



Federal Communications Commission
Washington, D.C. 20554

May 19, 2016

Julie Napier Zoller
Senior Deputy Coordinator
International Information and Communications Policy
U.S. Department of State
2201 C Street, NW, Room 4634
Washington, D.C. 20520

**Re: Recommendation for InContact, Inc. to be Designated as a Recognized Operating Agency
File No. ROA-NEW-200160318-00002**

Dear Ms. Zoller:

On March 18, 2016, InContact, Inc. (InContact) filed the application referenced above, requesting designation as a recognized operating agency (ROA) under the Section 63.701 of the Commission's rules.¹ On April 22, 2016, the Commission's International Bureau issued a Public Notice listing the application as accepted for filing.² We received no comments with regard to this application. Based on the information before us, we recommend that the U.S. Department of State grant InContact's request to be designated as an ROA.

Our review of the subject application indicates that InContact has provided all the information required by Section 63.701 of the Commission's rules to be contained in applications requesting designation as an ROA.³ InContact's application states that it is a corporation organized under the laws of Delaware, with its principal offices located in Sandy, Utah. In 1998, the Commission granted a global authorization as a facilities-based and resale common carrier to InContact (then called Buyers United International, Inc.) under Section 214 of the Communications Act of 1934, as amended (the Act).⁴

By virtue of the Commission's grant of InContact's international Section 214 authorization, InContact is a common carrier authorized under Section 214 of the Act.⁵ As such, the various services it has been authorized to provide constitute "public correspondence," as that term is defined in the International Telecommunication Convention, Edition Nice, 1989 (Convention). As a result, InContact is an ROA and it is appropriate to formally recognize that status.

¹ 47 CFR § 63.701.

² *Recognized Operating Agency re: Applications Accepted for Filing*, Public Notice, Report No. ROA-00008 (IB rel. Apr. 22, 2016).

³ 47 CFR § 63.701.

⁴ *Overseas Common Carrier Section 214 Applications Actions Taken*, Report No. I-8308, Public Notice, 13 FCC Rcd 10375 (IB 1998); 47 U.S.C. § 214.

⁵ *Id.*

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Additionally, InContact has stated its intention to honor its obligations under the mandatory provisions of the Convention and any rules promulgated thereafter, as required by Section 63.710 of the Commission's rules. InContact states that it is aware of its obligations under Article 44 of the ITU Convention and that it will obey the mandatory provisions of the Convention and the International Telecommunication Regulations (ITRs) promulgated under them in all respects.⁶ InContact also states in accordance with Section 63.710 that it is aware that a failure to obey the mandatory provisions of the Convention and the ITRs could result in an order by the Commission for it to cease and desist from future violations and could result in revocation of its formal ROA status by the U.S. Department of State.⁷

Based on the information before us, we recommend that the U.S. Department of State designate InContact as an ROA, as requested in its application. In this regard, we request that the U.S. Department of State send to the Commission a copy of the Department's action on this application for our records.

For further information, please contact Arthur Lechtman at (202) 418-1465 or Francis Gutierrez at (202) 418-7370.

Sincerely,



Denise Coca
Division Chief
Telecommunications and Analysis Division
International Bureau

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⁶ 47 CFR § 63.701.

⁷ *Id.*