



# PUBLIC NOTICE

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

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DA No. 16-1222

Report No. TEL-01819

Thursday October 27, 2016

## 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 47 CFR § 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: 09/30/2016

Telecom North America, Inc. (TNA) and its wholly-owned subsidiary, Telecom North America Mobile, Inc. (TNA-Mobile) (collectively, Petitioners), request that the Commission approve an increase in ownership of TNA by Knowroaming, Ltd. (KRL), a Canadian corporation, from the currently authorized controlling 50 percent stake to 100 percent pursuant to section 310(b)(4) of the Communications Act of 1934, as amended (the Act), 47 U.S.C. § 310(b)(4), and section 1.990(a)(1) of the Commission's rules, 47 CFR § 1.990(a)(1). Petitioners filed the instant petition in connection with their application for consent to the pro forma transfer of control that occurred on April 28, 2015, when KRL increased its controlling ownership stake in TNA to 75 percent, without prior Commission approval. (ULS File Nos. 0006786558, 0006869900, and 0006869973).

TNA-Mobile and TNA are both organized in Nevada. TNA-Mobile holds a Personal Communications Service (PCS) license covering Cedar County, Missouri, and several common carrier spectrum manager lease authorizations for PCS and cellular spectrum in areas of Arizona and Nevada.

Petitioners note that the Commission has previously approved foreign ownership of TNA-Mobile in excess of the 25 percent benchmark in section 310(b)(4). Most recently, the Commission in 2014 approved foreign ownership of TNA by KRL up to and including a 50 percent (negative) controlling interest. See International Authorizations Granted, Public Notice, DA 14-1725, 29 FCC Rcd 14433 (IB 2014) (2014 Ruling) (also permitting the foreign individuals and entities named in the ruling to hold equity and/or voting interests in TNA up to and including the amounts specified in the ruling, subject to TNA's compliance with the commitments and undertakings contained in its November 13, 2014 letter to the U.S. Department of Justice).

Petitioners also note that the Commission had previously approved, in 2011, the foreign ownership of TNA by Mr. Johannes (Jean) Gottschalk, a German citizen and permanent U.S. resident, and Mr. Herve R. Andrieu, a French citizen and permanent U.S. resident. See International Authorizations Granted, Public Notice, DA 11-259, 26 FCC Rcd 1359, 1362 (IB 2011) (permitting Mr. Gottschalk and Mr. Andrieu to each have a 50 percent ownership interest in TNA, subject to TNA's compliance with the commitments and undertakings contained in its January 21, 2011 letter to the U.S. Department of Justice). On April 28, 2015, KRL acquired the 25 percent interest formerly held by Mr. Andrieu, bringing its ownership stake in TNA to 75 percent. The remaining 25 percent of TNA's equity and voting interests continue to be held by Mr. Gottschalk.

Petitioners state that KRL continues to be owned as described in the 2014 Ruling: 25 percent by Gregory Gundelfinger (a dual citizen of Germany and South Africa, and a permanent resident of Canada); 25 percent by Mathew Stein (who has obtained Canadian citizenship and relinquished his South African citizenship); and 50 percent by Carlyle, Kft. (Carlyle), a Hungarian corporation. Carlyle is a wholly-owned direct subsidiary of Ki Unlimited, a British Virgin Islands corporation which is, in turn, wholly owned by Ki Corporation Limited, a Jersey (Channel Islands) corporation (Ki). According to the Petition, Ki's ownership also has not changed since the 2014 Ruling.

Pursuant to sections 1.990(a)(1) and 1.991(k)(1), Petitioners request that the Commission authorize 100 percent ownership of TNA by KRL subject to the terms and conditions of section 1.994. Petitioners also request specific approval for Mr. Gottschalk to continue to hold his 25 percent equity and voting interest in TNA, whether directly or indirectly through KRL.

Pursuant to the rules and policies established by the Commission's 2013 Foreign Ownership Second Report and Order, IB Docket No. 11-133, 28 FCC Rcd 5741 (2013), we find that the public interest would not be served by prohibiting foreign ownership of TNA, as the controlling U.S. parent of TNA-Mobile, in excess of the 25 percent benchmark in section 310(b)(4) of the Act. Specifically, this ruling authorizes foreign ownership of TNA by KRL (individually, up to and including 100% of TNA's equity and voting interests); the named foreign interest holders of KRL (individually, up to and including their respective percentages of equity and voting interests held directly and/or indirectly in KRL as described in the 2014 Ruling); and Mr. Johannes (Jean) Gottschalk (up to and including 25% of TNA's equity and voting interests, whether directly or indirectly through KRL). This ruling is subject to the terms and conditions set forth in section 1.994 of the Commission's rules, 47 CFR § 1.994, including the requirement to obtain Commission approval before TNA's foreign ownership exceeds the terms and conditions of this ruling.

We grant the Petition to Adopt Conditions to Authorizations and Licenses (Petition to Adopt Conditions) filed in this proceeding on September 30, 2016, by the U.S. Department of Justice. Accordingly, we condition grant of the petition for declaratory ruling on TNA abiding by its commitments and undertakings contained in the November 13, 2014 letter from Jean Gottschalk, President, Telecom North America, Inc., to Mr. John Carlin, Assistant Attorney General, National Security Division, U.S. Department of Justice (November 13, 2014 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 this ruling and the underlying licenses and authorizations and thus grounds for declaring them terminated without further action on the part of the Commission. Failure to meet a condition of this ruling may also result in monetary sanctions or other enforcement action by the Commission. The Petition to Adopt Conditions and the November 13, 2014 Letter are publicly available in the record of this proceeding and may be viewed on the FCC's website through the International Bureau Filing System (IBFS) by searching for ISP-PDR-20150605-00004 and accessing "Other filings related to this application" from the Document Viewing Area.

The Petitioners have an affirmative duty to monitor their foreign equity and voting interests, calculate these interests consistent with the standards and criteria set forth in sections 1.992 through 1.993 of the Commission's rules, 47 CFR §§ 1.992-1.993, and otherwise ensure continuing compliance with this ruling and the provisions of section 310(b) of the Act.

Grant of this declaratory ruling is without prejudice to any enforcement action by the Commission for non-compliance with the Act, the Commission's rules, or the terms and conditions of the 2014 Ruling.

Grant of this declaratory ruling is without prejudice to the Commission's action on any other related pending application(s).

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**ITC-214-20160215-00103** E Teliggo 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: 10/19/2016

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-214-20160831-00254** E BB Holding Group LLC  
International Telecommunications Certificate  
**Service(s):** Global or Limited Global Resale Service  
Grant of Authority Date of Action: 10/07/2016

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-214-20160901-00264** E Broadsmart Global, Inc.  
International Telecommunications Certificate  
**Service(s):** Global or Limited Global Resale Service  
Grant of Authority Date of Action: 10/07/2016

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-214-20160901-00265** E MAGICJACK SMB, INC.  
International Telecommunications Certificate  
**Service(s):** Global or Limited Global Resale Service  
Grant of Authority Date of Action: 10/07/2016

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-214-20160922-00275** E SalesLyft, Inc.  
International Telecommunications Certificate  
**Service(s):** Global or Limited Global Resale Service  
Grant of Authority Date of Action: 10/21/2016

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-214-20160929-00277** E Point Wireless Brokers, LLC dba eSquared Communication Consulting  
International Telecommunications Certificate  
**Service(s):** Global or Limited Global Resale Service  
Grant of Authority Date of Action: 10/21/2016

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-T/C-20150501-00117** E Telecom North America Inc.

Transfer of Control  
Grant of Authority

Date of Action: 09/30/2016

**Current Licensee:** Telecom North America Inc.

**FROM:** Telecom North America Inc.

**TO:** Knowroaming, Ltd.

Notification filed May 1, 2015, of the pro forma transfer of control of international section 214 authorization, ITC-214-20031031-00499, held by Telecom North America, Inc. (TNA) to Knowroaming, Ltd. (KRL), effective April 28, 2015. KRL, a Canadian company, purchased the 25% interest in TNA that was held by Herve Andrieu, a French citizen. This increased the KRL interest in TNA from 50% to 75%. Mr. Johannes Gottschalk, a German citizen, holds the other 25% interest in TNA.

We grant the Petition to Adopt Conditions to Authorizations and Licenses (Petition to Adopt Conditions) filed in this proceeding on September 30, 2016, by the U.S. Department of Justice. Accordingly, we condition grant of this pro forma transfer of control on TNA abiding by its commitments and undertakings contained in the November 13, 2014 letter from Jean Gottschalk, President, Telecom North America, Inc., to Mr. John Carlin, Assistant Attorney General, National Security Division, U.S. Department of Justice (November 13, 2014 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 underlying authorization and thus grounds for declaring the authorization terminated without further action on the part of the Commission. Failure to meet a condition of this authorization may also result in monetary sanctions or other enforcement action by the Commission. The Petition to Adopt Conditions and the November 13, 2014 Letter are publicly available in the record of this proceeding and may be viewed on the FCC's website through the International Bureau Filing System (IBFS) by searching for ITC-T/C-20150501-00117 and accessing "Other filings related to this application" from the Document Viewing Area.

Grant of this authorization is without prejudice to the Commission's action on any other related pending application(s).

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**ITC-T/C-20160912-00266** E West Telecom Services, LLC

Transfer of Control  
Grant of Authority

Date of Action: 10/26/2016

**Current Licensee:** West Telecom Services, LLC

**FROM:** West Corporation

**TO:** West Corporation

Notification filed September 12, 2016, of the pro forma transfer of control of international section 214 authorization, ITC-214-20050203-00058, held by West Telecom Services, LLC (West Telecom), effective August 31, 2016. West Telecom is a wholly-owned subsidiary of West Telecom Services Holdings, LLC (West Telecom Holdings), which was indirectly wholly-owned by West Corporation (West). In a corporate reorganization, Rubik Acquisition Company, LLC and Annex Holdings HC LLC, subsidiaries of West and direct owners of West Telecom Services, were dissolved and removed from the ownership chain. West Telecom Holdings is now a direct wholly-owned subsidiary of West, which was and remains the ultimate parent of West Telecom.

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**ITC-T/C-20160921-00268** E Madison Dearborn Partners, LLC

Transfer of Control  
Grant of Authority

Date of Action: 10/21/2016

**Current Licensee:** AccessLine Communications Corporation

**FROM:** Intermedia Holdings, Inc.

**TO:** Madison Dearborn Partners, LLC

Application filed for consent to the transfer of control of international section 214 authorization, ITC-214-19981026-00734, held by AccessLine Communications Corporation (AccessLine), from its indirect parent, Intermedia Holdings, Inc. (Intermedia), to Madison Dearborn Partners, LLC (MDP LLC). Pursuant to an Agreement and Plan of Merger executed between Intermedia, Oak Hill Partners III, L.P., the controlling parent of Intermedia, and Ivy Parent Holdings, LLC and Ivy Merger Sub, Inc. (Merger Sub), newly-formed subsidiaries of MDP LLC, MDP LLC will indirectly acquire approximately 98.8% of the voting interests in Intermedia and approximately 86.95% of Intermedia's equity interests. To effectuate the transaction, Merger Sub will be merged with and into Intermedia, and Intermedia will emerge as the surviving entity. Upon closing MDP LLC will become Intermedia's controlling shareholder, and Access Line will become indirect subsidiaries of MDP LLC. Two individuals, Samuel Mencoff and Paul Finnegan, both U.S. citizens, will each hold 50 percent direct voting interest in MDP LLC.

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

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**ITC-T/C-20161013-00283** E

DTR Holdings LLC

Transfer of Control

Grant of Authority

Date of Action: 10/26/2016

**Current Licensee:** DTR Holdings LLC

**FROM:** ATN International, Inc.

**TO:** ATN International, Inc.

Notification filed October 13, 2016, of the pro forma transfer of control of international section 214 authorization, ITC-214-19990330-00206, held by DTR Holdings, LLC (DTR), effective September 16, 2016. In a corporate reorganization, ATN International, Inc. (ATN), the ultimate parent of DTR, inserted a new intermediate holding company, ATN VI, Inc., into the ownership chain between ATN and ATN VI Holdings, LLC (ATN VI Holdings), an indirect parent of DTR. Innovative Long Distance, Inc. (ILD), a wholly-owned subsidiary of DTR, provides international service under authority of the international section 214 authorization, ITC-214-19990330-00206, held by DTR, pursuant to section 63.21(h) of the Commission's rules, 47 CFR § 63.24(h). ATN was and remains the ultimate parent of DTR and ILD.

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**ITC-T/C-20161013-00284** E

Vitelcom Cellular, Inc. d/b/a Innovative Wireless

Transfer of Control

Grant of Authority

Date of Action: 10/26/2016

**Current Licensee:** Vitelcom Cellular, Inc. d/b/a Innovative Wireless

**FROM:** ATN International, Inc.

**TO:** ATN International, Inc.

Notification filed October 13, 2016, of the pro forma transfer of control of international section 214 authorizations, ITC-214-19990330-00207 and ITC-214-19930312-00048, held by Vitelcom Cellular, Inc. d/b/a Innovative Wireless (Innovative Wireless), effective September 16, 2014. In a corporate reorganization, ATN International, Inc. (ATN), the ultimate parent of Innovative Wireless, inserted a new intermediate holding company, ATN VI, Inc., into the ownership chain between ATN and ATN VI Holdings, LLC (ATN VI Holdings), an indirect parent of Innovative Wireless. ATN was and remains the ultimate parent of Innovative Wireless.

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**INFORMATIVE**

**ITC-214-20130408-00100**

Synety Group PLC

By letter filed September 28, 2016, Applicant notified the Commission that the following wholly-owned subsidiaries may provide international telecommunications service under the international section 214 authorization held by the applicant, pursuant to section 63.21(h) of the Commission's rules, 47 CFR 63.21(h): CloudCall, Inc. (f/k/a Synety, Inc.).

**ITC-214-20150310-00064**

CereTel Incorporated

By letter dated October 7, 2016, Applicant notified the Commission that CereTel Incorporated will be discontinuing its telecommunications services associated with the calling card brands set forth in Attachment 1 of the discontinuance letter.

**SURRENDER**

**ITC-214-19960201-00048**

Time Warner Connect of San Antonio, Inc.

Applicant notified the Commission of the Surrender of its international section 214 authorization effective September 26, 2016.

**ITC-214-20041222-00489**

Tier One Networks

Applicant notified the Commission of the Surrender of its international section 214 authorization effective October 14, 2016.

**ITC-214-20051031-00443**

Intelsat USA License Corp.

Applicant notified the Commission of the Surrender of its international section 214 authorization effective October 18, 2016.

**ITC-214-20071026-00438**

Ambess Enterprises, Inc.

Applicant notified the Commission of the Surrender of its international section 214 authorization effective September 30, 2016.

## 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:

None.

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 Telecommunications and Analysis Division, (202) 418-1480.