



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
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DA No. 06-1899

Report No. TEL-01069

Thursday September 21, 2006

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.

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>.

ITC-214-20060825-00403 E WCCS, 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: 09/15/2006

Application for authority to provide facilities-based service in accordance with Section 63.18(e)(1) of the rules, and also to provide service in accordance with Section 63.18(e)(2) of the rules.

ITC-214-20060830-00407 E A-1 Telecom, 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: 09/15/2006

Application for authority to provide facilities-based service in accordance with Section 63.18(e)(1) of the rules, and also to provide service in accordance with Section 63.18(e)(2) of the rules.

ITC-ASG-20060130-00079 E

MCI Communications Services, Inc. (fka MCI WorldCom Communications, Inc.)

Assignment

Grant of Authority

Date of Action: 09/20/2006

Current Licensee: MCI Network Services, Inc.

FROM: MCI Network Services, Inc.

TO: MCI Communications Services, Inc. (fka MCI WorldCom Communications, Inc.)

Notification filed January 30, 2006, of the pro forma assignment of several international section 214 authorizations (see below) held by MCI Network Services, Inc. (MCI Network, formerly known as MCI Telecommunications, Corp. and MCI WorldCom Network Services, Inc.), to MCI Communications Services, Inc. fka MCI WorldCom Communications, Inc. (MCI Communications), effective December 31, 2005. MCI Network and MCI Communications are both indirect wholly-owned subsidiaries of Verizon Communications, Inc. (Verizon), a publicly-traded company in which no person or entity holds a ten percent or greater ownership interest. As part of an internal restructuring the following international section 214 authorizations were assigned from MCI Network to MCI Communications: ITC-87-184, ITC-87-175, ENF-88-1, ENF-91-01, ITC-214-19930421-00063 (formerly ITC-93-167), ITC-214-19941027-00329 (formerly ITC-95-034), ITC-95-513, ITC-95-581, ITC-90-090, ITC-93-249, ITC-94-228, ITC-94-249, ITC-214-19941027-00329 (formerly ITC-95-034), ITC-95-416, ITC-ASG-19970917-00561, ITC-214-19951206-00048; section 214 authorizations for submarine cable systems: ITC-89-121, ITC-91-045, ITC-92-106, ITC-92-179, ITC-93-062, ITC-93-029, ITC-93-030, ITC-94-228, ITC-95-580, ITC-214-19960329-00130; and, section 214 authorizations for satellite facilities: ITC-94-340, ITC-214-19920605-00023, ITC-94-290, ITC-95-030, ITC-95-581, and ITC-85-146.

ITC-ASG-20060816-00395 E

Windstream Communications, Inc.

Assignment

Grant of Authority

Date of Action: 09/20/2006

Current Licensee: ALLTEL Communications, Inc.

FROM: Alltel Communications, Inc.

TO: Windstream Communications, Inc.

Notification filed August 16, 2006, of the pro forma partial assignment of the wireline customer base from Alltel Communications, Inc. (ACI) to Windstream Communications, Inc. (WCI) (formerly known as Alltel Holding Corporate Services, Inc.), a wholly-owned subsidiary of Windstream Corporation (Windstream), effective July 17, 2006. Windstream was formerly Valor Communications Group, Inc. (Valor), and was renamed following the merger of between Valor and ALLTEL Holding Corp., a wholly owned subsidiary of ALLTEL Corporation (see DA No. 06-1297, dated June 22, 2006; DA No. 06-251, dated February 2, 2006). ACI will continue to provide international service to its wireless customers pursuant to its international section 214 authorization, ITC-214-19960404-00138. WCI will provide international service to the wireline customers pursuant to its own international section 214 authorization, ITC-214-20060816-00433. Windstream is a publicly traded Delaware company with no ten percent or greater interest holders.

ITC-T/C-20060616-00317 E

Capital Telecommunications, Inc.

Transfer of Control

Grant of Authority

Date of Action: 09/20/2006

Current Licensee: Capital Telecommunications, Inc.

FROM: Capital Telecommunications, Inc.

TO: StarVox Communications, Inc.

Application for consent to transfer control of international section 214 authorization, ITC-214-19920520-00115, held by Capital Telecommunications, Inc. (CTI) to StarVox Communications, Inc. (StarVox), a privately-held U.S. corporation. Pursuant to a Stock Purchase Agreement, StarVox will acquire 100 percent of the issued and outstanding capital stock of CTI. The following three individuals or entities hold 10 percent or greater direct equity and voting interests in StarVox: Douglas Zorn, U.S. citizen (12%); Novus Ventures II, L.P. (Novus Ventures), a U.S. limited partnership (20%); and Trinad Capital Master Fund Ltd. (Trinad Master Fund), a Hedge Fund Investment Group organized in the Cayman Islands (16%). Novus Ventures is controlled by its sole general partner, DT Associates II, LLC, a U.S. limited liability company, which, in turn, is controlled by Dan Tompkins, a U.S. citizen (67% voting and 33% equity interests). Trinad Master Fund is majority-owned and controlled (96%) by Trinad Capital LP, a U.S. limited partnership. The general partner of Trinad Capital LP is Trinad Advisors GP, LLC, a U.S. limited liability company. Trinad Management LLC, also a U.S. limited liability company, manages Trinad Capital LP and the Trinad Master Fund. Robert S. Ellin, a U.S. citizen, holds approximately 66.7 percent equity and voting interests in Trinad Advisors GP, LLC and in Trinad Management LLC. No other person or entity holds 10 percent or greater direct or indirect equity or voting interests in StarVox.

We grant the Petition to Adopt Conditions to Authorizations and Licenses (Petition) filed in this proceeding on September 15, 2006, by the United States of Justice (DOJ), including the Federal Bureau of Investigation (FBI), together with the United States Department of Homeland Security (DHS) (collectively, the Executive Branch Agencies). Accordingly, we condition grant of this application on the Applicants abiding by the commitments made by StarVox Communications, Inc. and Capital Telecommunications, Inc. (collectively, the Applicants) to the Executive Branch Agencies to address national security, law enforcement, and public safety concerns contained on their September 15, 2006 letter to Sigal P. Mandelker, Stewart A. Baker, and Elaine N. Lammert (September 15, 2006 Assurances Letter). The Petition and the September 15, 2006 Assurances Letter are publicly available in the record of this proceeding and maybe viewed on the FCC web-site through the International Bureau Filing System (IBFS) by searching for ITC-T/C-20060616-00317 and accessing the "Attachment Menu" from the Document Viewing area. This authorization is without prejudice to the Commission's action on any other related pending application(s).

ITC-T/C-20060713-00350 E

Latin Node, Inc.

Transfer of Control

Grant of Authority

Date of Action: 09/20/2006

Current Licensee: Latin Node, Inc.

FROM: Latin Node, Inc.

TO: Retail Americas VoIP LLC

Notification of the pro forma transfer of control filed July 13, 2006, of international section 214 authorization, ITC-214-20040226-00075, held by Latin Node, Inc. (Latin Node), from existing shareholders to Retail Americas VoIP LLC (Retail Americas), a Delaware holding company, created for the purpose of implementing this transaction, effective June 14, 2006.. The transaction was a financial restructuring to consolidate all of Latin Node's investors through purchase of Latin Node shares, including shares owned by two investors Giganet, S.A. (Giganet) (27 percent) and Rovicom, LLC (Rovicom) (20 percent), and to hold Latin Node's shares. Upon redistribution of the shares, Retail Americas holds 100 percent of the shares of Latin Node, and all shareholders of Latin Node prior to the transaction, other than Giganet and Rovicom, indirectly own shares of Latin Node through Retail Americas. The following entities hold 10 percent or greater ownership interests in Retail Americas: Aries International Holdings LLC (Aries), a Florida corporation (approximately 39 percent) and Richfield, Inc. (Richfield), a Costa Rican corporation (approximately 35 percent). The following 3 individuals, all U.S. citizens, hold ownership interests in Aries: Olivia de la Salas (77 percent), Juan Pablo Vasquez (14 percent), and Gloria Vasquez (9 percent (which equals approximately 3.5 percent indirect ownership interest in Latin Node)). Jorge Granados, U.S. citizen, holds 100 percent ownership interest in Richfield. Through this pro forma transaction, Mr. Granados and Ms. de la Salas, the founders and continuing managers of Latin Node, will exercise de jure control over the company.

Transfer of Control

Grant of Authority

Date of Action: 09/15/2006

Current Licensee: Xspedius Communications, LLC

FROM: Xspedius Communications, LLC

TO: Time Warner Telecom, Inc.

Application for consent to transfer control of international section 214 authorization, ITC-214-20010326-00153, held by Xspedius Communications, LLC (Xspedius Parent), a Delaware limited liability company, to Time Warner Telecom, Inc. (Time Warner Telecom), a Delaware corporation. Pursuant to an Agreement and Plan of Merger (Agreement) dated July 27, 2006, Time Warner Telecom will acquire a 100 percent membership interest in Xspedius Parent, and Xspedius Parent will remain the 100 percent parent company owner of 36 Xspedius Certified Subsidiaries (collectively, Xspedius). To implement the contemplated transactions under the Agreement, Time Warner Telecom has established a wholly-owned subsidiary called XPD Acquisition, LLC (XPD) that will, upon consummation, merge with and into Xspedius Parent, leaving Xspedius Parent as the surviving entity and wholly-owned subsidiary of Time Warner Telecom. Time Warner, Inc. (TWX), a Delaware publicly held company, holds 23.5 percent direct equity ownership interest in Time Warner Telecom. No investor in TWX or other person or entity holds 10 percent-or-greater direct or indirect ownership interest in Xspedius Parent. This authorization is without prejudice to the Commission's action on any other related pending application(s).

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 streamlined grant 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/td/pf/exclusionlist.html>. 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. The Commission recently amended Section 63.11 of the rules in its Order on Reconsideration in IB Docket No. 97-142, 15 FCC Rcd 18158 (2000).
- (4) Carriers shall comply with the Commission's International Settlements Policy and associated filing requirements contained in Sections 43.51 and 64.1001 of the Commission's Rules, 47 C.F.R. §§ 43.51, 64.1001. The Commission modified these requirements most recently in 2000 Biennial Regulatory Review, Policy and Rules Concerning the International, Interexchange Marketplace, FCC 01-93, released, March 20, 2001, 66 Fed. Reg. 16874 (Mar. 28, 2001). See also 1998 Biennial Regulatory Review - Reform of the International Settlements Policy and Associated Filing Requirements, IB Docket Nos. 98-148, 95-22, CC Docket No. 90-337 (Phase II), FCC 99-73 (rel. May 6, 1999). 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 for which the Commission has authorized the provision of switched basic services over private lines at any time during a particular reporting period are exempt from this requirement. See 47 C.F.R. § 43.51(d).
- (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. In addition, the carriers may not -- and their tariffs must state that their customers may not -- connect their private lines to the public switched network at either the U.S. or foreign end, or both, for the provision of international switched basic services, unless the Commission has authorized the provision of switched services over private lines to the particular country at the foreign end of the private line or the carrier is exchanging switched traffic with a foreign carrier that the Commission has determined lacks market power in the country at the foreign end of the private line. See 47 C.F.R. §§ 63.16, 63.22(e), 63.23(d). A foreign carrier lacks market power for purposes of this rule if it does not appear on the Commission list of foreign carriers that do not qualify for the presumption that they lack market power in particular foreign points. This list is available at http://www.fcc.gov/Bureaus/International/Public_Notices/1999/da990809.txt. See generally 1998 Biennial Regulatory Review - Reform of the International Settlements Policy and Associated Filing Requirements, IB Docket Nos. 98-148, 95-22, CC Docket No. 90-337 (Phase II), FCC 99-73 (rel. May 6, 1999), paras. 12-15, 102-109.
- (6) The Commission has authorized the provision of switched basic services via facilities-based or resold private lines between the United States and the following foreign points: Sweden, Canada, New Zealand, the United Kingdom, Australia, The Netherlands, Luxembourg, Norway, Denmark, France, Germany, Belgium, Austria, Switzerland, Japan, Italy, Ireland, Hong Kong, Iceland, Spain, Finland, Israel, Singapore, Netherlands Antilles, Poland, Argentina, United Arab Emirates, Macau, Hungary, Philippines, Greece, Uruguay, Brunei, Trinidad & Tobago, Czech Republic, the Dominican Republic, Brazil, Botswana, Costa Rica, South Africa, Saint Lucia, Saint Kitts & Nevis, Saint Vincent, Antigua, Malaysia, Thailand, Belize, Panama, Guatemala, Venezuela, Bahrain, South Korea, Portugal, Cyprus, Slovak Republic, Slovenia, Dominica, Grenada, Jamaica, Kuwait, Jordan, Paraguay, Croatia, Egypt, Zambia, Ecuador, Barbados, Colombia, Chile, El

Salvador, Taiwan, Nicaragua, Turkey, Peru, Morocco, Ghana, Bolivia, Guyana, Mongolia, Zimbabwe, Gambia, Nigeria, Bangladesh, Indonesia, Tunisia, Qatar, Oman, Mauritius, New Caledonia, Guinea, Suriname, and Fiji Islands.

(7) Carriers may engage in "switched hubbing" to countries for which the Commission has not authorized the provision of switched basic services over private lines consistent with Section 63.17(b) of the rules.

(8) Carriers may provide U.S. inbound or outbound switched basic service via their authorized private lines extending between or among the United States, Sweden, New Zealand, the United Kingdom, Australia, The Netherlands, Luxembourg, Norway, Denmark, France, Germany, Belgium, Austria, Switzerland, Japan, Italy, Ireland, Hong Kong, Iceland, Spain, Finland, Israel, Singapore, Netherlands Antilles, Poland, Argentina, United Arab Emirates, Macau, Hungary, Philippines, Greece, Uruguay, Brunei, Trinidad & Tobago, Czech Republic, the Dominican Republic, Brazil, Botswana, Costa Rica, South Africa, Saint Lucia, Saint Kitts & Nevis, Saint Vincent, Antigua, Malaysia, Thailand, Belize, Panama, Guatemala, Venezuela, Bahrain, South Korea, Portugal, Cyprus, Slovak Republic, Slovenia, Dominica, Grenada, Jamaica, Kuwait, Jordan, Paraguay, Croatia, Egypt, Zambia, Ecuador, Barbados, Colombia, Chile, El Salvador, Taiwan, Nicaragua, Turkey, Peru, Morocco, Ghana, Bolivia, Guyana, Mongolia, Zimbabwe, Gambia, Nigeria, Bangladesh, Indonesia, Tunisia, Qatar, Oman, Mauritius, and New Caledonia, Guinea, Suriname, and Fiji Islands.

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

(10) 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. 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. These non-dominant carriers may continue filing new or revised international tariffs for mass market services until January 28, 2002, when all tariffs, with limited exceptions, must be cancelled. Carriers may not file any new or revised contract tariffs or tariffs for other long-term international service arrangements. See 2000 Biennial Regulatory Review, Policy and Rules Concerning the International, Interexchange Marketplace, FCC 01-93, released March 20, 2001, 66 Fed. Reg. 16874 (Mar. 28, 2001).

(11) 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.

(12) 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, 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>

(13) 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.

(14) 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.

(15) 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. See Regulatory Treatment of LEC Provision of Interexchange Services Originating in the LEC's Local Exchange Area and Policy and Rules Concerning the Interstate, Interexchange Marketplace, Second Report and Order in CC Docket No. 96-149 and Third Report and Order in CC Docket No. 96-61, 12 FCC Rcd 15756, recon., 12 FCC Rcd 8730 (1997), Order, 13 FCC Rcd 6427 (Com. Car. Bur. 1998), further recon., FCC 99-103 (rel. June 30, 1999).

(16) 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 service on that route unless the current rates the affiliate charges U.S. international carrier 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, "affiliation" and "foreign carrier" are defined in Section 63.09.

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)).

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. People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

Exclusion List for International Section 214 Authorizations

-- Last Modified December 22, 1999 --

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)(4) of the Commission's Rules. See generally 47 C.F.R. § 63.22.

Countries:

Cuba (Applications for service to Cuba shall comply with the separate filing requirements of the Commission's Public Notice Report No. I-6831, dated July 27, 1993, "FCC to Accept Applications for Service to Cuba.")

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.