

ITC-STA-20181211-00226  
Re ITC-T/C-20181211-00225

KVH Services LLC  
APR 11 2019 Supplement to STA Application

International Bureau December 19, 2018

<b>Granted</b>	
date:	Apr. 11, 2019
authorized by:	Deputy Chief, TAD/B
signature	<i>Francis J. [unclear]</i>

Colt Group S.A. ("Colt") herein provides the following additional and clarifying information with respect to its request for special temporary authority ("STA") to maintain control of KVH Services LLC ("KVH") while the Commission considers its underlying transfer of control application.

expires!  
Oct 8, 2019

With respect to Colt's response to Question 10, Colt herein clarifies that it is not seeking approval on a "*nunc pro tunc*" basis for the transfer of control of KVH to Colt.

As Colt indicated in its STA application, the STA is needed because Colt completed on December 22, 2014 an acquisition of KVH's ultimate parent company, KVH Asia Limited, without first securing Commission approval for the transfer of control of the 214 authorization held by KVH. The grant of this requested STA would provide substantial public interest benefits because it would enable Colt to continue use KVH's facilities and regulatory authorization to provide international telecommunications services to its enterprise customers, most of which operate globally and rely on the Colt telecommunications network for their internal communications, operational support and logistics. Any interruption in the provision of these services would be extremely detrimental to Colt's customers.

Colt has been unable to determine exactly why the 2014 transaction was completed without first securing approval from the Commission. The Colt employee that was responsible for regulatory compliance at the time is no longer with the company. Colt, however, has since established a regulatory compliance department to ensure that its international operations adhere to the regulatory requirements of each country in which it operates. Therefore, Colt anticipates that the circumstances the prompted the need for this STA will not be repeated.

The parties to this application acknowledge that the grant of this STA will not prejudice any action the Commission may take on the underlying application. The parties further acknowledge that this STA can be modified or revoked by the Commission upon its own motion without a hearing.

Finally, Colt herein requests that the STA be granted for a period of 180 days, which should be sufficient to secure Commission authorization for the underlying transfer of control application for KVH.

## **KVH STA Application**

### **Answer to Question 10**

Colt Group S.A. seeks approval for this STA in order to permit Colt to maintain organizational authority over KVH Services LLC ("KVH") while the Commission considers Colt's separate application, which was also filed today, seeking approval, *nunc pro tunc*, for the transfer of control of KVH to Colt. The transaction was consummated on December 22, 2014 as a result of an all-cash transaction valued at approximately \$130 million in which Colt purchased all of the issued shares in KVH's ultimate parent company, KVH Asia Limited. The transaction provided substantial public interest benefits because it enabled Colt to expand further its competitive offering of telecommunications services to its customers in the Asian market.

KVH holds 214 authorization number ITC-214-20101101-00434. Neither Colt nor KVH provide telecommunications services using this 214 authorization because it duplicates other 214 authorizations already held by Colt affiliates. Nevertheless, KVH did not surrender the 214 authorization and therefore this STA is needed while the pending 214 application is processed.

### **Answer to Question 16**

#### **Section 63.18(d)**

Colt, through its subsidiaries, holds two 214 authorizations, file numbers ITC-214-20010406-00170 and ITC-214-19990126-00043. Both of these authorize the provision of Global Facilities-Based and Global Resale services.

#### **Section 63.18(e)(3)**

Colt hereby certifies that it is in compliance, and will continue to maintain compliance, with the terms and conditions contained in Sections 63.21, 63.22 and/or 63.23 of the Commission's rules, as applicable.

#### **Section 63.18(g)**

This question is not applicable. The application is seeking belated approval for a transfer of control of an existing holder of 214 authority.