



PUBLIC NOTICE

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

News media information 202-418-0500
Internet: <http://www.fcc.gov> (or <ftp.fcc.gov>)
TTY (202) 418-2555

DA No. 11-2023

Report No. TEL-01533

Thursday December 15, 2011

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: 12/13/2011

Chrysaor S.a.r.l. (Chrysaor) and Astrium Holding S.A.S. (Astrium) have filed a petition for declaratory ruling (Petition) to allow indirect foreign ownership of Vizada, Inc. (Vizada) in excess of the 25 percent benchmark in section 310(b)(4) of the Communications Act of 1934, as amended (the Act), 47 U.S.C. § 310(b)(4). Chrysaor and Astrium filed the petition in connection with their applications for consent to transfer control of Vizada, a common carrier earth station licensee, from the current shareholders of Chrysaor to Astrium. See Public Notice, IB Docket No. 11-143, DA 11-1488, 26 FCC Rcd 12645 (IB/WTB/OET 2011).

Pursuant to a Share Purchase Agreement dated July 30, 2011, Astrium will acquire from Chrysaor and two minority owners all of the outstanding shares of capital stock of MobSat Group Holdings S.a.r.l., a Luxembourg limited liability company (MGH). MGH indirectly wholly owns Vizada's 100 percent parent, Mobsat Holding US Corp, through three foreign-organized holding companies. Both Vizada and MobSat Holdings US Corp are organized in Delaware.

Astrium, a French corporation, is a wholly-owned subsidiary of EADS Astrium N.V. (EADS Astrium), a Dutch corporation. EADS Astrium is wholly owned by European Aeronautic Defence and Space Company EADS N.V. (EADS), a Dutch corporation with shares that trade publicly on the Paris and Frankfurt stock exchanges and on exchanges in Madrid, Bilbao, Barcelona and Valencia, Spain. Three of EADS' shareholders have pledged the voting rights associated with their shares to a contractual partnership that is managed by EADS Participations B.V. (EADS Participations), a Dutch private company. The pooled shares amount to a controlling 50.38% voting interest in EADS. The shareholders that have pledged their voting rights to EADS Participations are as follows:

(1) Société de Gestion de L'Aeronautique, de la Défense et de l'Espace (SOGEADE), a French limited partnership, holds approximately 22.36% equity interest in EADS. SOGEADE is 66.67% owned by Société de Gestion de Participations Aeronautiques (SOGEPA), a French state holding company that is wholly owned by the French Government, and 33.33% owned by Désirade, a French corporation which is wholly owned by Lagardère SCA (Lagardère), a French publicly traded company. Through their indirect interests in SOGEADE, the French Government and Lagardère hold indirectly approximately 14.91% and 7.45% of the equity interests in EADS, respectively. These capital stock interests represent approximately 22.45% of the voting interests in EADS. (The French Government also holds for investment purposes only a direct interest in EADS of approximately 0.06%.) The general partner and manager of SOGEADE is SOGEADE Gérance, a French partnership, the share capital of which is split equally between SOGEPA and Lagardère. The SOGEADE Gérance Board of Directors is also split equally between SOGEPA and Lagardère. The SOGEADE Gérance Board acts by simple majority vote, except with respect to four matters which may be blocked by board members appointed indirectly by the French Government.

(2) Daimler Aerospace GmbH & Co. KG (DASA), a German corporation, holds approximately 22.36% of the equity interests in EADS. DASA is 66.67% owned by Daimler Luft-und Raumfahrt Holding AG (DLRH), a German corporation that is 99.9% owned by Daimler AG (Daimler), a German publicly traded company. DASA is 33.33% owned by a consortium of private and public-sector investors. Through its indirect equity interest in DASA, Daimler holds approximately 14.90% of the equity interests in EADS, and the consortium of private and public-sector investors holds, through DASA, approximately 7.45% of the equity interests. Under an agreement with the consortium investors, Daimler controls the voting rights associated with the entire 22.46% of EADS' capital stock held by DASA. This amount represents approximately 22.45% of the voting interests in EADS.

(3) Sociedad Estatal de Participaciones Industriales (SEPI), a Spanish entity that is controlled by the Spanish Government, holds approximately 5.44% of the equity interests in EADS, representing approximately 5.48% of the voting interest.

The 50.38% aggregate voting interest held in EADS by SOGEADE, DASA, and SEPI is voted exclusively by EADS Participations. All decisions of the seven-member EADS Participations Board of Directors require unanimous approval of the directors nominated by SOGEADE and DASA such that neither SOGEADE nor Daimler alone can control the affairs of EADS Participations.

The seven members of the EADS Participations Board of Directors also serve as members of the EADS Board of Directors, which consists of a maximum of eleven members. The four remaining directors of EADS are independent directors jointly proposed by SOGEADE and Daimler. Generally, the EADS Board of Directors acts by simple majority vote except with respect to four specific matters over which the French Government has veto power within EADS Participations. Because EADS Participations holds a controlling interest in EADS, the French Government also has veto power over these same four matters within EADS. See Petition, Att. 2 at 5-7.

Astrium has submitted information to demonstrate that all of the above-named foreign entities that hold interests in EADS subject to the pooling arrangement, including the DASA consortium investors, have their principal places of business in WTO Member countries. Astrium has also submitted information to demonstrate that the vast majority of EADS' shares not subject to the pooling arrangement are held by institutional investors and individuals from the United States and other WTO Member countries. Astrium states that, to its knowledge, the only non-WTO Member entity that holds a significant interest in EADS is the Bank for Development and Foreign Economic Affairs, a Russian state-owned entity that is reported to hold 5.04% of the share capital of EADS. Based on this information, Astrium concludes that more than 75% of EADS' stock is owned by entities or individuals from WTO Member countries and, thus, that Astrium is entitled to a rebuttable presumption that its proposed acquisition of Vizada would not pose a risk to competition in the U.S. market.

Pursuant to the rules and policies established in the Commission's Foreign Participation Order, 12 FCC Rcd 23891 (1997), Order on Reconsideration, 15 FCC Rcd 18158 (2000), we find that the proposed indirect foreign ownership of Vizada in excess of the 25 percent benchmark in section 310(b)(4) is consistent with the public interest. Specifically, this ruling permits Vizada to be owned indirectly, through its controlling U.S. parent, by: (1) MobSat Holding Norway AS, MobSat Holding 1 BV, MobSat Holding 2 BV, MGH, Astrium, EADS Astrium, and by EADS and its shareholders (individually and collectively, up to and including 100% of the equity and voting interests); (2) EADS Participations and SOGEADE Gérance (individually, up to and including 50.38% of the voting interests); (3) SOGEADE (individually, up to and including 22.36% of the equity and 50.38% of the voting interests); (4) SOGEPA and the Government of France (individually, up to and including 14.91% of the equity and 50.38% of the voting interests); (5) Désirade and Lagardère (individually, up to and including 7.45% of the equity and 50.38% of the voting interests); (6) DASA (individually, up to and including 22.36% of the equity and 50.38% of the voting interests); (7) DLRH and Daimler (individually, up to and including 14.91% of the equity and 50.38% of the voting interests); (8) the private and public sector consortium investors identified in the record (collectively up to and including 7.45% of the equity interests); and (9) SEPI and the

Transfer of Control

Grant of Authority

Date of Action: 12/13/2011

Current Licensee: Marlink, Inc.**FROM:** Chrysaor S.a.r.l.**TO:** Astrium Holding S.A.S.

Application for consent to transfer control of the international section 214 authorization, ITC-214-20010529-00341, held by Marlink, Inc. (Marlink) from Chrysaor S.a.r.l. (Chrysaor) to Astrium Holding S.A.S. (Astrium). Pursuant to a Share Purchase Agreement dated July 30, 2011, Astrium will acquire from Chrysaor and two minority owners all of the outstanding shares of capital stock of MobSat Group Holdings S.a.r.l.(MGH). MGH indirectly wholly owns Vizada's 100% parent, Mobsat Holding US Corp, through three foreign-organized holding companies.

Astrium, a French corporation, is a wholly-owned subsidiary of EADS Astrium N.V. (EADS Astrium), a Dutch corporation. EADS Astrium is wholly owned by European Aeronautic Defence and Space Company EADS N.V. (EADS), a Dutch corporation. Three of EADS' shareholders have pledged the voting rights associated with their shares to a contractual partnership that is managed by EADS Participations B.V. (EADS Participations), a Dutch private company. The pooled shares amount to a controlling 50.38% voting interest in EADS. The shareholders that have pledged their voting rights to EADS Participations are as follows:

(1) Société de Gestion de L'Aeronautique, de la Défense et de l'Espace (SOGEADE), a French limited partnership, holds approximately 22.36% equity interest in EADS. SOGEADE is 66.67% owned by Société de Gestion de Participations Aeronautiques (SOGEPA), a French state holding company that is wholly owned by the French Government, and 33.33% owned by Dèsirade, a French corporation which is wholly owned by Lagardère SCA (Lagardère), a French publicly traded company. Through their indirect interests in SOGEADE, the French Government and Lagardère hold indirectly approximately 14.91% and 7.45% of the equity interests in EADS, respectively. These capital stock interests represent approximately 22.45% of the voting interests in EADS. (The French Government also holds for investment purposes only a direct interest in EADS of approximately 0.06%.) The general partner and manager of SOGEADE is SOGEADE Gérance, a French partnership, the share capital of which is split equally between SOGEPA and Lagardère. The SOGEADE Gérance Board of Directors is also split equally between SOGEPA and Lagardère. The SOGEADE Gérance Board acts by simple majority vote, except with respect to four matters which may be blocked by board members appointed indirectly by the French Government.

(2) Daimler Aerospace GmbH & Co. KG (DASA), a German corporation, holds approximately 22.36% of the equity interests in EADS. DASA is 66.67% owned by Daimler Luft-und Raumfahrt Holding AG (DLRH), a German corporation that is 99.9% owned by Daimler AG (Daimler), a German publicly traded company. DASA is 33.33% owned by a consortium of private and public-sector investors. Through its indirect equity interest in DASA, Daimler holds approximately 14.90% of the equity interests in EADS, and the consortium of private and public-sector investors holds, through DASA, approximately 7.45% of the equity interests. Under an agreement with the consortium investors, Daimler controls the voting rights associated with the entire 22.46% of EADS' capital stock held by DASA. This amount represents approximately 22.45% of the voting interests in EADS.

(3) Sociedad Estatal de Participaciones Industriales (SEPI), a Spanish entity that is controlled by the Spanish Government, holds approximately 5.44% of the equity interests in EADS, representing approximately 5.48% of the voting interest.

The 50.38% aggregate voting interest held in EADS by SOGEADE, DASA, and SEPI is voted exclusively by EADS Participations. All decisions of the seven-member EADS Participations Board of Directors require unanimous approval of the directors nominated by SOGEADE and DASA such that neither SOGEADE nor Daimler alone can control the affairs of EADS Participations.

The seven members of the EADS Participations Board of Directors also serve as members of the EADS Board of Directors, which consists of a maximum of eleven members. The four remaining directors of EADS are independent directors jointly proposed by SOGEADE and Daimler. Generally, the EADS Board of Directors acts by simple majority vote except with respect to four specific matters over which the French Government has veto power within EADS Participations. Because EADS Participations holds a controlling interest in EADS, the French Government also has veto power over these same four matters within EADS.

We grant the Petition to Adopt Conditions to Authorizations and Licenses filed in this proceeding on December 13, 2011, by the Department of Justice, including the Federal Bureau of Investigation, and the Department of Homeland Security. Accordingly, we condition grant of this application on Astrium Holding S.A.S., European Aeronautic Defence and Space Company EADS N.V., and the entities collectively referred to as "Vizada" (i.e., Mobsat Holding Norway AS, Mobsat Holding US Corp., Vizada, Inc., Marlink, Inc., Vizada Federal Services, Inc., Vizada AS, Vizada Services Holding, Inc., and Vizada Services LLC) abiding by the commitments and undertakings contained in Amendment No. 3 to the November 29, 2001 Agreement between Telenor Satellite Services Holdings, Inc., Telenor Satellite, Inc., Telenor Satellite Services, Inc., and Telenor Broadband Services and DOJ and the FBI, as amended by Amendment No. 1 in March 2007 and Amendment No. 2 in October 2008. A copy of the Petition, the Agreement and the Amendments to the Agreement are publicly available and may be viewed on the FCC web-site through the International Bureau Filing System (IBFS) by searching for ITC-T/C-20110818-00265 and accessing "Other filings related to this application" from the Document Viewing area.

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

Transfer of Control

Grant of Authority

Date of Action: 12/13/2011

Current Licensee: VIZADA, INC.**FROM:** Chrysaor S.a.r.l.**TO:** Astrium Holding S.A.S.

Application for consent to transfer control of the international section 214 authorization, ITC-214-20061213-00558, held by Vizada, Inc. (Vizada), from Chrysaor S.a.r.l. (Chrysaor) to Astrium Holding S.A.S. (Astrium). Pursuant to a Share Purchase Agreement dated July 30, 2011, Astrium will acquire from Chrysaor and two minority owners all of the outstanding shares of capital stock of MobSat Group Holdings S.a.r.l.(MGH). MGH indirectly wholly owns Vizada's 100% parent, Mobsat Holding US Corp, through three foreign-organized holding companies.

Astrium, a French corporation, is a wholly-owned subsidiary of EADS Astrium N.V. (EADS Astrium), a Dutch corporation. EADS Astrium is wholly owned by European Aeronautic Defence and Space Company EADS N.V. (EADS), a Dutch corporation. Three of EADS' shareholders have pledged the voting rights associated with their shares to a contractual partnership that is managed by EADS Participations B.V. (EADS Participations), a Dutch private company. The pooled shares amount to a controlling 50.38% voting interest in EADS. The shareholders that have pledged their voting rights to EADS Participations are as follows:

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(2) Daimler Aerospace GmbH & Co. KG (DASA), a German corporation, holds approximately 22.36% of the equity interests in EADS. DASA is 66.67% owned by Daimler Luft-und Raumfahrt Holding AG (DLRH), a German corporation that is 99.9% owned by Daimler AG (Daimler), a German publicly traded company. DASA is 33.33% owned by a consortium of private and public-sector investors. Through its indirect equity interest in DASA, Daimler holds approximately 14.90% of the equity interests in EADS, and the consortium of private and public-sector investors holds, through DASA, approximately 7.45% of the equity interests. Under an agreement with the consortium investors, Daimler controls the voting rights associated with the entire 22.46% of EADS' capital stock held by DASA. This amount represents approximately 22.45% of the voting interests in EADS.

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The seven members of the EADS Participations Board of Directors also serve as members of the EADS Board of Directors, which consists of a maximum of eleven members. The four remaining directors of EADS are independent directors jointly proposed by SOGEADE and Daimler. Generally, the EADS Board of Directors acts by simple majority vote except with respect to four specific matters over which the French Government has veto power within EADS Participations. Because EADS Participations holds a controlling interest in EADS, the French Government also has veto power over these same four matters within EADS.

We grant the Petition to Adopt Conditions to Authorizations and Licenses filed in this proceeding on December 13, 2011, by the Department of Justice, including the Federal Bureau of Investigation, and the Department of Homeland Security. Accordingly, we condition grant of this application on Astrium Holding S.A.S., European Aeronautic Defence and Space Company EADS N.V., and the entities collectively referred to as "Vizada" (i.e., Mobsat Holding Norway AS, Mobsat Holding US Corp., Vizada, Inc., Marlink, Inc., Vizada Federal Services, Inc., Vizada AS, Vizada Services Holding, Inc., and Vizada Services LLC) abiding by the commitments and undertakings contained in Amendment No. 3 to the November 29, 2001 Agreement between Telenor Satellite Services Holdings, Inc., Telenor Satellite, Inc., Telenor Satellite Services, Inc., and Telenor Broadband Services and DOJ and the FBI, as amended by Amendment No. 1 in March 2007 and Amendment No. 2 in October 2008. A copy of the Petition, the Agreement and the Amendments to the Agreement are publicly available and may be viewed on the FCC web-site through the International Bureau Filing System (IBFS) by searching for ITC-T/C-20110818-00266 and accessing "Other filings related to this application" from the Document Viewing area.

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

Transfer of Control

Grant of Authority

Date of Action: 12/09/2011

Current Licensee: Magellan Hill Technologies, LLC

FROM: Magellan Technologies, Inc.

TO: Line Systems, Inc.

Application filed for consent to the transfer of control of international section 214 authorization, ITC-214-20060228-00127, held by Magellan Hill Technologies, LLC (Magellan), from its parent, Magellan Technologies, Inc. (Magellan Parent), to Line Systems, Inc. (Line Systems). Pursuant to the terms of a November 4, 2011 Purchase agreement, Line Systems will acquire all interests in Magellan from Magellan Parent, and upon closing Magellan will become a wholly-owned direct subsidiary of Line Systems. Line Systems is owned equally by the following four individuals, all U.S. citizens, and officers of Line Systems: Kevin McGeary, vice-president (25%); Mike Miller, president (25%); Ray Fireman, secretary (25%); Barry Fireman, treasurer (25%).

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

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.

(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.

(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.