



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
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DA No. 22-863

Thursday August 18, 2022

Report No. TEL-02209

International Authorizations Granted

Section 214 Applications (47 CFR §§ 63.18, 63.24); Section 310(b) Petitions (47 CFR § 1.5000)

The following applications have been granted pursuant to the Commission's processing procedures set forth in sections 63.12, 63.20 of the Commission's rules, 47 CFR §§ 63.12, 63.20, other provisions of the Commission's rules, or procedures set forth in an earlier public notice listing the applications as accepted for filing.

Unless otherwise noted, these grants authorize the applicants: (1) to become a facilities-based international common carrier subject to 47 CFR §§ 63.21, 63.22; and/or (2) to become a resale-based international common carrier subject to 47 CFR §§ 63.21, 63.23; (3) to assign or transfer control of international section 214 authority in accordance with 47 CFR § 63.24; or (4) to exceed the foreign ownership benchmarks applicable to common carrier radio licensees under 47 U.S.C. § 310(b); see Subpart T of Part 1 of the Commission's rules, 47 CFR §§ 1.5000-5004.

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, 47 CFR §§ 1.106, 1.115, in regard to the grant of any of these applications may be filed within thirty days of this public notice (see 47 CFR § 1.4(b)(2)).

ITC-ASG-20220715-00084 E CenturyTel Broadband Services, LLC
Assignment
Grant of Authority Date of Action: 08/15/2022

Current Licensee: Madison River Communications Corp

FROM: Madison River Communications Corp

TO: CenturyTel Broadband Services, LLC

On July 15, 2022, a notification was filed regarding the pro forma assignment of ITC-214-20000706-00385 from Madison River Communications Corp. (Madison River) to CenturyTel Broadband Services LLC (CTBS), effective July 1, 2022. Madison River, a Delaware corporation, and CTBS, a Louisiana limited liability company, are both wholly owned direct subsidiaries of Lumen Technologies, Inc., a Delaware corporation.

ITC-ASG-20220715-00085 E Nuvera Communications, Inc
Assignment
Grant of Authority Date of Action: 08/15/2022

Current Licensee: New Ulm Long Distance, Inc.

FROM: New Ulm Long Distance, Inc.

TO: Nuvera Communications, Inc

On July 5, 2022, a notification was filed regarding the pro forma assignment of ITC-214-19970402-00192 from New Ulm Long Distance, Inc. (Ulm LD) to New Ulm Telecom Inc. (New Ulm Parent). Prior to the transaction Ulm LD was a wholly owned subsidiary of New Ulm Parent, both Minnesota corporations. In May 2015, Ulm LD was merged into New Ulm Parent, with New Ulm Parent being the surviving entity. On June 4, 2018, New Ulm Parent changed its name to Nuvera Communications, Inc.

ITC-ASG-20220720-00090 E FirstLight Fiber, Inc.
Assignment
Grant of Authority Date of Action: 08/15/2022

Current Licensee: Primelink, Inc.

FROM: Primelink, Inc.

TO: FirstLight Fiber, Inc.

On July 20, 2022, a notification was filed regarding the pro forma assignment of international section 214 authorizations (ITC-214-19970324-00166 and ITC-214-19990924-00588) from Primelink, Inc. (Primelink) to FirstLight Fiber, Inc. (FirstLight), effective June 30, 2022. Prior to the transaction, Primelink was a wholly owned subsidiary of FirstLight, a Delaware corporation. In a corporate reorganization, Primelink was merged into FirstLight with FirstLight being the surviving entity.

ITC-T/C-20220720-00089 E FirstLight Fiber, Inc.
Transfer of Control
Grant of Authority Date of Action: 08/15/2022

Current Licensee: FirstLight Fiber, Inc.

FROM: Flight Group Holdings LP

TO: Flight Group Holdings LP

On July 20, 2022, a notification was filed regarding the pro forma transfer of control of FirstLight Fiber, Inc. (FirstLight), a Delaware corporation that holds international section 214 authorizations (ITC-214-19970324-000166, ITC-214-19990825-00538, ITC-214-19990924-00588 and ITC-214-20010209-00086), effective September 14, 2021. FirstLight is an indirect wholly owned subsidiary of Flight Group Holdings LP (Flight Group Holdings), a Delaware limited partnership.

Antin Infrastructure Partners S.A.S. (Antin France), an entity organized in France, and Antin Infrastructure Partners UK Limited (Antin UK), an entity organized in the United Kingdom, ultimately control Flight Group Holdings and FirstLight. They jointly exercise control over Flight Group Holdings through governance, management, and advisory agreements. Pursuant to such agreements, all investments decisions in relation to Flight Group Holdings are made by Antin UK's and Antin France's respective investment committees (together the "Antin Investment Committee"). Both are composed of the same members: Melanie Biessy, a French citizen, Mark Crosbie, a British citizen, Stephane Ifker, a French citizen, Sebastien Lecaudey, a French citizen, Alain Rauscher, a French citizen, Angelika Schochlin, a German citizen, Kevin Scott Genieser, a U.S. citizen, and Francisco Abularach, a U.S. citizen. The Antin Investment Committee must act in concert with respect to matters for both Antin UK and Antin France. All the Antin Investment Committee's decisions are made by majority vote, with the vote of each Antin Investment Committee member having equal weight, which majority vote must also have the vote of two founding members, Mark Crosbie and Alain Rauscher. Prior to the transaction Mark Crosbie held a 22.68% interest in Antin France and a 27.6% interest in Antin UK, and Alain Rauscher held a 37.1% interest in Antin France 45.16% interest in Antin UK.

On September 14, 2021, Antin Infrastructure Partners SA (AIP), an entity organized in France, was inserted into the ownership chain above Antin France and Antin UK. Messrs. Crosbie and Rauscher now hold their interests in Antin France and Antin UK through AIP. After the transaction, Mark Crosbie holds an indirect 17.8% interest in Antin France and a 27.6% interest in Antin UK, and Alain Rauscher holds an indirect 30.9% interest in Antin France and a 45.16% interest in Antin UK.

Transfer of Control

Grant of Authority

Date of Action: 08/15/2022

Current Licensee: Meriplex Telecom LLC

FROM: Meriplex Communications, Ltd.

TO: MTL Holdco LLC

On July 25, 2022, a notification was filed regarding the pro forma transfer of control of Meriplex Telecom, LLC (Meriplex Telecom), a Texas limited liability company which holds an international section 214 authorization (ITC-214-20100805-00325), from Meriplex Communications, Ltd. (MCom) to MTL Holdco, LLC (MTL Holdco), that occurred effective July 15, 2022. Specifically, Meriplex Telecom was spun off from MCom, and its membership interests distributed to MTL Holdco, its new immediate parent. Prior to the transaction, Meriplex was a wholly owned subsidiary of MCom..

Previously, the following funds, that are managed by Clairvest Group Inc. (Clairvest), a Canadian entity, held a 54.96% equity and voting interest in MCom and indirectly in Meriplex Telecom - (1) Clairvest Equity Partners V Limited Partnership (Clairvest V), a Canadian entity (32.33% equity and voting interest in MCom); (2) CEP V Co-Investment Limited Partnership (CEP V), a Canadian entity (16.49% equity and voting interest in MCom); and, (3) Clairvest Equity Partners V-A Limited Partnership (Clairvest V-A), a Canadian entity (6.14% equity and voting interest in MCom). David Henley, a U.S. citizen, held a 26.68% equity and voting interest in MCom directly (6.36%) and indirectly (13.13% through David Arthur Henley Inheritance Trust, a Texas trust, and 7.19% through Henley Capital Investments, Ltd, a Texas limited partnership). The other 18.36% equity and voting interests in MCom were held by other stockholders, none of whom had a 10% or greater interest.

Upon closing of the pro forma transaction, the following funds managed by Clairvest hold a 73.41% equity and voting interest in MTL Holdco, and indirectly in Meriplex Telecom: (1) Clairvest V (43.19% equity and voting interest in MTL Holdco); (2) CEP V (22.02% equity and voting interest in MTL Holdco); and (3) Clairvest V-A (8.20% equity and voting interest in MCom). David Henley directly holds a 26.59% equity and voting interest in MTL Holdco through David A. Henley Investments I, LCC, a Texas limited liability company. The applicants state that the transaction was pro forma because the funds controlled by Clairvest controlled Meriplex Telecom before and after the transaction.

INFORMATIVE

ITC-214-20000818-00489

Spectrotel, Inc.

By letter filed August 5, 2022, the Applicant notified the Commission that the following wholly owned subsidiaries may provide international telecommunications service under the international section 214 authorization held by the Applicant pursuant to section 63.21(h) of the Commission's rules,: Spectrotel of Virginia, LLC; Spectrotel of New England, LLC; Spectrotel of Alabama, LLC; Spectrotel of Pennsylvania, LLC; Spectrotel of New Jersey, LLC; Spectrotel of Maryland, LLC; Spectrotel of New York, LLC; Spectrotel of California LLC; Spectrotel of Florida LLC; Spectrotel of Texas LLC; Spectrotel of Illinois; Spectrotel of the South LLC; Spectrotel of the Midwest LLC; Spectrotel of the East LLC; and Spectrotel of the West LLC. 47 CFR 63.21(h). The above-named subsidiaries are limited liability companies organized in Delaware.

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 is maintained in the FCC Reference Information Center and is available at <https://www.fcc.gov/exclusion-list-international-section-214-authorizations>. It is also 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 CFR § 63.23(d).

(5) Carriers shall comply with the "No Special Concessions" rule, Section 63.14, 47 CFR § 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 CFR 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) International facilities-based service providers must file and maintain a list of U.S.-international routes on which they have direct termination arrangements with a foreign carrier. 47 CFR § 63.22(h). A new international facilities-based service provider or one without existing direct termination arrangements must file its list within thirty (30) days of entering into a direct termination arrangement(s) with a foreign carrier(s). Thereafter, international facilities-based service providers must update their lists within thirty (30) days after adding a termination arrangement for a new foreign destination or discontinuing an arrangement with a previously listed destination. See Process For The Filing Of Routes On Which International Service Providers Have Direct Termination Arrangements With A Foreign Carrier, ITC-MSC-20181015-00182, Public Notice, 33 FCC Rcd 10008 (IB 2018).

(8) Any U.S. Carrier that owned or leased bare capacity on a submarine cable between the United States and any foreign point must file a Circuit Capacity Report to provide information about the submarine cable capacity it holds. 47 CFR § 43.82(a)(2). See <https://www.fcc.gov/circuit-capacity-data-us-international-submarine-cables>.

(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 CFR §§ 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 CFR §§ 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 CFR § 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 CFR § 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 <https://www.fcc.gov/approved-space-station-list>.

This list is subject to change by the Commission when the public interest requires. The most current version of the list is maintained at <https://www.fcc.gov/exclusion-list-international-section-214-authorizations>.

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