



Federal Communications Commission  
Washington, D.C. 20554

May 14, 2020

DA 20-515

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BY ELECTRONIC MAIL

**Re: In the Matter of China Telecom (Americas) Corporation  
GN Docket No. 20-109; File Nos. ITC-214-20010613-00346; ITC-214-20020716-00371; ITC-  
T/C-20070725-00285**

Dear Mr. Lipman:

By this letter, we respond to China Telecom (Americas) Corporation's (China Telecom Americas) request for clarification of one question (Request No. 8) in the Order to Show Cause (Order).<sup>1</sup> We also grant its request for an extension of time to June 8, 2020.

On April 24, 2020, the International Bureau, Wireline Competition Bureau, and Enforcement Bureau (the Bureaus) issued an Order directing China Telecom Americas to file a response to the Order within thirty (30) calendar days demonstrating why the Commission should not initiate a proceeding to revoke and terminate China Telecom Americas' domestic and international section 214 authorizations issued pursuant to section 214 of the Communications Act of 1934, as amended, and to explain why the Commission should not reclaim China Telecom Americas' International Signaling Point Codes.<sup>2</sup> The Order also directed China Telecom Americas to respond to certain questions concerning its ownership, operations, and other related matters.<sup>3</sup>

On April 27, 2020, China Telecom Americas, by its counsel, filed a motion for an extension of the time for its response to the Order, seeking an additional 30 days, to June 23, 2020, or, if this is not possible, then to June 8, 2020.<sup>4</sup> China Telecom Americas stated in its motion that, "[i]n some cases, the scope of the information required to respond to the questions is unclear, and CTA intends to seek clarification of these requests from the Bureau Chiefs."<sup>5</sup>

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<sup>1</sup> *China Telecom (Americas) Corporation*, GN Docket No. 20-109 et al., Order to Show Cause, DA 20-448 (Apr. 24, 2020) (Order to Show Cause).

<sup>2</sup> *Id.*

<sup>3</sup> *Id.* at 6-7, para. 12.

<sup>4</sup> *China Telecom (Americas) Corporation*, Motion for Extension of Time, GN Docket No. 20-109 et al. (filed Apr. 27, 2020) at 1, 3, <https://go.usa.gov/xvHEV>.

<sup>5</sup> *Id.* at 2.

On May 4, 2020, we issued a letter stating that we were taking the extension request under advisement pending receipt of any such clarification request.<sup>6</sup> Pursuant to sections 0.51 and 0.261 of the Commission's rules, we directed China Telecom Americas to file any such request no later than Monday, May 11, 2020.<sup>7</sup>

On May 8, 2020, China Telecom Americas, by its counsel, filed a letter with one request for clarification related to Request No. 8, stating, "[t]he *Show Cause Order* seeks, among other things, 'a description and listing of China Telecom Americas' subscribers and other customers for domestic and international services.'"<sup>8</sup> China Telecom Americas adds that, "[it] provides service to hundreds of enterprise customers and tens of thousands of MVNO mobile resale services customers [and] it cannot reasonably be expected to produce detailed information about such a large volume of customers, and address associated confidentiality issues, within the *Show Cause Order's* allotted timeframe. It is also unclear what the Commission means by asking for a 'description' of these thousands of individual customers."<sup>9</sup> China Telecom Americas states that "[u]nder the circumstances, CTA expects to provide in response to Request No. 8 a listing of the categories of CTA's customers and the approximate aggregate number of customers in each category."<sup>10</sup>

In response to China Telecom Americas' request for clarification, we clarify and narrow the scope of Request No. 8 as set forth below:

- **Enterprise Customers.** With respect to China Telecom Americas' enterprise customers, we request the name and a short description of each enterprise customer; a general description of the types and duration (e.g., yearly, monthly, or other) of enterprise customer contracts; the aggregate number of customers for each type of contract; and the most recent annual revenue derived from enterprise customers.
- **MVNO Mobile Resale Services Customers.** With respect to China Telecom Americas' MVNO mobile resale services customers, we request the aggregate number of customers, rounded to the nearest one thousand as of April 24, 2020, broken down into categories of customers, such as enterprise and small business and/or consumer; a general description of the types and duration of customer contracts, plans, or services; the aggregate number of customers for each type of

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<sup>6</sup> Letter from Denise Coca, Chief, Telecommunications and Analysis Division, FCC International Bureau, to Andrew D. Lipman, Counsel to China Telecom (Americas) Corporation, Morgan, Lewis & Bockius LLP at 2 (May 4, 2020) (on file in GN Docket No. 20-109; ITC-214-20010613-00346; ITC-214-20020716-00371; ITC-T/C-20070725-00285).

<sup>7</sup> *Id.*

<sup>8</sup> Letter from Andrew D. Lipman, Counsel to China Telecom (Americas) Corporation, Morgan, Lewis & Bockius LLP, to Thomas Sullivan, Chief, FCC International Bureau, Kris Monteith, Chief, FCC Wireline Competition Bureau, and Rosemary Harold, Chief, FCC Enforcement Bureau at 2 (May 8, 2020) (on file in GN Docket No. 20-109; ITC-214-20010613-00346; ITC-214-20020716-00371; ITC-T/C-20070725-00285) (citing Order to Show Cause, DA 20-448, at 7, para. 12).

<sup>9</sup> *Id.*

<sup>10</sup> *Id.*

contract, plan, or service, rounded to the nearest one thousand as of April 24, 2020; and the most recent annual revenue derived from MVNO mobile resale services customers.

- **Other Customers.** With respect to any other types of services offered by China Telecom Americas, we request a general description of the services and customers; the types and duration of customer contracts by service type; the aggregate number of customers for each type of contract as of April 24, 2020; and the most recent annual revenue derived from these customers.
- **Chinese Government Customers.** Please identify any customers that are affiliated<sup>11</sup> with the government of the People’s Republic of China or entities owned or controlled by, or otherwise connected to, the government and/or are members of the Communist Party of China.

Pursuant to sections 0.51 and 0.261 of the Commission’s rules, we grant China Telecom Americas an extension to respond to the Order to **June 8, 2020**. We do not address here China Telecom Americas’ request for access to any classified material, which is unrelated to any need for an extension to respond to the Order or the nonclassified material filed by NTIA.<sup>12</sup>

Should you have any questions, please contact me at [Denise.Coca@fcc.gov](mailto:Denise.Coca@fcc.gov) or (202) 418-0574.

Sincerely,



Denise Coca, Chief  
Telecommunications and Analysis Division  
International Bureau

cc:

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<sup>11</sup> 47 U.S.C. § 153(2) (“The term ‘affiliate’ means a person that (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with, another person. For purposes of this paragraph, the term ‘own’ means to own an equity interest (or the equivalent thereof) of more than 10 percent.”).

<sup>12</sup> On May 1, 2020, China Telecom Americas, by its counsel, filed a letter requesting disclosure to China Telecom Americas of “any and all FISA-related, obtained, or derived information related to CTA in the Commission’s possession” and “the information in the classified appendix to the Recommendation.” Letter from Andrew D. Lipman, Counsel to China Telecom (Americas) Corporation, Morgan, Lewis & Bockius LLP, to Ajit Pai, Chairman, FCC at 2 (May 1, 2020) (on file in GN Docket No. 20-109; ITC-214-20010613-00346; ITC-214-20020716-00371; ITC-T/C-20070725-00285).

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