

ORIGINAL

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October 7, 1998

*ITC-740-19980929-00710*

VIA COURIER

Magalie Roman Salas, Esq.

Secretary

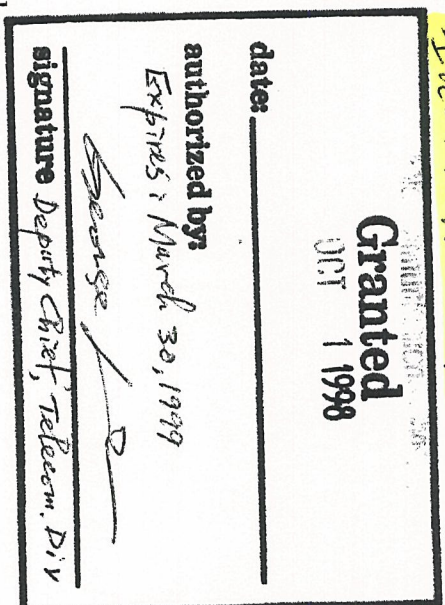
Federal Communications Commission

International Bureau

P.O. Box 358115

Pittsburgh, PA 15251-5115

Attention: Troy Tanner, International Bureau  
Joanna Lowry, International Bureau



Re: Request of NewSouth Communications, LLC and NewSouth Communications Corp. for Special Temporary Authority \_\_\_\_\_

Dear Secretary Salas:

NewSouth Communications, LLC ("NSC") and NewSouth Communications Corp. ("NCC") (together "the Parties") by their undersigned counsel, pursuant to Section 214 of the Communications Act of 1934, as amended, and Section 63.04 of Commission's Rules, 47 C.F.R. § 63.04, hereby request special temporary authority ("STA") to permit the provision of international services by NCC pending the Commission's grant of the underlying assignment application which seeks the *pro forma* assignment of NSC's Section 214 authorizations to provide "global" international facilities-based and resale telecommunications services to NCC.<sup>1</sup> The Parties are both subsidiaries of NewSouth Holdings, Inc. ("Holdings"). As part of an internal corporate restructuring, NSC intends to transfer and consolidate its international operations into NCC. As described below, this assignment involves no change in the management team and ultimate ownership or control of the authorization, and therefore is *pro forma*.

A grant of the relief requested herein will enable the Parties to provide international services

<sup>1</sup> The Parties originally filed this STA request with the Commission on September, 29, 1998, and Joanna Lowry of the International Bureau subsequently gave oral approval of NCC's STA request. However, the Commission's Staff at Mellon Bank inadvertently returned the STA request to us. Therefore, pursuant to the Parties' discussions with Claudette Pride, Chief of the Fee Section at the FCC, NCC respectfully requests that the Commission hold the oral approval of NCC's STA request with an effective date of October 1, 1998, until Mellon Bank forwards the appropriate paperwork to the International Bureau. Ms. Pride will be personally forwarding NCC's STA request and assignment application to Mellon Bank.



Magalie Roman Salas, Secretary

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more effectively and efficiently. The officers and directors of parent corporation (Holdings) will not change, nor will there be a change in the management, operations, or quality of service provided to customers. Thus, the Parties, through NCC, will continue to provide high quality, affordable services. The transaction will simply result in the *pro forma* assignment of NSC's Section 214 authorization to provide international facilities-based and resale telecommunications services to NCC. As such, the transaction will not cause inconvenience or confusion to NSC's customers. Indeed, the transaction will be virtually transparent to NSC's customers in terms of the services that they receive.

Approval of the *pro forma* assignment of NSC's Section 214 authority to NCC will permit the Parties to realize significant economic and marketing efficiencies which will enhance its ability to continue providing high quality, low cost telecommunications services and to compete more effectively in the international telecommunications marketplace. The Parties seek the requested STA because exigent business circumstances require the parties to consummate the proposed merger transaction by **October 1, 1998**.

The Parties strongly believe that the merger of NSC with and into NCC will significantly improve the Parties' ongoing ability to provide such services and meet the expanding needs of its customers. Accordingly, for both immediate and long-range compelling business reasons, the Parties respectfully request an STA to allow NCC to provide international telecommunications service until the Commission grant stamps the underlying *pro forma* assignment application.

The Parties acknowledge that a grant of this request will not prejudice action by the Commission on its assignment application and that any authority granted pursuant to this request is subject to cancellation or modification upon notice, but without a hearing.

As required by the Commission's rules, a filing fee in the amount of \$780.00 and an Anti-Drug Abuse Certification for NSC and NCC are included with this STA request. Please direct any inquiries regarding this filing to Kevin Minsky at (202) 945-6920.

Respectfully submitted,



Dana Frix

Counsel for NewSouth Communications, LLC and  
NewSouth Communications Corp.

Enclosures

cc: Kevin Hendricks  
Kevin Minsky

**CERTIFICATION OF APPLICANT**

On behalf of NewSouth Communications Corp. ("NCC"), and in accordance with Section 1.2001-1.2003 of the Commission's Rules, 47 C.F.R. §§ 1.2001-1.2003, I hereby certify that no party to this request is subject to a denial of Federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988. See 21 U.S.C. § 853a. I also hereby certify that the statements in the foregoing request for Special Temporary Authority are true, complete, and correct to the best of my knowledge and are made in good faith.

NCC has not agreed to any concessions directly or indirectly from any foreign carrier or administration with respect to traffic and revenue flow between the United States and various international points under the authority granted under Section 214 of the Communications Act of 1934, as amended, and the Commission's Rules, and has not agreed to enter into such agreements in the future.


**NewSouth Communications Corp.**

By:

Name:

Title:

Date:

  
Kevin Hendricks  
Vice President  
9/28/98

**CERTIFICATION OF APPLICANT**

On behalf of NewSouth Communications, LLC ("NSC"), and in accordance with Section 1.2001-1.2003 of the Commission's Rules, 47 C.F.R. §§ 1.2001-1.2003, I hereby certify that no party to this request is subject to a denial of Federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988. See 21 U.S.C. § 853a. I also hereby certify that the statements in the foregoing request for Special Temporary Authority are true, complete, and correct to the best of my knowledge and are made in good faith.

NSC has not agreed to any concessions directly or indirectly from any foreign carrier or administration with respect to traffic and revenue flow between the United States and various international points under the authority granted under Section 214 of the Communications Act of 1934, as amended, and the Commission's Rules, and has not agreed to enter into such agreements in the future.

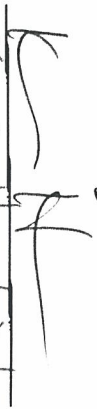
NewSouth Communications, LLC

By:

Name:

Title:

Date:

  
Kevin Hendricks  
Vice President  
9/28/08