



# PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION  
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WASHINGTON D.C. 20554

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**Report No. TEL-01733**

**DA No. 15-585**  
**Thursday May 14, 2015**

## **International Authorizations Granted**

### **Section 214 Applications (47 C.F.R. § 63.18); Section 310(b) 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 foreign ownership benchmark applicable to common carrier radio licensees under 47 U.S.C. § 310(b).

**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)).

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: 05/13/2015

ISAT US Inc. (ISAT or "Petitioner") has filed a petition for declaratory ruling ("Petition"), pursuant to section 310(b)(4) of the Communications Act of 1934, as amended, 47 U.S.C. § 310(b)(4), in connection with a proposed pro forma reorganization that would introduce two new intermediate holding companies domiciled in the United Kingdom (U.K.) into its vertical chain of ownership. To effectuate this reorganization, ISAT has also filed an application seeking Commission consent to the pro forma transfer of control of ISAT's common carrier blanket mobile earth terminal license (E090032). See IBFS File No. SES-T/C-20150407-00204.

ISAT, a Delaware corporation, is currently a wholly-owned, direct subsidiary of U.S.-organized Inmarsat US Holdings, Inc. (IUSHI). IUSHI is a wholly-owned, direct subsidiary of U.K.-organized Inmarsat Services, Ltd., which is, in turn, a wholly-owned, direct subsidiary of U.K.-organized Inmarsat Ventures Ltd. Inmarsat Ventures Ltd. is ultimately wholly owned, through three U.K.-organized holding companies, by Inmarsat plc, a widely-held public company organized in the United Kingdom. The Petition states that the Commission previously approved ISAT's foreign ownership chain in 2010 under IBFS File No. ISP-PDR-20100107-00006. See Public Notice, International Authorizations Granted, DA 10-1417, 25 FCC Rcd 10332, 10338 (Int'l Bur. 2010) (2010 Public Notice).

As proposed, control of ISAT would be transferred into the previously-approved ownership chain of its affiliates, Inmarsat Solutions (US), Inc. (ISUS) and Inmarsat Mobile Networks, Inc. (IMN), and at the same level as ISUS and IMN. As a result, ISAT will have a different direct, U.S. intermediary holding corporation parent, Inmarsat Group Holdings, Inc. (IGHI), and two additional U.K.-organized, intermediary parent companies for which ISAT did not previously receive foreign ownership authorization; specifically, Inmarsat Solutions Ltd. (f/k/a CIP UK Holdings Limited) and Inmarsat Finance III Limited, which directly and indirectly wholly own IGHl. The Petitioner states that the Commission previously approved the foreign ownership chain of ISUS (and IMN) in a declaratory ruling issued to ISUS (f/k/a Stratos Communications, Inc.) in 2010 under IBFS File No. ISP-PDR-20100628-00014. See 2010 Public Notice, 25 FCC Rcd at 10334.

Pursuant to section 310(b)(4) of the Act and the Commission's rules and policies applicable to foreign ownership of common carrier licensees and spectrum lessees, we find that the public interest would be served by granting ISAT's Petition. Specifically, we extend ISAT's existing foreign ownership ruling, issued in the 2010 Public Notice, 25 FCC Rcd at 10338, to include approval of the 100 percent ownership interests that would be acquired in ISAT's controlling U.S.-organized parent company by Inmarsat Solutions Ltd. (f/k/a CIP UK Holdings Limited) and Inmarsat Finance III Limited as part of the pro forma transaction described in the Petition. See Foreign Ownership Second Report and Order, FCC 13-50, 28 FCC Rcd 5741, 5812 (2013) (codifying foreign ownership rules applicable to common carrier licensees and spectrum lessees, 47 C.F.R. §§1.990-1.994, but stating that the foreign ownership policies adopted in the 1997 Foreign Participation Order, 12 FCC Rcd 23891, would continue to apply to licensees that received a ruling prior to the effective date of the Second Report and Order, until the licensee sought and obtained a new ruling under the new rules).

Grant of this declaratory ruling is conditioned upon Inmarsat plc's continued compliance with the Network Security Agreement (Agreement) between Inmarsat plc, on the one hand, and the U.S. Department of Justice and the U.S. Department of Homeland Security, on the other, dated September 23, 2008. A copy of the Agreement is appended to the Memorandum Opinion and Order and Declaratory Ruling in IB Docket No. 08-143, Robert M. Franklin, Transferor, and Inmarsat, plc, Transferee, DA 09-117, 24 FCC Rcd 449, Appendix B (Int'l Bur. 2009).

Grant of this declaratory ruling is without prejudice to Commission action in any other related proceedings.

International Telecommunications Certificate

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

Grant of Authority

Date of Action: 05/13/2015

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).

We grant the Petition to Adopt Conditions to Authorizations and Licenses filed in this proceeding on May 13, 2015, by the Federal Bureau of Investigation (FBI), a component of the Department of Justice. Accordingly, we condition grant of this international section 214 authorization on compliance by Vista Latina Technologies, LLC, with the commitments and undertakings set forth in the April 12, 2015 letter from Carlos Tilac, Manager, Vista Latina Technologies, LLC, to the Unit Chief, Science and Technology Policy and Law Unit, FBI (Letter). A failure to comply and/or remain in compliance with any of these commitments and undertakings shall constitute a failure to meet a condition of the authorization and thus grounds for declaring the authorization terminated without further action on the part of the Commission. Failure to meet a condition of the authorization may also result in monetary sanctions or other enforcement action by the Commission. The Petition and the Letter may be viewed on the FCC's website through the International Bureau Filing System (IBFS) by searching for ITC-214-20140616-00181 and accessing the "Other Filings related to this application" from the Document Viewing Area.

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## 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 at the end of 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://transition.fcc.gov/ib/pd/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.

(4) 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).

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

(6) 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.

(7) Carriers shall file the annual traffic and revenue reports required by Section 43.62(b). See <http://www.fcc.gov/encyclopedia/international-traffic-and-revenue-report>.

(8) Carriers shall file annual circuit capacity reports required by Section 43.62(a). See <http://www.fcc.gov/encyclopedia/circuit-capacity-report>.

(9) Carriers should consult Section 63.19 of the rules when contemplating a discontinuance, reduction or impairment of service.

(10) 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.

(11) 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.

(12) 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.

(13) Carriers shall comply with the Communications Assistance for Law Enforcement Act (CALEA), see 47 C.F.R. §§ 1.20000 et seq.

(14) Every carrier must designate an agent for service in the District of Columbia. See 47 U.S.C. § 413, 47 C.F.R. §§ 1.47(h), 64.1195.

#### 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). 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:

Any non-U.S.-licensed space station that has not received Commission approval to operate in the U.S. market pursuant to the procedures adopted in the Commission's DISCO II Order, IB Docket No. 96-111, Report and Order, FCC 97-399, 12 FCC Rcd 24094, 24107-72 paragraphs 30-182 (1997) (DISCO II Order). Information regarding non-U.S.-licensed space stations approved to operate in the U.S. market pursuant to the Commission's DISCO II procedures is maintained at [http://transition.fcc.gov/bureaus/ib/sd/se/market\\_access.html](http://transition.fcc.gov/bureaus/ib/sd/se/market_access.html).

This list is subject to change by the Commission when the public interest requires. The most current version of the list is maintained at <http://transition.fcc.gov/ib/pd/pf/exclusionlist.html>.

For additional information, contact the International Bureau's Policy Division, (202) 418-1460.