

March 16, 2016

IBFS – Electronic Submission

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: IBS File No. ITC-T/C-20160119-00044 – *Supplement to International Section 214
Transfer of Control Application*

Dear Ms. Dortch:

Toruk AS (“Toruk”), by its attorneys, submits the following information to supplement its answers to Questions 14, 15, 16, 18, and 20 of Attachment 1 in the above-referenced transfer-of-control application, wherein Toruk and Airbus DS Holding SAS (“Airbus”) seek Commission consent to transfer control of international Section 214 authority held by Marlink, Inc. (“MI”) (formerly, Astrium Services Business Communications, Inc.¹) from Airbus to Toruk.

Answer to Question 14

Toruk amends its answer to include the following supplemental information involving foreign affiliates:

First, on February 22, 2016, certain APMM-managed funds including Apax France VIII-A and Apax France VIII-B, consummated a transaction giving APMM control of the Maltese carrier Melita plc (“Melita”).

Second, APMM consummated its acquisitions of control of the Portuguese carriers, Cabovisaõ and ONI Communications—disclosed in the original application as pending transactions—on January 20, 2016.

Consequently, following the consummation of the proposed transaction, MI will be affiliated with foreign carriers in Malta and Portugal.

¹ Effective March 1, 2016, Astrium Services Business Communications, Inc. was renamed Marlink, Inc. See Letter from Mark W. Brennan, Counsel to Marlink, Inc., to Marlene Dortch, Secretary, FCC, IBFS File No. ITC-T/C-20160119-00044 (filed March 7, 2016).

Answer to Question 15.

Toruk amends its answer to include the following supplemental information:

Toruk certifies upon consummation, MI will be authorized to provide international telecommunications services to Malta, a destination country in which APMM—a party that indirectly controls Toruk—controls a foreign carrier, Melita.

Answer to Question 16

Toruk amends its answer to include the following additional information:

Post-consummation, the Licensee will continue to qualify for non-dominant carrier status on all international routes because Melita, its additional prospective foreign carrier affiliate, lacks a 50 percent-or-greater share in either of the fixed local access or international transport markets in Malta. Moreover, Melita does not appear on the Commission's list of foreign telecommunications carriers presumed to possess market power in foreign telecommunications markets.²

Answer to Question 18

Toruk reiterates its original response to this question. No response is required with respect to the Melita affiliation, as Malta is a WTO member country.

² See *International Bureau Revises and Reissues the Commission's List of Foreign Telecommunications Carriers that Are Presumed to Possess Market Power in Foreign Telecommunications Market*, Public Notice, 22 FCC Rcd. 945 (Int'l Bur. 2007).

Answer to Question 20

Toruk amends its answer to include the following supplemental information:

The above-referenced application continues to qualify for streamlined processing pursuant to Section 63.12(c)(1)(ii). Post-consummation, MI will continue to qualify for a presumption of non-dominance under Section 63.10(a)(3) of the Commission's rules, as demonstrated in the supplemental response to Question 16 above.

Respectfully submitted,



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cc: David Krech