



# PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION  
445 12th STREET S.W.  
WASHINGTON D.C. 20554

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DA No. 08-1223

Report No. TEL-01273

Thursday May 29, 2008

## 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.

Petition for Declaratory Ruling

Grant of Authority

Date of Action: 05/28/2008

Pacific Telecom Inc. (Pacific Telecom or "Petitioner") requests that the Commission extend its existing declaratory rulings under section 310(b)(4) of the Communications Act of 1934, as amended, 47 U.S.C. § 310(b)(4), to cover the 700 MHz Band radio license its subsidiary, PTI Pacifica, Inc. (PTI Pacifica) won in Auction No. 73. See ULS File No. 0003381416; DA 08-595 (rel. Mar. 20, 2008), amended by Erratum (rel. Mar. 26, 2008). The 700 MHz Band radio license covers the Commonwealth of the Northern Mariana Islands (CNMI) and Guam. Pacific Telecom states that its existing declaratory rulings authorized the indirect foreign ownership of its wholly-owned subsidiary, PTI Pacifica, Inc. (PTI Pacifica), with respect to cellular and common carrier earth station licenses in the CNMI and a PCS license covering the CNMI and Guam. See DA 03-3563 (rel. Nov. 6, 2003) and DA 06-2197 (rel. Oct. 27, 2006).

PTI Pacifica is a corporation domiciled in the CNMI. It is a wholly-owned subsidiary of The Micronesian Telecommunications Corporation (MTC), a CNMI corporation. MTC in turn is wholly owned by Pacific Telecom, also a CNMI corporation. Pacific Telecom is majority-owned (75%) by Prospector Investments Ltd., a company organized under the laws of the Cayman Islands, British West Indies. Prospector is owned by two related individuals, both of whom are citizens of the Republic of the Philippines: (1) Ricardo C. Delgado (60% equity and voting interest), and (2) Jose Ricardo Delgado (40% equity and voting interest). The remaining ownership interests in Pacific Telecom are held by: (1) Sumitomo Corporation, a company organized under the laws of Japan (20%), and (2) Sumitomo Corporation's U.S.-incorporated subsidiary, Sumitomo Corporation of America (5%).

Petitioner also requests that the Commission condition grant of this declaratory ruling and grant of the 700 MHz Band radio license on Pacific Telecom's compliance with the terms of the Agreement between MTC and Pacific Telecom, and the U.S. Department of Justice, Federal Bureau of Investigation, U.S. Department of Defense, and U.S. Department of Homeland Security dated October 6, 2003, pursuant to Section 7.2 of that Agreement.

Pursuant to the rules and policies established in the Foreign Participation Order, 12 FCC Rcd 23891 (1997), Order on Reconsideration, 15 FCC Rcd 18158 (2000), we find that the public interest would be served by granting the Petitioner's request. We therefore extend the existing foreign ownership ruling for Pacific Telecom to cover the subject 700 MHz license for the CNMI and Guam. In accordance with Petitioner's request, we condition grant of this declaratory ruling on Pacific Telecom's compliance with the terms of the Agreement between MTC and Pacific Telecom, and the U.S. Department of Justice, Federal Bureau of Investigation, U.S. Department of Defense, and U.S. Department of Homeland Security dated October 6, 2003, pursuant to Section 7.2 of that Agreement. That Agreement may be viewed on the FCC's website via (1) the International Bureau Electronic Filing System (IBFS) by searching for ISP-PDR-20071203-00017 and accessing the "Attachment Menu" from the Document Viewing Area; (2) the Wireless Telecommunications Bureau's Universal Licensing System (ULS) under File No. 0003381416 or (3) the FCC's Electronic Comment Filing System (ECFS) under IB Docket No. 03-115.

This authorization is without prejudice to the Commission's action in any other related pending proceedings.

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ISP-PDR-20080102-00008

P

Choice Holdings LLC

Petition for Declaratory Ruling

Grant of Authority

Date of Action: 05/28/2008

Choice Holdings LLC (Choice Holdings or "Petitioner") requests that the Commission extend its existing declaratory ruling under section 310(b)(4) of the Communications Act of 1934, as amended, 47 U.S.C. § 310(b)(4), to cover the 700 MHz Band licenses Choice Phone, LLC, its subsidiary, won in Auction No. 73. See ULS File No. 0003383916; DA 08-595 (rel. Mar. 20, 2008), amended by Erratum (rel. Mar. 26, 2008). Petitioner states that its earlier ruling authorized the indirect foreign ownership of its subsidiaries, Choice Phone - which holds Specialized Mobile Radio licenses - and Wave Runner - which holds broadband Personal Communications Service radio licenses. See DA 07-3402 (rel. July 26, 2007).

Choice Holdings, Choice Phone, and Wave Runner are limited liability companies organized under the laws of Guam. See ULS File No. 0003383916. According to the petition, Choice Holdings holds directly approximately 100 percent of the equity and voting interests in Choice Phone and Wave Runner. Richard C. Yu, a U.S. citizen, holds directly less than 1 percent of the equity and voting interests in each carrier. The direct equity and voting interests in Choice Holdings, in turn, are held as follows: (1) Ronnie S. Lim, a citizen of the Philippines, a World Trade Organization (WTO) Member country (25%), (2) Richard C. Yu, a U.S. citizen (28%), (3) Jeselyn T. Yu, a U.S. citizen (18%), and (4) Angelie C. Ong, a U.S. citizen (29%). According to the petition, Mr. Yu is the Managing Member of, and holds de facto control over, Choice Holdings, Choice Phone, and Wave Runner. The petition states that no other individual holds de facto control, and no change is expected to be made to the current control of the companies.

The petition also states that Mr. Lim will acquire an additional 10 percent direct equity and voting interest in Choice Holdings from Mr. Yu, thereby exceeding the 25 percent benchmark in section 310(b)(4) of the Act. Mr. Yu will continue to function as Managing Member of, and maintain de facto control over, Choice Holdings, Choice Phone, and Wave Runner. Choice Holdings also represents that it previously entered into an agreement with the Department of Justice, Department of Homeland Security, and the Federal Bureau of Investigation in connection with the proposed foreign ownership increase. See ISP-PDR-20050624-00008. Petitioner represents that this agreement remains in effect and that it intends to continue its compliance with the conditions established therein with respect to any newly acquired licenses.

Pursuant to section 310(b)(4) and the rules and policies established in the Foreign Participation Order, 12 FCC Rcd 23891 (1997), Order on Reconsideration, 15 FCC Rcd 18158 (2000), we find that the public interest would be served by granting the Petitioner's request. We therefore extend the existing foreign ownership ruling for Choice Holdings to cover the subject 700 MHz licenses that its subsidiary, Choice Phone, won in Auction No. 73.

This authorization is without prejudice to the Commission's action in any other related pending proceedings.

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ITC-214-20080408-00167

E

123 Distributors, Inc. d/b/a 123 Tech Direct

International Telecommunications Certificate

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

Grant of Authority

Date of Action: 05/22/2008

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-214-20080501-00202

E

Express Telecom

International Telecommunications Certificate

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

Grant of Authority

Date of Action: 05/23/2008

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-214-20080502-00203

E

Right Choice Calling Cards, 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: 05/23/2008

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-214-20080502-00204

E

Integrated Path Communications, LLC

International Telecommunications Certificate

**Service(s):** Global or Limited Global Resale Service

Grant of Authority

Date of Action: 05/23/2008

Application for authority to provide resale service in accordance with section 63.18(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(2).

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**ITC-214-20080502-00205** E Intek Tel 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: 05/23/2008

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-214-20080506-00207** E 8 Communications 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: 05/23/2008

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-214-20080508-00209** E Planet Direct, Inc.  
International Telecommunications Certificate  
**Service(s):** Global or Limited Global Resale Service  
Grant of Authority Date of Action: 05/23/2008

Application for authority to provide resale service in accordance with section 63.18(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(2).

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**ITC-214-20080508-00210** E VoiceRide, LLC  
International Telecommunications Certificate  
**Service(s):** Global or Limited Global Resale Service  
Grant of Authority Date of Action: 05/23/2008

Application for authority to provide resale service in accordance with section 63.18(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(2).

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**ITC-ASG-20080512-00217** E Bringcom Incorporated  
Assignment  
Grant of Authority Date of Action: 05/28/2008

**Current Licensee:** LCN International, LLC

**FROM:** LCN International, LLC

**TO:** Bringcom Incorporated

Notification filed May 12, 2008 of the pro forma assignment of international section 214 authorization, ITC-214-19980506-00298 (Old File No. ITC-98-344), held by LCN International, LLC (LCNI), to Bringcom Incorporated (Bringcom) effective May 1, 2008. Pursuant to a corporate reorganization, LCNI assigned its international section 214 authorization to Bringcom, its sole shareholder and corporate parent. LCNI continues to provide services under international section 214 authorization, ITC-214-19980506-00298 (Old File No. ITC-98-344), now held by Bringcom, pursuant to section 63.21(h) of the Commission's rules, 47 C.F.R. § 63.21(h).

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**ITC-T/C-20080422-00196** E Northstar License Corporation  
Transfer of Control  
Grant of Authority Date of Action: 05/23/2008

**Current Licensee:** Northstar License Corporation

**FROM:** Crest Communications Corporation

**TO:** Alaska Communications Systems Group, Inc.

Application for consent to transfer control of international section 214 authorization, ITC-214-20000330-00209, held by Northstar License Corporation (Northstar) from its indirect 100 percent parent corporation, Crest Communications Corporation (Crest), to Alaska Communications Systems Group, Inc. (ACS). Pursuant to the terms of a Stock Purchase Agreement, ACS will purchase all of the outstanding shares of Crest. Upon consummation, Crest and Northstar will become direct and indirect, wholly-owned subsidiaries of ACS, respectively. ACS is a publicly traded company in which no individual or entity has a 10 percent or greater direct or indirect equity or voting interest. This authorization is without prejudice to the Commission's action in any other related pending proceedings.

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**INFORMATIVE**

**ITC-214-19980506-00298**

Bringcom Incorporated

**INFORMATIVE**

By letter dated May 12, 2008, Bringcom Incorporated notified the Commission that effective May 1, 2008, its wholly-owned subsidiary LCN International, LLC is providing service under authority of the international section 214 authorization, ITC-214-19980506-00298 (Old File No. ITC-98-344), held by Bringcom, pursuant to section 63.21(h) of the Commission's rules, 47 C.F.R. § 63.21(h).

## 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

-- 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)(3) 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.