



# PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION  
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WASHINGTON D.C. 20554

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DA No. 12-1515

Report No. TEL-01578

Thursday September 20, 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-214-20111214-00376 E Electrosoft Services Inc.

International Telecommunications Certificate

Service(s): Global or Limited Global Resale Service

Grant of Authority

Date of Action: 09/06/2012

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).

We grant the Petition to Adopt Conditions to Authorizations and Licenses filed in the proceeding on September 6, 2012, by the Department of Justice (DOJ) and the Department of Homeland Security. Accordingly, we condition grant of this application on Electrosoft Services Inc. abiding by the commitments and undertakings set forth in the August 23, 2012 letter of Assurance (LOA) from the President of Electrosoft Services Inc. 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 Filing System (IBFS) by searching for ITC-214-20111214-00376 and accessing the "Other Filings related to this application" from the Document Viewing Area.

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**ITC-214-20120228-00061** E Bright Packet, Inc.  
International Telecommunications Certificate  
**Service(s):** Global or Limited Global Resale Service  
Grant of Authority Date of Action: 09/06/2012

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).

We grant the Petition to Adopt Conditions to Authorizations and Licenses filed in the proceeding on September 6, 2012, by the Department of Justice (DOJ) and the Department of Homeland Security. Accordingly, we condition grant of this application on Bright Packet, Inc. abiding by the commitments and undertakings set forth in the September 5, 2012 letter of Assurance (LOA) from the CEO of Bright Packet, Inc. 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 Filing System (IBFS) by searching for ITC-214-20120228-00061 and accessing the "Other Filings related to this application" from the Document Viewing Area.

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**ITC-214-20120504-00119** E Global Reach Communications, Inc.  
International Telecommunications Certificate  
**Service(s):** Global or Limited Global Resale Service  
Grant of Authority Date of Action: 09/13/2012

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-214-20120711-00178** E Talk Plus Inc. d/b/a Habla Mas  
International Telecommunications Certificate  
**Service(s):** Global or Limited Global Facilities-Based Service, Global or Limited Global Resale Service  
Grant of Authority Date of Action: 09/14/2012

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-214-20120817-00212** E ALLIANCE 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: 09/14/2012

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-214-20120821-00210** E Net Voip Communications Inc  
International Telecommunications Certificate  
**Service(s):** Global or Limited Global Resale Service  
Grant of Authority Date of Action: 09/14/2012

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-214-20120827-00213** E Crosstel Tandem, Inc.  
International Telecommunications Certificate  
**Service(s):** Global or Limited Global Resale Service  
Grant of Authority Date of Action: 09/14/2012

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-20120911-00223** E EarthLink Business, LLC  
Assignment  
Grant of Authority Date of Action: 09/19/2012

**Current Licensee:** New Edge Network, Inc.

**FROM:** New Edge Network, Inc.

**TO:** EarthLink Business, LLC

Notification filed September 11, 2012, of the pro forma assignment of international section 214 authorization, ITC-214-20020514-00229, held by New Edge Network, Inc. (New Edge) to EarthLink Business, LLC, effective August 27, 2012. New Edge converted from a Delaware corporation to a Delaware limited liability company and changed its name to EarthLink Business, LLC.

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**ITC-MOD-20120718-00192** P StarHub, Inc.  
Modification  
Grant of Authority Date of Action: 09/13/2012

StarHub, Inc. (StarHub), which holds international section 214 authorizations, ITC-214-20000731-00473 and ITC-214-20000731-00474, requests that the Commission reclassify StarHub as a non-dominant carrier on the U.S.-Ireland route, pursuant to section 63.13 of the Commission's rules, 47 C.F.R. § 63.13.

StarHub is classified as a dominant carrier on the U.S.-Ireland route, pursuant to section 63.10, 47 C.F.R. § 63.10, because Singapore Technologies Telemedia Pte Ltd (ST Telemedia), the indirect shareholder of StarHub, acquired control of eircom, a foreign carrier presumed to have market power on the foreign-end of the U.S.-Ireland route. StarHub states that effective June 11, 2012, ST Telemedia no longer owns or controls eircom. StarHub states that it therefore is no longer affiliated with eircom. Consequently Starhub submits that it should be reclassified as a non-dominant carrier on the U.S-Ireland route.

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**ITC-T/C-20120815-00211** E USCarrier Telecom LLC  
Transfer of Control  
Grant of Authority Date of Action: 09/14/2012

**Current Licensee:** USCarrier Telecom LLC  
**FROM:** USCarrier Telecom Holdings, LLC  
**TO:** American Fiber Systems, Inc.

Application filed for consent to the transfer of control of international section 214 authorization, ITC-214-19980224-00140 (ITC-98-170), held by USCarrier Telecom, LLC (USC Telecom), from USCarrier Telecom Holdings, LLC (USC Holdings) to American Fiber Systems, Inc. (AFS). USC Holdings, which has a majority ownership of USC Telecom, is currently owned by 17 independent local exchange companies or affiliates of local exchange companies (Sellers) and AFS. Sellers and AFS own approximately 45 percent and 55 percent of the membership units of USC Holdings, respectively. Applicants state that, while AFS owns approximately 55 percent of the membership units of USC Holdings, AFS does not have actual control of USC Holdings, or indirect control of USC Telecom. Pursuant to the terms of a Unit Purchase Agreement, AFS will acquire all of the outstanding membership units in USC Holdings held by Sellers. As a result, USC Holdings will become a wholly-owned direct subsidiary of AFS, and USC Telecom will become an indirectly owned subsidiary of AFS.

AFS is a wholly-owned subsidiary of Zayo Group, LLC, which is a wholly-owned subsidiary of Zayo Group Holdings, Inc. (Zayo Holdings), which in turn, is a wholly-owned subsidiary of Communications Infrastructure Investments, LLC (CII). The following five partnerships each hold a greater than ten percent interest in CII: (1) Oak Investment Partners XII, Limited Partnership (OIP XII LP) (15.06%) (General partner Oak Associates XII, LLC. Managing members of Oak Associates XII, LLC are Bandel L. Carano, Edward F. Glassmeyer, Ann H. Lamont, and Fredric W. Harman); (2) M/C Venture Partners VI, L.P. (13.24%) (General partner M/C VP VI, L.P. The general partner of M/C VP VI, L.P. is M/C Venture Partners, LLC. The managing members of M/C Venture Partners, LLC are James F. Wade, David D. Croll, Matthew J. Rubins, John W. Watkins, and John Van Hooser); (3) Columbia Capital Equity Partners IV (QP), L.P. (12.07%) (Columbia Capital IV, LLC is the general partner of Columbia Capital Equity Partners IV, L.P., which is the general partner of Columbia Capital Equity Partners IV (QP), L.P. The managing members of Columbia Capital IV, LLC are James B. Fleming, Jr., R. Philip Herget, III, and Harry F. Hopper III); (4) Charlesbank Equity Fund VI, Limited Partnership (11.22%) (Charlesbank Equity Fund VI GP, Limited Partnership is the general partner of Charlesbank Equity Fund VI, Limited Partnership. Charlesbank Capital Partners, LLC is the general partner of Charlesbank Equity Fund VI GP, Limited Partnership. The managing members and owners of Charlesbank Capital Partners, LLC are Michael Eisenson, Tim Palmer, Kim Davis, Mark Rosen, Michael Choe, Brandon White, Jon Biotti, Andrew Janower, and Michael Thonis); and (5) GTCR Fund X/A LP (11.08%) (GTCR Partners X/A&C LP is the general partner of GTCR Fund X/A LP. GTCR Investment X LLC is the general partner of GTCR Partners X/A&C LP. The members of the board of managers of GTCR Investment X LLC are Mark M. Anderson, Craig A Bondy, Philip A. Canfield, David A Donnini, David S. Katz, Constantine S. Mihas, Collin E. Roche, Sean L. Cunningham, and Aaron D. Cohen). No other person or entity has a ten percent or greater direct or indirect equity or voting interest in Zayo Group, LLC or AFS.

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

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**ITC-T/C-20120821-00204** E IntelPeer, Inc.  
Transfer of Control  
Grant of Authority Date of Action: 09/19/2012

**Current Licensee:** IntelPeer, Inc.  
**FROM:** IntelPeer, Inc.  
**TO:** IntelPeer Holdings, Inc.

Notification filed August 21, 2012, of the pro forma transfer of control of international section 214 authorization, ITC-214-20030529-00263, held by IntelPeer, Inc. (IntelPeer), to IntelPeer Holdings, Inc. (IntelPeer Holdings), a new holding company that was inserted into the IntelPeer corporate structure, effective July 23, 2012. Upon closing, IntelPeer Holdings became a direct and immediate 100 percent owner in IntelPeer's corporate chain, and the ultimate ownership and control of IntelPeer did not change.

**Dismissal**

**ITC-214-20110415-00105** Carrier Termination Inc.

**Dismissal**

Application hereby dismissed by Chief, Policy Division, International Bureau on September 19, 2012, pursuant to sections 1.748(a) and 63.51(b) of the Commission's rules, 47 CFR 1.748(a), 63.51(b), for failure to respond to the Commission's request for information. This dismissal is without prejudice to re-filing the application in accordance with the Commission's rules.

**ITC-214-20120304-00065**

KARYON GLOBAL CORPORATION

Application hereby dismissed by Chief, Policy Division, International Bureau on September 19, 2012, pursuant to sections 1.748(a) and 63.51(b) of the Commission's rules, 47 CFR 1.748(a), 63.51(b), for failure to respond to the Commission's request for information. This dismissal is without prejudice to re-filing the application in accordance with the Commission's rules.

**INFORMATIVE**

**ITC-214-19930727-00132**

Interstate FiberNet, Inc. d/b/a EarthLink Carrier

By letter dated May 18, 2012, the Commission was notified that Interstate FiberNet, Inc. is doing business as EarthLink Carrier.

**ITC-214-19940705-00204**

EarthLink Business, LLC

By letter dated May 18, 2012, the Commission was notified that DeltaCom, Inc. is doing business as EarthLink Business LLC.

**ITC-214-19950630-00042**

EarthLink Business, LLC

By letter dated May 18, 2012, the Commission was notified that Business Telecom, Inc. is doing business as EarthLink Business LLC. See also file numbers ITC-214-19950515-00043 and ITC-214-19880422-00005.

**ITC-214-20020514-00229**

EarthLink Business, LLC

By letter dated May 18, 2012, the Commission was notified that New Edge Network, Inc. is doing business as EarthLink Business LLC.

**ITC-214-20040708-00260**

EarthLink Business, LLC

By letter dated May 18, 2012, the Commission was notified that One Communications Corp. is doing business as EarthLink Business LLC.

**ITC-214-20050325-00139**

EarthLink Business, LLC

By letter dated May 18, 2012, the Commission was notified that STS Telecom, LLC is doing business as EarthLink Business LLC.

**ITC-214-20070427-00165**

EarthLink Business, LLC

By letter dated May 18, 2012, the Commission was notified that Saturn Telecommunication Services, Inc. is doing business as EarthLink Business LLC.

**SURRENDER**

**ITC-214-20091007-00437**

Avantel Communications, Inc.

By letter filed September 6, 2012, Applicant notified the Commission of the Surrender of its international section 214 authorization.

**ITC-214-20100510-00181**

Bocamex Corp.

By letter filed August 31, 2012, Applicant notified the Commission of the Surrender of its international section 214 authorization.

**ITC-214-20120801-00195**

Payfone Inc.

By letter filed September 6, 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.