



PUBLIC NOTICE

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

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

DA No. 19-1000

Report No. TEL-01982

Thursday October 3, 2019

International Authorizations Granted

Section 214 Applications (47 C.F.R. §§ 63.18, 63.24); Section 310(b) Petitions (47 C.F.R. § 1.5000)

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.

ITC-214-20181120-00222 E Simwood 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: 09/25/2019

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).

ITC-214-20190904-00148 E Globalcom International, 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: 09/27/2019

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).

ITC-ASG-20190923-00159 E NTS Communications, LLC

Assignment

Grant of Authority

Date of Action: 10/02/2019

Current Licensee: NTS Communications, Inc.

FROM: NTS Communications, LLC

TO: NTS Communications, LLC

Notification filed September 23, 2019, of the pro forma assignment of international section 214 authorization, ITC-214-19971024-00657, from NTS Communications, Inc. to NTS Communications, LLC, effective August 29, 2019. NTS Communications converted from a Texas corporation to Delaware limited liability company. In addition, NTS Clarity, the immediate 100% parent of NTS Communications, converted from a Nevada corporation to a Delaware limited liability company. NTS Communications and NTS Clarity remain wholly owned indirect subsidiaries of Clarity Telecom Holdings, LLC.

ITC-ASG-20190923-00160 E XFone USA, LLC

Assignment

Grant of Authority

Date of Action: 10/02/2019

Current Licensee: XFone USA, Inc.

FROM: XFone USA, LLC

TO: XFone USA, LLC

Notification filed September 23, 2019, of the pro forma assignment of international section 214 authorization, ITC-214-20040706-00251, from XFone USA, Inc. to XFone USA, LLC, effective August 29, 2019. XFone USA converted from a Mississippi corporation to a Mississippi limited liability company. In addition, NTS Clarity, the immediate 100% parent of XFone USA, converted from a Nevada corporation to a Delaware limited liability company. XFone USA and NTS Clarity remain wholly owned indirect subsidiaries of Clarity Telecom Holdings, LLC.

ITC-T/C-20190823-00144 E MTel Long Distance, Inc.

Transfer of Control

Grant of Authority

Date of Action: 09/27/2019

Current Licensee: MTel Long Distance, Inc.

FROM: E. Ritter & Company

TO: Ritter Communications Ultimate Holdings LLC

Application filed for consent to the transfer of control of MTel Long Distance, Inc. (MTel), which holds international section 214 authorization ITC-214-20060616-00366, from its indirect parent, E. Ritter & Company (E. Ritter), to Ritter Communications Ultimate Holdings LLC (Ritter Ultimate). MTel is an indirect wholly owned subsidiary of E. Ritter Communications Holdings Inc. (Ritter Holdings). Pursuant to an August 11, 2019 Purchase Agreement, Ritter Ultimate will acquire control of Ritter Holdings. Upon closing, MTel and Ritter Holdings will become indirect wholly owned subsidiaries of Ritter Ultimate.

Ritter Ultimate is managed by Grain Management LLC (Grain Management), founded by David Grain, a U.S. citizen, who is the CEO of Grain Management. Ritter Holdings will be owned by: E. Ritter & Company, a U.S. entity (25%); GCOF II (RC), LLC (GCOF II (RC) a Delaware limited liability company (74.6%). GCOF II (RC) will be owned by Grain Communications Opportunity Fund II, L.P. (GCO Fund II), a Delaware limited partnership (82.2%). Grain Management manages and is affiliated with GCO Fund II. The limited partnership interests in GCO Fund II are held by passive financial investors and their interests are fully insulated under the Commission's rules. The following two limited partners hold ten percent or greater equity interests in GCO Fund II: Board of Regents of the University of Texas System, a U.S. (Texas) entity (11.1% direct), and The New York State Common Retirement Fund, a U.S. (New York) entity (16.7% direct). No entities hold a ten percent or greater interest in the Board of Regents of the University of Texas System or in The New York State Common Retirement Fund. GCO Fund II is controlled by its general partner Grain GP IV, LLC, a Delaware limited liability company, which in turn is controlled by its sole managing member, Grain Capital II, LLC (Grain Capital II), a Delaware limited liability company. Grain Capital II is wholly held by Grain Capital, LLC (Grain Capital), a Florida limited liability company. Grain Capital is wholly owned by David Grain.

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: 09/27/2019

Current Licensee: E. Ritter Communications Holdings, Inc.

FROM: E. Ritter & Company

TO: Ritter Communications Ultimate Holdings LLC

Application filed for consent to the transfer of control of E. Ritter Communications Holdings Inc. (Ritter Holdings), which holds international section 214 authorization ITC-214-19950818-00065, from its direct parent, E. Ritter & Company (E. Ritter), to Ritter Communications Ultimate Holdings LLC (Ritter Ultimate). Pursuant to an August 11, 2019 Purchase Agreement, Ritter Ultimate will acquire control of Ritter Holdings. Upon closing, Ritter Holdings will become an indirect wholly owned subsidiary of Ritter Ultimate.

Ritter Ultimate is managed by Grain Management LLC (Grain Management), founded by David Grain, a U.S. citizen, who is the CEO of Grain Management. Ritter Holdings will be owned by: E. Ritter & Company, a U.S. entity (25%); GCOF II (RC), LLC (GCOF II (RC) a Delaware limited liability company (74.6%). GCOF II (RC) will be owned by Grain Communications Opportunity Fund II, L.P. (GCO Fund II), a Delaware limited partnership (82.2%). Grain Management manages and is affiliated with GCO Fund II. The limited partnership interests in GCO Fund II are held by passive financial investors and their interests are fully insulated under the Commission's rules. The following two limited partners hold ten percent or greater equity interests in GCO Fund II: Board of Regents of the University of Texas System, a U.S. (Texas) entity (11.1% direct), and The New York State Common Retirement Fund, a U.S. (New York) entity (16.7% direct). No entities hold a ten percent or greater interest in the Board of Regents of the University of Texas System or in The New York State Common Retirement Fund. GCO Fund II is controlled by its general partner Grain GP IV, LLC, a Delaware limited liability company, which in turn is controlled by its sole managing member, Grain Capital II, LLC (Grain Capital II), a Delaware limited liability company. Grain Capital II is wholly held by Grain Capital, LLC (Grain Capital), a Florida limited liability company. Grain Capital is wholly owned by David Grain.

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

INFORMATIVE

ITC-214-20011109-00564

AVOXI, Inc.

By letter dated September 24, 2019, the Commission was notified that 3DOW Management Company, Inc. has changed its name to AVOXI, Inc.

SURRENDER

ITC-214-20051101-00440

Globalringer, Inc.

Applicant notified the Commission of the Surrender of its international section 214 authorization effective October 2, 2019.

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) International facilities-based service providers must file and maintain a list of U.S.-international routes on which they have direct termination arrangements with a foreign carrier. 47 CFR § 63.22(h). A new international facilities-based service provider or one without existing direct termination arrangements must file its list within thirty (30) days of entering into a direct termination arrangement(s) with a foreign carrier(s). Thereafter, international facilities-based service providers must update their lists within thirty (30) days after adding a termination arrangement for a new foreign destination or discontinuing an arrangement with a previously listed destination. See Process For The Filing Of Routes On Which International Service Providers Have Direct Termination Arrangements With A Foreign Carrier, ITC-MS-20181015-00182, Public Notice, 33 FCC Rcd 10008 (IB 2018).
- (8) Any U.S. Carrier that owned or leased bare capacity on a submarine cable between the United States and any foreign point must file a Circuit Capacity Report to provide information about the submarine cable capacity it holds. 47 CFR § 43.82(a)(2). See <https://www.fcc.gov/circuit-capacity-data-us-international-submarine-cables>.
- (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.

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.