



# PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION  
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WASHINGTON D.C. 20554

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DA No. 16-337

Report No. TEL-01782

Thursday March 31, 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 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.

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ISP-AMD-20160302-00004	P	Puerto Rico Telephone Company, Inc.	
Amendment			
Grant of Authority			Date of Action: 03/21/2016

Puerto Rico Telephone Company, Inc. (PRTC or Petitioner) amends its petition for declaratory ruling (Petition) under section 310(b)(4) of the Communications Act of 1934, as amended, 47 U.S.C. § 310(b)(4). PRTC filed its Petition on July 7, 2014 (corrected on July 18, 2014). See ISP-PDR-20140707-00004 (accepted for filing in Report No. TEL-01682NS, rel. July 23, 2014). Specifically, PRTC amends its Petition to request that the declaratory ruling permit Mr. Carlos Slim Helu and certain members of his family (the "Slim Family") to hold up to and including a 75% equity interest and 95% voting interest in America Movil, S.A.B. de C.V. (America Movil), a Mexican corporation that ultimately wholly owns and controls PRTC and its direct, controlling U.S. parent, Telecomunicaciones de Puerto Rico, Inc. (TELPRI), through a series of named, intermediate subsidiaries organized in Mexico.

PRTC states that it no longer seeks advance section 310(b)(4) authority for non-U.S. entities with a direct or indirect controlling interest in TELPRI to subsequently increase such interests, except as noted above for the Slim Family. PRTC also states that it no longer seeks advance section 310(b)(4) authority for its commonly controlled U.S. subsidiaries or affiliates, whether currently existing or subsequently formed or acquired, or for new non-U.S.-organized entities that may be subsequently added to the vertical chain of ownership of PRTC.

The petition for declaratory ruling, as amended, is granted. See ISP-PDR-20140707-00004.

Petition for Declaratory Ruling  
Grant of Authority

Date of Action: 03/21/2016

Puerto Rico Telephone Company, Inc. (PRTC or Petitioner) has filed a petition requesting a declaratory ruling (Petition), pursuant to section 1.990(a)(1) of the Commission's rules, 47 C.F.R. § 1.990(a)(1), that it would not serve the public interest to prohibit PRTC from exceeding the 25 percent foreign ownership benchmark in section 310(b)(4) of the Communications Act of 1934, as amended (the Act), 47 U.S.C. § 310(b)(4). PRTC has also filed an amendment to its Petition, ISP-AMD-20160302-00004. According to the Petition, PRTC holds the following types of radio licenses to which section 310(b) is applicable: Advanced Wireless Service (AWS), Cellular, Common Carrier Fixed Point to Point Microwave, Digital Electronic Message Service - Common Carrier, PCS Broadband, and 700 MHz Lower Band. PRTC was also a winning bidder of AWS-3 licenses in Auction 97. See ULS File No. 0006668931.

PRTC is a wholly-owned direct and indirect subsidiary of Telecomunicaciones de Puerto Rico, Inc. (TELPRI), a corporation organized under the laws of the Commonwealth of Puerto Rico, and America Movil, S.A.B. de C.V. (America Movil), a publicly traded company organized under the laws of Mexico, respectively. America Movil is controlled by Mr. Carlos Slim Helu and certain members of his family (the "Slim Family"), all of whom are citizens of Mexico. PRTC has filed the instant Petition to obtain approval for an increase in ownership of America Movil by the Slim Family as a result of a purchase of America Movil shares that were held by AT&T International Inc. (AT&T), as well as for potential future increases in the Slim Family's ownership, up to and including 75 percent of America Movil's equity interests and 95 percent of its voting interests.

Petitioner states that the following entities hold, directly or indirectly, a ten percent or greater equity and/or voting interest in TELPRI: Tenedora Telpri, S.A. de C.V. (Tenedora) (100% direct equity and voting interest); Radiomovil Dipsa, S.A. de C.V. (Telcel) (99.99% direct equity and voting interest in Telcel); Sercotel, S.A. de C.V. (Sercotel) (99.99% direct equity and voting interest in Telcel); America Movil (99.99% direct equity and voting interest in Sercotel). America Movil's wholly-owned indirect subsidiary, Amov IV, S.A. de C.V. (Amov), holds the remaining 00.01 percent ownership interests in Sercotel, Telcel, and Tenedora. All of these entities are organized in Mexico.

Petitioner notes that the Commission has previously issued a section 310(b)(4) ruling allowing America Movil to hold indirectly, through a series of named subsidiaries organized in Mexico, up to and including 100 percent of the equity and voting interests in TELPRI (citing America Movil Order, FCC 07-43, 22 FCC Rcd 6195 (2007)). At the time of the ruling, the Slim Family had a 32.33 percent equity and 66.21 percent voting interest in America Movil. Petitioner further notes that the Commission has granted subsequent rulings allowing the Slim Family to increase its equity interest in America Movil (citing International Authorizations Granted, Public Notice, ISP-PDR-20100623-00012, DA 11-259, 26 FCC Rcd 1359 (IB 2011) (permitting 40.18 percent equity interest by the Slim Family); International Authorizations Granted, Public Notice, ISP-PDR-20120820-00004, DA 12-1740, 27 FCC Rcd 13434 (IB 2012) (permitting up to 49.99 percent equity interest by the Slim Family)).

According to the Petition, the Slim Family purchased AT&T's shares in America Movil on June 27, 2014. Petitioner explains that, because Mexican law prohibited America Movil from directly repurchasing the shares, the Slim Family, as America Movil's controlling shareholder group, purchased the shares (through Inmobiliaria Carso, S.A. de C.V. (Inmobiliaria Carso) and its subsidiary Control Empresarial de Capitales, S.A. de C.V. (Control Empresarial)). The share purchase, which represented an 8.37 percent equity interest in America Movil, increased the Slim Family's equity interest in America Movil from 48.69 percent to 57.06 percent and the Slim Family's voting interest from 66.73 percent to 89.54 percent. The Petitioner states that, due to an oversight, PRTC and America Movil inadvertently did not seek Commission approval prior to the Slim Family's purchase of AT&T's shares.

According to the Petition, as of June 30, 2014, the Slim Family interests in America Movil are held by: a Mexican trust (the "Family Trust") (24.34% equity and approximately 45.20% voting interests); Inmobiliaria Carso (8.0% equity and approximately 17.67% voting interests); Control Empresarial (5.8% equity and approximately 11.9% voting interests); members of the Slim family, individually (in the aggregate, 18.92% of the equity interests and approximately 14.77% of the voting interests, with no individual member, excluding Mr. Slim, holding a 5% or greater voting interest). The Petition states that the remaining shares of America Movil are held by Mexican and other foreign investors as well as by registered holders of American Depository Shares with U.S. addresses.

The Petition notes that PRTC is subject to a Security Agreement (Agreement) dated December 15, 2006 between America Movil, on behalf of itself and the subsidiaries through which it holds its interest in TELPRI, and TELPRI, on the one hand, and the Department of Justice (DOJ) and the Department of Homeland Security (DHS) on the other. PRTC states it will continue to comply with the Agreement. On March 17, 2016, DOJ advised the Commission that DOJ, the Department of Defense (DOD) and DHS have no objection to grant of PRTC's Petition, as amended by ISP-AMD-20160302-00004. A copy of the Security Agreement is appended to the America Movil Order, 22 FCC Rcd at 6235.

Pursuant to the rules and policies established by the Commission's Foreign Ownership Second Report and Order, FCC 13-50, 28 FCC Rcd 5741, 5812 (2013), 47 C.F.R. §§ 1.990-1.994, we find that the public interest would not be served by prohibiting foreign ownership of PRTC in excess of the 25 percent benchmark in section 310(b)(4) of the Act. Specifically, this ruling authorizes the foreign equity and voting interests that were held directly or indirectly in PRTC's controlling U.S. parent, TELPRI, as of June 27, 2014 by Tenedora, Telcel, Sercotel, Amov, America Movil, and the Slim Family (individually or through the Family Trust, Inmobiliaria Carso and Control Empresarial). This ruling also permits the Slim Family (individually or through the Family Trust, Inmobiliaria Carso, or Control Empresarial) to increase their interests individually or collectively, at some future time, up to and including a 75% equity interest and 95% voting interest in America Movil, the ultimate 100% controlling parent of TELPRI and, in turn, of PRTC.

This ruling is subject to the terms and conditions set forth in section 1.994 of the Commission's rules, 47 C.F.R. § 1.994, with the exception of the following provisions for which Petitioner does not seek authority: section 1.994(b) ("Subsidiaries and affiliates"), section 1.994(c) ("Insertion of new controlling foreign-organized companies"), and section 1.994(d) ("Insertion of new non-controlling foreign-organized companies"). Pursuant to the Foreign Ownership Second Report and Order, 28 FCC Rcd at 5798-99, para. 109, this ruling covers all common carrier wireless services to which section 310(b) applies and to all geographic areas.

PRTC has an affirmative duty to monitor its foreign equity and voting interests, calculate these interests consistent with the attribution principles enunciated by the Commission, including the standards and criteria set forth in sections 1.992 through 1.993 of the Commission's rules, 47 C.F.R. §§ 1.992-1.993, and otherwise ensure continuing compliance with the provisions of section 310(b) of the Act.



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**ITC-T/C-20151221-00307** E

Oregon Farmers Mutual Long Distance, Inc.

Transfer of Control

Grant of Authority

Date of Action: 03/25/2016

**Current Licensee:** Oregon Farmers Mutual Long Distance, Inc.

**FROM:** Nicholas Robb

**TO:** Townes Missouri, Inc.

Application filed for consent to the transfer of control of international section 214 authorization, ITC-214-19990825-00589, held by Oregon Farmers Mutual Long Distance, Inc. (OFM Long Distance), from Nicholas Robb, court appointed receiver (Receiver), to Townes Missouri, Inc. (Townes Missouri). OFM Long Distance is a wholly-owned subsidiary of Northwest Missouri Holdings, Inc. (NMH), which defaulted on a note held by the Rural Telephone Finance Cooperative (RTFC). Following a judgment against NMH, its shares were transferred to the Receiver. Pursuant to an Order and Court Findings entered by the Circuit Court of Holt county, Missouri (I/M/O Townes Missouri, Inc. vs. Northwest Missouri Holdings, Inc., a Missouri corporation, et. al., in Case No. 14HO-CC00011), on September 24, 2015 (Order), and underlying Writ of Execution, Judgment, Order appointing the Receiver, and other terms of the parties' settlement, the Receiver seeks to now assign all of the issued and outstanding stock of NMH to Townes Missouri. Upon closing, NMH will become a direct, wholly-owned subsidiary of Townes Missouri, and an indirect, wholly-owned subsidiary of TTC. OFM Long Distance will remain a direct, wholly-owned subsidiary of NMH, and will become an indirect, wholly-owned subsidiary of Townes Missouri and TTC. TTC is 100 percent owned by two individuals, Larry C. & Phillis Townes, both U.S. citizens.

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

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**ITC-T/C-20160114-00018** E

Diode Telecom Inc

Transfer of Control

Grant of Authority

Date of Action: 03/25/2016

**Current Licensee:** Diode Telecom Inc

**FROM:** William R. Sandman Revocable Trust

**TO:** DTC Holding Co

Application filed for consent to the transfer of control of international section 214 authorization, ITC-214-20141118-00302, held by Diode Telecom, Inc. (Diode Telecom), from William R. Sandman Revocable Trust (WRSR Trust), the majority owner of DTC Holding Co. (DTC) (53%), to DTC, the ultimate parent of Diode Telecom. Under the terms of the proposed transaction, the WRSR Trust will sell approximately 3.001 percent of its 53.0 percent shares of DTC to Chandler Sandman, an individual, thereby reducing its voting shares to 49.999 percent. Additionally, through certain WRSR Trust's transfers of its non-voting stock of DTC by gift, WRSR Trust's total equity in DTC is expected to be reduced to below 50 percent. Upon closing, WRSR Trust will hold approximately 49.9 percent of the voting stock of DTC and Steven Sandman Revocable Trust will continue to hold 47 percent of the DTC voting stock. Diode Telecom will continue to remain a wholly owned direct and indirect subsidiary of Diode Cable Company and DTC, respectively.

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

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**INFORMATIVE**

**ITC-214-19960830-00414**

AT&T CORP

By letter dated March 24, 2016, Applicant notified the Commission that AT&T Corp. d/b/a Lucky Dog Phone Company will be discontinuing its 10-10-345 International Dialing Services on or after May 2, 2016.

**SURRENDER**

**ITC-214-20010706-00364**

KEYTECH LIMITED ( d/b/a KEYTECH LIMITED )

Applicant notified the Commission of the Surrender of its international section 214 authorization effective March 24, 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.