



# PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION  
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WASHINGTON D.C. 20554

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DA No. 12-88

Report No. TEL-01541

Thursday January 26, 2012

## International Authorizations Granted

### Section 214 Applications (47 C.F.R. § 63.18); Section 310(b)(4) 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 25 percent foreign ownership benchmark applicable to common carrier radio licensees under 47 U.S.C. § 310(b)(4).

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)).

An updated version of Sections 63.09-.25 of the rules, and other related sections, is available at <http://www.fcc.gov/ib/pd/pf/telecomrules.html>.

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-214-20110709-00197 E Communications Rey, LLC

International Telecommunications Certificate

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

Grant of Authority

Date of Action: 01/13/2012

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(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(1), (2).

We grant the Petition to Adopt Conditions to Authorizations and Licenses filed in the proceeding on January 12, 2012, by the Department of Justice (DOJ). Accordingly, we condition grant of this application on Communications Rey, LLC abiding by the commitments and undertakings set forth in the January 6, 2012 Letter of Assurance (LOA) from the CEO of Communications Rey, LLC to Assistant Attorney General, National Security Division, DOJ. The Petition and the LOA may be viewed on the FCC's website through the International Bureau Filings System (IBFS) by searching for ITC-214-20110709-00197 and accessing "Other Filings related to this application" from the Document Viewing Area.

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**ITC-214-20110923-00305** E VALUEROAM TECHNOLOGIES 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: 01/19/2012

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(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(1), (2).

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**ITC-ASG-20111216-00381** E Westphalia Broadband, Inc.  
Assignment  
**Grant of Authority** Date of Action: 01/25/2012

**Current Licensee:** Westphalia Communications

**FROM:** Westphalia Communications

**TO:** Westphalia Broadband, Inc.

Notification filed December 16, 2011 of the pro forma assignment of international section 214 authorization, ITC-214-19980710-00463 (Old File No. ITC-98-507), from Westphalia Communications Inc. (WCI) to Westphalia Broadband Inc. (WBI), effective December 31, 2011. In an corporate reorganization, WCI merged with and into WBI, and WBI emerged as the surviving entity. WCI was, and WBI continues to be, wholly-owned subsidiaries of Clinton County Telephone Company, which is in turn a wholly-owned subsidiary of Great Lakes Comnet, Inc.

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**ITC-MOD-20111024-00322** E Telecom Italia Sparkle of North America, Inc.  
Modification  
**Grant of Authority** Date of Action: 01/23/2012

Telecom Italia Sparkle of North America, Inc. (TISNA) requests, pursuant to section 63.13 of the Commission's rules, 47 C.F.R. § 63.13, that the Commission reclassify TISNA as a non-dominant carrier on the U.S.-Austria, U.S.-Bolivia, U.S.-Brazil and U.S.-Cuba routes.

TISNA is classified as dominant on the U.S.-Austria route under section 63.10 of the Commission's rules, 47 C.F.R. § 63.10, because it was affiliated with Telekom Austria A.G., a foreign carrier presumed to have market power on the foreign-end of the route. Telecom Italia S.p.A. (Telecom Italia), the indirect 100% parent of TISNA, owned Telekom Austria A.G. TISNA states that in January 2004 Telecom Italia disposed of its remaining interests in Telekom Austria, and thus TISNA is no longer affiliated with Telekom Austria A.G.. Consequently, TISNA states that it should be reclassified as non-dominant on the U.S.-Austria route.

TISNA is classified as dominant on the U.S.-Bolivia route under section 63.10 because it was affiliated with Entel S.A., a foreign carrier presumed to have market power on the foreign-end of the route. Telecom Italia owned Entel S.A. TISNA states that in 2008 Telecom Italia relinquished its interests in Entel S.A., and thus TISNA is no longer affiliated with Entel S.A.. Consequently, TISNA states that it should be reclassified as non-dominant on the U.S.-Bolivia route.

TISNA is classified as dominant on the U.S.-Brazil route under section 63.10 because it was affiliated with Brasil Telecom Participacoes S.A. (Brasil Telecom), a foreign carrier presumed to have market power on the foreign-end of the route. Telecom Italia held an ownership interest in Solpart Participacoes, S.A., the holding company which controlled Brasil Telecom. TISNA states that in December 2007 Telecom Italia sold its ownership in Solpart Participacoes, S.A., and thus TISNA is no longer affiliated with Brasil Telecom. Consequently, TISNA states that it should be reclassified as non-dominant on the U.S.-Brazil route.

TISNA is classified as dominant on the U.S.-Cuba route under section 63.10 because it was affiliated with Empresa de Telecomunicaciones de Cuba S.A. (ETECSA), a foreign carrier presumed to have market power on the foreign-end of the route. Telecom Italia had a 27% ownership interest in ETECSA. TISNA states that in January 2011 Telecom Italia sold all of its interests in ETECSA, and thus TISNA is no longer affiliated with ETECSA. Consequently, TISNA states that it should be reclassified as non-dominant on the U.S.-Cuba route.

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**ITC-T/C-20111118-00348** E AT&T Mobility Puerto Rico Inc.  
Transfer of Control  
**Grant of Authority** Date of Action: 01/25/2012

**Current Licensee:** AT&T Mobility Puerto Rico Inc.

**FROM:** AT&T Inc.

**TO:** AT&T Inc.

Notification filed November 18, 2011, of the pro forma transfer of control of international section 214 authorizations, ITC-214-19980918-00669, ITC-214-19980430-00923 (Old File No. ITC-98-342), ITC-214-19940107-00011 (Old File No. ITC-94-100), ITC-214-19930315-00040 (Old File No. ITC-93-128), held by AT&T Mobility Puerto Rico, Inc. (Mobility Puerto Rico), effective June 30, 2010. Mobility Puerto Rico is a wholly-owned subsidiary of Beach Holding Corporation (Beach). As part of an internal reorganization, Centennial Communications Corp. (Centennial) contributed the stock of Centennial Puerto Rico License, Corp. and Centennial Puerto Rico Operations Corp. to Beach, in exchange for a 26.6% stock ownership of Beach. That resulted in SBC Alloy Holdings Inc.'s (Alloy) ownership in Beach dropping from 53% to 38.91% and SBC CCPR Holdings LLC's (SBC CCPR Holdings) ownership in Beach dropping from 47% to 34.49%. Centennial, Alloy and SBC CCPR Holdings are all wholly-owned subsidiaries of AT&T Inc.

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**ITC-T/C-20111118-00352** E AT&T Mobility USVI Inc.  
Transfer of Control  
Grant of Authority Date of Action: 01/25/2012

**Current Licensee:** AT&T Mobility USVI Inc.

**FROM:** AT&T Inc.

**TO:** AT&T Inc.

Notification filed November 18, 2011, of the pro forma transfer of control of international section 214 authorization, ITC-214-20001101-00664, held by CCPR of the Virgin Islands, Inc., now AT&T Mobility USVI Inc. (Mobility USVI), effective June 30, 2010. Mobility USVI is a wholly-owned subsidiary of Beach Holding Corporation (Beach). As part of an internal reorganization, Centennial Communications Corp. (Centennial) contributed the stock of Centennial Puerto Rico License, Corp. and Centennial Puerto Rico Operations Corp. to Beach, in exchange for a 26.6% stock ownership of Beach. That resulted in SBC Alloy Holdings Inc.'s (Alloy) ownership in Beach dropping from 53% to 38.91% and SBC CCPR Holdings LLC's (SBC CCPR Holdings) ownership in Beach dropping from 47% to 34.49%. Centennial, Alloy and SBC CCPR Holdings are all wholly-owned subsidiaries of AT&T Inc.

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**ITC-T/C-20120109-00005** E Cox Communications, Inc  
Transfer of Control  
Grant of Authority Date of Action: 01/25/2012

**Current Licensee:** Cox Communications, Inc.

**FROM:** Cox Holdings, Inc.

**TO:** Cox Enterprises, Inc.

Notification filed January 9, 2012 of the pro forma transfer of control of international section 214 authorizations, ITC-214-19970815-00496 (Old File No. ITC-97-485) and ITC-214-19991207-00764, held by Cox Communications, Inc. (CCI), from Cox Holdings, Inc. (CHI) to Cox Enterprises, Inc. (CEI), effective December 20, 2011. As part of the corporate structuring, CHI was dissolved and its assets, including its 95.4% ownership of CCI were distributed to CEI, the 100% parent of CHI. CEI now holds a 95.4% direct interest in CCI, and 4.6% indirect interest by virtue of its 100% ownership of minority owner Cox, DNS, Inc.

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**ITC-T/C-20120111-00006** E Bristol Bay Cellular Partnership  
Transfer of Control  
Grant of Authority Date of Action: 01/25/2012

**Current Licensee:** Bristol Bay Cellular Partnership

**FROM:** AWACS, Inc.

**TO:** SBC Telecom, Inc.

Notification filed January 11, 2012, of the pro forma transfer of control of international section 214 authorization, ITC-214-19930812-00150 (Old File No. ITC-93-304), held by Bristol Bay Cellular Partnership (Bristol Bay), from its 50% non-controlling partner, AWACS, Inc. (AWACS) to SBC Telecom, Inc. (SBC Telecom), effective December 31, 2011. As part of an internal corporate restructuring, AWACS was merged into SBC Telecom, with SBC Telecom being the surviving entity. AWACS was, and SBC Telecom continues to be, a wholly-owned subsidiary of AT&T Inc. The transaction did not affect any change in the actual control of Bristol Bay, which remains 50% owned and managed by its other general partner, Aleutian Telcom, Inc. (ATI), a wholly owned subsidiary of Bristol Bay Telephone Cooperative.

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**SURRENDER**

**ITC-214-19971017-00638** BellSouth International, LLC

By letter filed December 15, 2011, Applicant notified the Commission of the Surrender of its international section 214 authorization.

**ITC-214-19980807-00548** MOTOROLA CELLULAR SERVICES, INC.

By letter filed January 17, 2012, Applicant notified the Commission of the Surrender of its international section 214 authorization.

**ITC-214-19990716-00434** DSLnet Communications, LLC

By letter filed January 20, 2012, Applicant notified the Commission of the Surrender of its international section 214 authorization.

**ITC-214-20021118-00544** Covad Communications Company

By letter filed January 20, 2012, Applicant notified the Commission of the Surrender of its international section 214 authorization.

**ITC-214-20070221-00079** Golden Holdings, Inc.

By letter filed January 18, 2012, Applicant notified the Commission of the Surrender of its international section 214 authorization.

**ITC-214-20100621-00260** Zodiac Newco, LLC

By letter filed January 9, 2012, Applicant notified the Commission of the Surrender of its international section 214 authorization.

## 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 attached to 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://www.fcc.gov/ib/pd/pf/telecomrules.html#exclusionlist>. 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) Carriers shall comply with the Commission's International Settlements Policy and associated filing requirements contained in Sections 43.51, 64.1001 and 64.1002 of the Commission's Rules, 47 C.F.R. §§ 43.51, 64.1001, 64.1002. The Commission modified these requirements most recently in International Settlements Policy Reform: International Settlement Rates, First Report and Order, FCC 04-53, 19 FCC Rcd 5709 (2004). In addition, any carrier interconnecting private lines to the U.S. public switched network at its switch, including any switch in which the carrier obtains capacity either through lease or otherwise, shall file annually with the Chief, International Bureau, a certified statement containing, on a country-specific basis, the number and type (e.g., 64 kbps circuits) of private lines interconnected in such manner. The Commission will treat the country of origin information as confidential. Carriers need not file their contracts for interconnection unless the Commission specifically requests. Carriers shall file their annual report on February 1 (covering international private lines interconnected during the preceding January 1 to December 31 period) of each year. International private lines to countries which the Commission has exempted from the International Settlements Policy at any time during a particular reporting period are exempt from this requirement. See 47 C.F.R. § 43.51(d). The Commission's list of U.S. international routes that are exempt from the International Settlements Policy may be viewed at [http://www.fcc.gov/ib/pd/pf/isp\\_exempt.html](http://www.fcc.gov/ib/pd/pf/isp_exempt.html).

(5) Carriers authorized to provide private line service either on a facilities or resale basis are limited to the provision of such private line service only between the United States and those foreign points covered by their referenced applications for Section 214 authority. 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).

(6) A carrier may engage in "switched hubbing" to countries that do not appear on the Commission's list of U.S. international routes that are exempt from the International Settlements Policy, set forth in Section 64.1002, 47 C.F.R. § 64.1002, provided the carrier complies with the requirements of Section 63.17(b) of the rules, 47 C.F.R. § 63.17(b). The Commission's list of U.S. international routes that are exempt from the International Settlements Policy may be viewed at [http://www.fcc.gov/ib/pd/pf/isp\\_exempt.html](http://www.fcc.gov/ib/pd/pf/isp_exempt.html).

(7) Carriers shall comply with the "No Special Concessions" rule, Section 63.14, 47 C.F.R. § 63.14.

(8) 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.

(9) Carriers shall file the annual reports of overseas telecommunications traffic required by Section 43.61(a). Carriers shall also file the quarterly reports required by Section 43.61 in the circumstances specified in paragraphs (b) and (c) of

that Section.

(10) Carriers shall file annual reports of circuit status and/or circuit additions in accordance with the requirements set forth in Rules for Filing of International Circuit Status Reports, CC Docket No. 93-157, Report and Order, 10 FCC Rcd 8605 (1995). See 47 C.F.R. § 43.82. See also §§ 63.22(e), 63.23(e). These requirements apply to facilities-based carriers and private line resellers, respectively. See also <http://www.fcc.gov/ib/pd/pf/csmanual.html>.

(11) Carriers should consult Section 63.19 of the rules when contemplating a discontinuance, reduction or impairment of service. Further, the grant of these applications shall not be construed to include authorization for the transmission of money in connection with the services the applicants have been given authority to provide. The transmission of money is not considered to be a common carrier service.

(12) 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.

(13) 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.

(14) 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.

#### 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). In addition, the facilities listed shall not be used by U.S. carriers authorized under Section 63.18 of the Commission's Rules unless the carrier's Section 214 authorization specifically lists the facility. 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:

Cuba (Applications for service to Cuba shall comply with the separate filing requirements of the Commission's Public Notice, DA 10-112, dated January 21, 2010, "Modification of Process to Accept Applications for Service to Cuba and Related Matters.")

#### Facilities:

All non-U.S.-licensed satellite systems that are not on the Permitted Space Station List, maintained at <http://www.fcc.gov/ib/sd/se/permitted.html>. See International Bureau Public Notice, DA 99-2844 (rel. Dec. 17, 1999).

This list is subject to change by the Commission when the public interest requires. Before amending the list, the Commission will first issue a public notice giving affected parties the opportunity for comment and hearing on the proposed changes. The Commission may then release an order amending the exclusion list. This list also is subject to change upon issuance of an Executive Order. See Streamlining the Section 214 Authorization Process and Tariff Requirements, IB Docket No. 95-118, FCC 96-79, 11 FCC Rcd 12,884, released March 13, 1996 (61 Fed. Reg. 15,724, April 9, 1996). A current version of this list is maintained at <http://www.fcc.gov/ib/pd/pf/telecomrules.html#exclusionlist>.

For additional information, contact the International Bureau's Policy Division, (202) 418-1460.