



Federal Communications Commission  
Washington, D.C. 20554

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DA 20-1368

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VIA CERTIFIED FIRST-CLASS MAIL – RETURN RECEIPT REQUESTED AND E-MAIL

**Re: Reclamation of China Telecom (Americas) Corporation’s International Signaling Point Codes, 3-192-5 (Los Angeles, CA), 3-033-3 (Los Angeles, CA), and 3-027-3 (Los Angeles, CA)**

Dear Messrs. Ye and Liu:

This letter serves to notify you that the three above-referenced International Signaling Point Codes (ISPCs) that were provisionally assigned to China Telecom (Americas) Corporation (China Telecom Americas) are reclaimed as of the date of this letter.<sup>1</sup> On June 8, 2020, China Telecom Americas admitted that ISPC {[ ]}<sup>2</sup> has not been in use since {[ ]} was “not ultimately configured for use.”<sup>3</sup> Based on this information, China Telecom Americas is not in compliance with the conditions of its provisional ISPC assignments, and we reclaim the three ISPCs and make them immediately available for reassignment.<sup>4</sup>

The Federal Communications Commission (Commission), as the Administrator for the United States, assigns ISPCs for Signaling System No. 7 networks under International Telecommunication Union

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<sup>1</sup> See Letter from Cathy Hsu, Policy Division, FCC International Bureau, to Mr. Xiaoyi Liu, China Telecom (USA) Corporation (Mar. 17, 2003) (Mar. 17, 2003 ISPC Assignment Letter); Letter from Cathy Hsu, Economist, Policy Division, FCC International Bureau, to Mr. Zhao-Feng Ye, China Telecom (Americas) Corporation (Mar. 17, 2010) (Mar. 17, 2010 ISPC Assignment Letter); Letter from Cathy Hsu, Economist, Policy Division, FCC International Bureau, to Mr. Zhao-Feng Ye, China Telecom (Americas) Corporation (Mar. 26, 2010) (Mar. 26, 2010 ISPC Assignment Letter). China Telecom Americas was formerly known as China Telecom (USA) Corporation. See China Telecom (Americas) Corporation, FCC Foreign Carrier Affiliations Notification, File No. FCN-NEW-20140917-00014, Attach. 1 at 1, n.1 (filed Sept. 17, 2014).

<sup>2</sup> Material set off by double brackets {[ ]} is confidential and is redacted from the public version of this document.

<sup>3</sup> China Telecom (Americas) Corporation, Response to Order to Show Cause, GN Docket No. 20-109, File Nos. ITC-214-20010613-00346, ITC-214-20020716-00371, ITC-T/C-20070725-00285, Exh. 9 at 1-2 (June 8, 2020) (China Telecom Americas Response); see *China Telecom (Americas) Corporation*, GN Docket No. 20-109, File Nos. ITC-214-20010613-00346, ITC-214-20020716-00371, ITC-T/C-20070725-00285, Order to Show Cause, 35 FCC Rcd 3713, 3718-19, para. 12 (IB, WCB, EB 2020) (Order to Show Cause).

<sup>4</sup> 47 CFR §§ 1.10007(a), 1.10014(h).

ITU-T Recommendation Q.708.<sup>5</sup> Pursuant to ITU-T Recommendation Q.708, the Commission required China Telecom Americas to make several certifications in its applications for the ISPCs.<sup>6</sup> First, China Telecom Americas certified that the “[c]ode assignments held in excess of 12 months without implementation must be returned to this Administrator for reassignment.”<sup>7</sup> Second, China Telecom Americas certified “[it is] aware that all ISPC assignments are provisional and that nobody has a property right in [an] ISPC [and it is] aware that the Commission may take an assigned ISPC and reassign it to another person.”<sup>8</sup> Third, China Telecom Americas certified that its failure to file an annual International Traffic Data Report and Circuit Status Report would “be interpreted as inactive operation and could, therefore, result in the loss of the carrier’s point code assignment.”<sup>9</sup>

In its letters provisionally assigning the ISPCs to China Telecom Americas, the International Bureau reiterated the certifications,<sup>10</sup> adding that “[u]nless this office is specifically notified of the actual implementation of assignments for planned future service, it will be assumed that those implementations did not occur and such assignments will expire, making those particular codes available for reassignment.”<sup>11</sup> The International Bureau also asked that “‘warehousing’ of ISPC assignments be avoided” and that all requests for ISPC assignments be limited to those that strictly fit the ITU-T Recommendation Q.708 guidelines.<sup>12</sup> Notably, the ITU advises that an administration may withdraw an

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<sup>5</sup> International Telecommunication Union, ITU-T Recommendation Q.708 (03/99), Series Q: Switching and Signalling, Specifications of Signalling System No. 7 – Message Transfer Part (MTP), Assignment procedures for international signalling point codes, <https://www.itu.int/rec/recommendation.asp?lang=en&parent=T-REC-Q.708-199903-I> (ITU-T Recommendation Q.708); *see also* International Telecommunication Union, List of International Signalling Point Codes (ISPC) (Oct. 1, 2016), [https://www.itu.int/dms\\_pub/itu-t/opb/sp/T-SP-Q.708B-2016-PDF-E.pdf](https://www.itu.int/dms_pub/itu-t/opb/sp/T-SP-Q.708B-2016-PDF-E.pdf) (ITU Listing).

<sup>6</sup> China Telecom (USA) Corporation, International Signalling Point Code Filing Per Network Per Code, File No. SPC-NEW-20030314-00014 at 3 (filed Mar. 14, 2003) (Mar. 14, 2003 Application for International Signalling Point Code); China Telecom (Americas) Corporation, International Signalling Point Code Filing Per Network Per Code, File No. SPC-NEW-20100314-00006 at 3 (filed Mar. 14, 2010) (Mar. 14, 2010 Application for International Signalling Point Code); China Telecom (Americas) Corporation, International Signalling Point Code Filing Per Network Per Code, File No. SPC-NEW-20100326-00007 at 3 (filed Mar. 26, 2010) (Mar. 26, 2010 Application for International Signalling Point Code).

<sup>7</sup> Mar. 14, 2003 Application for International Signalling Point Code at 2. In the 2003 application, the certification was 18 months for implementation, not 12 months, however, the assignment letter did specify 12 months; Mar. 14, 2010 Application for International Signalling Point Code 2; Mar. 26, 2010 Application for International Signalling Point Code at 2.

<sup>8</sup> Mar. 14, 2003 Application for International Signalling Point Code at 3; Mar. 14, 2010 Application for International Signalling Point Code at 3; Mar. 26, 2010 Application for International Signalling Point Code at 3.

<sup>9</sup> Mar. 14, 2010 Application for International Signalling Point Code at 3; Mar. 26, 2010 Application for International Signalling Point Code at 3. This condition did not yet exist when China Telecom Americas applied for its first ISPC assignment in 2003.

<sup>10</sup> *See, e.g.*, Mar. 17, 2003 ISPC Assignment Letter at 1-2 (reiterating that assignments “held in excess of 12 months without implementation must be returned to this Administrator for reassignment pursuant to the guidelines”); Mar. 17, 2010 ISPC Assignment Letter at 1-2; Mar. 26, 2010 ISPC Assignment Letter at 1-2.

<sup>11</sup> Mar. 17, 2003 ISPC Assignment Letter at 2; Mar. 17, 2010 ISPC Assignment Letter at 2; Mar. 26, 2010 ISPC Assignment Letter at 2. Our records show that China Telecom Americas did not file notifications of the actual implementation date for the two ISPCs that it put into service.

<sup>12</sup> Mar. 17, 2003 ISPC Assignment Letter at 1; Mar. 17, 2010 ISPC Assignment Letter at 1; Mar. 26, 2010 ISPC Assignment Letter at 1.

ISPC assignment when the “[a]ssigned ISPC is no longer in use. . . .”<sup>13</sup> Additionally, the Commission has explained that ISPCs are a scarce resource and “[a]s a result, code assignments are conditional upon their being used within one year lead time, so that the Commission can reassign unused codes to another carrier.”<sup>14</sup>

In its response to the *Order to Show Cause*,<sup>15</sup> China Telecom Americas states that two ISPCs provisionally assigned to it have not been in use since { [ ] } and the third was never configured for use.<sup>16</sup> China Telecom Americas indicates that its use of ISPCs was quite limited and involved the use in two switches in California to support routing voice links to China.<sup>17</sup> China Telecom Americas adds that it “reduced and eventually ceased offering the wholesale voice services between 2016 and 2018 and “ceased using the ISPCs for its MVNO service in February 2018.”<sup>18</sup> China Telecom Americas asserts that “CTA used the ISPCs to facilitate services on its network until 2018 consistent with ITU procedures and seeks to retain the ISPCs for potential use in new services.”<sup>19</sup> China Telecom Americas also argues that the Commission’s administration of ISPCs “is supposed to be done pursuant to ‘publish[ed] . . . rules.’ However, the Commission has not adopted, and the Order does not cite, any rules governing ISPCs.”<sup>20</sup>

Contrary to China Telecom Americas’ claim, the Commission, as Administrator of ISPCs for the United States, has adopted rules and processes regarding the administration of ISPCs and provided operators more than adequate notice concerning our administration of ISPCs.<sup>21</sup> The rules require that operators request ISPCs by filing an electronic application in the International Bureau Filing System.<sup>22</sup> As noted above, the application form itself contains a number of certifications concerning use of the ISPCs, with which China Telecom Americas agreed to comply. The rules also specify that the International Bureau will act on ISPC applications via letter to the applicant.<sup>23</sup> These assignment letters also clearly set forth the conditions for use of the ISPCs, which include a requirement that the code be put into use within 12 months of assignment, that the operator must return the code to the Commission if it is not implemented, and that use of the code must comport with ITU-T Recommendation Q.708.<sup>24</sup> ITU-T

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<sup>13</sup> ITU-T Recommendation Q.708 at 6 (Subclause 11.6).

<sup>14</sup> *Reporting Requirements for U.S. Providers of International Telecommunications Services; Amendment of Part 43 of the Commission’s Rules*, Notice of Proposed Rulemaking, 19 FCC Rcd 6460, 6474, para. 36, n.83 (2004).

<sup>15</sup> *Order to Show Cause*, 35 FCC Rcd at 3718-19, para. 12.

<sup>16</sup> China Telecom Americas Response, Exh. 9 at 1-2.

<sup>17</sup> *Id.*

<sup>18</sup> *Id.* at 1.

<sup>19</sup> *Id.* at 2; *see also id.*, Exh. 14 at 2. ITU-T Recommendation Q.708 encourages, but does not require, Administrations to adopt rules regarding ISPCs. ITU-T Q.708 at 6. (“Administrations should publish their rules for use of, application for, and assignment of, ISPCs.”)

<sup>20</sup> *Id.*, Exh. 14 at 1-2 (internal citations omitted).

<sup>21</sup> 47 CFR §§ 1.10007(a), 1.10014(h).

<sup>22</sup> 47 CFR § 1.10007(a).

<sup>23</sup> 47 CFR § 1.10014(h).

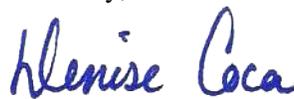
<sup>24</sup> March 17, 2003 ISPC Assignment Letter; Mar. 17, 2010 ISPC Assignment Letter; Mar. 26, 2010 ISPC Assignment Letter.

Recommendation Q.708, in turn, provides that an Administration should withdraw an ISPC assignment if the code is “no longer in use or required” by the operator, among other reasons.<sup>25</sup> The rules, the conditions contained in the application, and the ISPC assignment letters clearly place operators on notice that the ISPCs are subject to reclamation and reassignment in the event that they are not in use and China Telecom Americas was obligated to return the code it never implemented within the allotted 12 months. Reclaiming inactive ISPCs is thus entirely consistent “with the procedures governing ISPC assignments and withdrawals.”<sup>26</sup> Indeed, Commission staff have routinely reclaimed unused codes over the years for this reason.<sup>27</sup>

China Telecom Americas’ statement that it seeks to retain the ISPCs for potential use in new services does not provide sufficient reason for it to retain these assignments. China Telecom Americas also does not explain what new future service it is planning for the ISPCs or any other reason to justify retention of the codes. Based on our assessment, the three codes are no longer in use and not required by China Telecom Americas. China Telecom Americas failed to notify the Commission of the actual implementation date for two of the ISPCs and failed to return the code that was never implemented. China Telecom Americas is warehousing these three codes, which are scarce resources and all three must be reclaimed.

We find that China Telecom Americas is not in compliance with the conditions of its provisional ISPC assignments. We therefore reclaim ISPCs 3-192-5 (Los Angeles, CA), 3-033-3 (Los Angeles, CA), and 3-027-3 (Los Angeles, CA) as of the date of this letter and make them immediately available for reassignment. If you have any questions please contact me at [Denise.Coca@fcc.gov](mailto:Denise.Coca@fcc.gov) or (202) 418-0574, or Arthur Lechtman at [Arthur.Lechtman@fcc.gov](mailto:Arthur.Lechtman@fcc.gov) or (202) 418-1465.

Sincerely,



Denise Coca  
Chief, Telecommunications and Analysis Division  
International Bureau

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<sup>25</sup> ITU-T Recommendation Q.708 at 6.

<sup>26</sup> China Telecom Americas Response, Exh. 14 at 1 (internal citations omitted).

<sup>27</sup> See, e.g., Letter from Denise Coca, Chief, Telecommunications and Analysis Division, FCC International Bureau, to Maryann Edgecomb, CEO, Sirius Telecommunications, Inc. at 1 (Apr. 17, 2020) (on file in SPC-NEW-20021210-00038) (stating that the Commission is reclaiming Sirius Telecommunications, Inc.’s unused ISPCs, “consistent with the terms of ITU-T Recommendation Q.708 and the conditions of their provisional assignment.”); Letter from Francis Gutierrez, Deputy Chief, Telecommunications and Analysis Division, FCC International Bureau, to Chris Hills, Elephant Talk, Inc. at 1 (Oct. 30, 2019) (stating that the Commission believes that Elephant Talk, Inc. never implemented the ISPC granted to it in 1998 and ceased operations in 2003, and that the Commission therefore seeks to reclaim the ISPC unless Elephant Talk, Inc. responds within 15 days stating that it is using the ISPC); Letter from Stacey Ashton, Telecommunications Analyst, Telecommunications and Analysis Division, FCC International Bureau, to Dr. Chaesub Lee, Director of the Telecommunications Standardization Bureau, International Telecommunications Union (Dec. 4, 2019) (stating that the ISPC assigned to Elephant Talk, Inc. has been canceled and returned to the Commission for future reassignment).

cc:

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