreign Assets Control, U.S. Department of the Treasury, (202) 622-2520.
- (3) Carriers shall comply with the requirements of Section 63.11 of the Commission's rules, which requires notification by, and in certain circumstances prior notification by, U.S. carriers acquiring an affiliation with foreign carriers. A carrier that acquires an affiliation with a foreign carrier will be subject to possible reclassification as a dominant carrier on an affiliated route pursuant to the provisions of Section 63.10 of the rules.
- (4) A carrier may provide switched services over its authorized resold private lines in the circumstances specified in Section 63.23(d) of the rules, 47 C.F.R. § 63.23(d).
- (5) Carriers shall comply with the "No Special Concessions" rule, Section 63.14, 47 C.F.R. § 63.14.
- (6) Carriers regulated as dominant for the provision of a particular communications service on a particular route for any reason other than a foreign carrier affiliation under Section 63.10 of the rules shall file tariffs pursuant to Section 203 of the Communications Act, as amended, 47 U.S.C. § 203, and Part 61 of the Commission's Rules, 47 C.F.R. Part 61. Carriers shall not otherwise file tariffs except as permitted by Section 61.19 of the rules, 47 C.F.R. § 61.19. Except as specified in Section 20.15 with respect to commercial mobile radio service providers, carriers regulated as non-dominant, as defined in Section 61.3, and providing detariffed international services pursuant to Section 61.19, must comply with all applicable public disclosure and maintenance of information requirements in Sections 42.10 and 42.11.
- (7) Carriers shall file the annual traffic and revenue reports required by Section 43.62(b). See <http://www.fcc.gov/encyclopedia/international-traffic-and-revenue-report>.
- (8) Carriers shall file annual circuit capacity reports required by Section 43.62(a). See <http://www.fcc.gov/encyclopedia/circuit-capacity-report>.
- (9) Carriers should consult Section 63.19 of the rules when contemplating a discontinuance, reduction or impairment of service.
- (10) If any carrier is reselling service obtained pursuant to a contract with another carrier, the services obtained by contract shall be made generally available by the underlying carrier to similarly situated customers at the same terms, conditions and rates. 47 U.S.C. § 203.
- (11) To the extent the applicant is, or is affiliated with, an incumbent independent local exchange carrier, as those terms are defined in Section 64.1902 of the rules, it shall provide the authorized services in compliance with the requirements of Section 64.1903.
- (12) Except as otherwise ordered by the Commission, a carrier authorized here to provide facilities-based service that (i) is classified as dominant under Section 63.10 of the rules for the provision of such service on a particular route and (ii) is affiliated with a carrier that collects settlement payments for terminating U.S. international switched traffic at the foreign end of that route may not provide facilities-based switched service on that route unless the current rates the affiliate charges U.S. international carriers to terminate traffic are at or below the Commission's relevant benchmark adopted in International Settlement Rates, IB Docket No. 96-261, Report and Order, 12 FCC Rcd 19806 (1997). See also Report and Order on Reconsideration and Order Lifting Stay in IB Docket No. 96-261, FCC 99-124 (rel. June 11, 1999). For the purposes of this rule, "affiliated" and "foreign carrier" are defined in Section 63.09.

(13) Carriers shall comply with the Communications Assistance for Law Enforcement Act (CALEA), see 47 C.F.R. §§ 1.20000 et seq.

(14) Every carrier must designate an agent for service in the District of Columbia. See 47 U.S.C. § 413, 47 C.F.R. §§ 1.47(h), 64.1195.

Exclusion List for International Section 214 Authorizations

The following is a list of countries and facilities not covered by grant of global Section 214 authority under Section 63.18(e)(1) of the Commission's Rules, 47 C.F.R. § 63.18(e)(1). Carriers desiring to serve countries or use facilities listed as excluded hereon shall file a separate Section 214 application pursuant to Section 63.18(e)(3) of the Commission's Rules. See 47 C.F.R. § 63.22(c).

Countries:

None.

Facilities:

Any non-U.S.-licensed space station that has not received Commission approval to operate in the U.S. market pursuant to the procedures adopted in the Commission's DISCO II Order, IB Docket No. 96-111, Report and Order, FCC 97-399, 12 FCC Rcd 24094, 24107-72 paragraphs 30-182 (1997) (DISCO II Order). Information regarding non-U.S.-licensed space stations approved to operate in the U.S. market pursuant to the Commission's DISCO II procedures is maintained at http://transition.fcc.gov/bureaus/ib/sd/se/market_access.html.

This list is subject to change by the Commission when the public interest requires. The most current version of the list is maintained at <http://transition.fcc.gov/ib/pd/pf/exclusionlist.html>.

For additional information, contact the International Bureau's Telecommunications and Analysis Division, (202) 418-1480.