



# PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION  
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DA No. 21-262

Report No. TEL-02079

Thursday March 4, 2021

## 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 processing procedures set forth in sections 63.12, 63.20 of the Commission's rules, 47 CFR §§ 63.12, 63.20, other provisions of the Commission's rules, or procedures set forth in an earlier public notice listing the applications as accepted for filing.

Unless otherwise noted, these grants authorize the applicants: (1) to become a facilities-based international common carrier subject to 47 CFR §§ 63.21, 63.22; and/or (2) to become a resale-based international common carrier subject to 47 CFR §§ 63.21, 63.23; (3) to assign or transfer control of international section 214 authority in accordance with 47 CFR § 63.24; or (4) to exceed the foreign ownership benchmark applicable to common carrier radio licensees under 47 U.S.C. § 310(b); see Subpart T of Part 1 of the Commission's rules, 47 CFR §§ 1.5000-5004.

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, 47 CFR §§ 1.106, 1.115, 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)).

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<b>ITC-214-20210125-00018</b>	E	E-MARCONI LLC	
International Telecommunications Certificate			
<b>Service(s):</b>	Global or Limited Global Facilities-Based Service, Global or Limited Global Resale Service		
Grant of Authority			Date of Action: 02/26/2021

Application for authority to provide facilities-based service in accordance with section 63.18(e)(1) of the Commission's rules, and resale service in accordance with section 63.18(e)(2) of the Commission's rules, 47 CFR § 63.18(e)(1), (2).

E-Marconi LLC is 100% owned by Stephen Brodeur, a U.S. citizen.

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**ITC-ASG-20210121-00012**     E

Clear Rate Communications, LLC

Assignment

Grant of Authority

Date of Action:     02/26/2021

**Current Licensee:**     Clear Rate Communications, Inc

**FROM:** Clear Rate Communications, Inc

**TO:** Clear Rate Communications, LLC

Application filed for consent to assign international section 214 authorization ITC-214-20010514-00280 from Clear Rate Communications, Inc. to Clear Rate Communications, LLC. Pursuant to a December 30, 2020 Membership Interest Purchase Agreement, Clear Rate Holdings, Inc. will acquire Clear Rate Communications. In the first step of the transaction, the stockholders of Clear Rate Communications will incorporate a new holding company, NNFKMM Holdings, Inc. Next, the stockholders will contribute all of the outstanding equity interests of Clear Rate Communications to NNFKMM Holdings, and NNFKMM Holdings will convert Clear Rate Communications from a Michigan corporation to a Delaware limited liability company, Clear Rate Communications, LLC. Following completion of the restructuring, NNFKMM Holdings will sell 100% of the outstanding equity interests in Clear Rate Communications, LLC to Clear Rate Holdings.

Clear Rate Holdings, a Delaware corporation, will be majority owned (79.1%) by L4-CR Co-Invest, LLC (L4-CR), a Delaware limited liability company. Thane Namy and Sam Namy, both U.S. citizens, will each hold 10% interest in Clear Rate Holdings. L4-CR is managed by L. Four, LLC (L. Four), a Delaware limited liability company, that is co-owned by Barbara Henagan and Giny Mullins, both U.S. citizens, each holding 50% of L. Four. Applicants state that no other individual or entity will hold a 10% or greater interest in Clear Rate Holdings or Clear Rate Communications, LLC.

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

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**ITC-ASG-20210216-00035**     E

Network Service Billing, Inc.

Assignment

Grant of Authority

Date of Action:     02/26/2021

**Current Licensee:**     LCR Telecommunications, LLC

**FROM:** LCR Telecommunications, LLC

**TO:** Network Service Billing, Inc.

Notification filed on January 22, 2021, of the pro forma assignment of the customer base of LCR Telecommunications, LLC (LCR) to Network Service Billing, Inc. (NSBI), effective January 31, 2021. LCR and NSBI are both wholly owned by the Estate of Martin J. Tibbitts. Belinda G. Tibbitts is the appointed Personal Representative of the Estate and is the President of both LCR and NSBI. Pursuant to the terms of a January 31, 2021 Asset Purchase Agreement, LCR's entire customer base was assigned to NSBI. NSBI is providing international service to its newly acquired customers pursuant to its international section 214 authorization, ITC-214-20050726-00286. LCR retained its international section 214 authorization, ITC-214-19980313-00189.

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ITC-T/C-20200213-00030 E

Fusion Connect, Inc.

Transfer of Control

Grant of Authority

Date of Action: 02/25/2021

**Current Licensee:** Fusion Connect, Inc.

**FROM:** Telecom Holdings LLC

**TO:** Fusion Connect, Inc.

Application filed for consent to transfer control of Fusion Connect, Inc. (Fusion), a Delaware corporation which holds international section 214 authorization ITC-214-19971001-00592, from Telecom Holdings LLC to new shareholders. The transfer of control is the second of two related transactions seeking Commission approval as part of Fusion's bankruptcy reorganization plan. In the first transaction, all the equity interests in Fusion were cancelled, certain debt extinguished, and the first and second lien lenders received shares of Fusion's voting common stock and/or special warrants (Special Warrants). Following that transaction, Telecom Holdings, LLC (Telecom Holdings), a Delaware holding company, holds approximately 65% of the common stock and has de jure and de facto control of Fusion. See Applications Granted for the Transfer of Control of Fusion Connect, Inc., Debtor-in-Possession, and Subsidiaries, Public Notice, WC Docket No. 19-262, Public Notice, 35 FCC Rcd 409 (WCB/IB 2020).

In this second transaction, Fusion seeks Commission approval for the transfer of control that will occur from the exercise of the Special Warrants and the exchange of those warrants for common stock in Fusion. As a result of the issuance of new common stock in exchange for the Special Warrants, the voting and equity interests of Telecom Holdings will decrease to non-controlling levels, resulting in a negative transfer of control. Upon their exercise of the Special Warrants, the following institutional investor entities would hold in excess of 10% of Fusion's common stock: entities managed by CBAM CLO Management, LLC, approximately 12.63% (Cayman Islands, Kansas, and Delaware citizenship); Invesco Ltd., approximately 11.49% (Bermuda, Delaware, Colorado, and United Kingdom citizenship); Morgan Stanley/North Haven Entities, approximately 12.88% (Delaware citizenship); and, Vector Fusion Holdings (Cayman), LTD (Vector Fusion, together with funds of Vector Capital Management, L.P., Vector Funds), approximately 27.87% (Cayman Islands and Delaware citizenship). Fusion states that no single person or entity will have de jure or de facto control of Fusion.

On February 22, 2021, the National Telecommunications and Information Administration informed the Commission that the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector (Committee) "has reviewed the application and has no recommendation at this time to the Commission approving the application and no objection to the Commission granting it" and that the Committee "reserves the right to review any resulting authorization in the future to identify any additional or new risks to U.S. national security or law enforcement interests."

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

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ITC-T/C-20210111-00003 E

Lingo Management, LLC

Transfer of Control

Grant of Authority

Date of Action: 02/26/2021

**Current Licensee:** Lingo Management, LLC

**FROM:** Lingo Communications, LLC

**TO:** B. Riley Principal Investments, LLC

Application filed for consent to transfer control of Lingo Management, LLC, which holds international section 214 authorization ITC-214-20160630-00180, from Lingo Communications, LLC to B. Riley Principal Investments, LLC (BRPI).

Lingo Communications currently holds a 60% voting interest in Lingo Management and has the ability to designate two of the four members of the operating board of Lingo Management. BRPI currently holds a 40% voting interest in Lingo Management and has the right to designate two of the four board members. Following the consummation of the proposed transaction, BRPI will hold 80% of the voting interest and the right to designate three of the five members of the operating board of Lingo Management. Lingo Communications will hold 20% of the voting interest and the right to designate two of the five board members.

BRPI, a Delaware limited liability and holding company, is wholly owned by B. Riley Financial, Inc. (B. Riley), a publicly traded financial services company. Applicants state that Bryant R. Riley, a U.S. citizen, holds approximately 20% of B. Riley and that no other individual or entity holds a 10% or greater direct or indirect equity or voting interest in B. Riley.

Lingo Communications, a Georgia limited liability and holding company, is a wholly owned direct subsidiary of GG Telecom Investors, LLC (GG Telecom), a Georgia limited liability company. GG Telecom, in turn, is owned by Holcombe T. Green, Jr. (62.5%) and R. Kirby Godsey (37.5%), both U.S. citizens.

Pursuant to section 63.21(h) of the Commission's rules, 47 CFR § 63.21(h), the following entities operate pursuant to Lingo Management's international section 214 authorization, ITC-214-20160630-00180: Birch Communications of Virginia, Inc.; Birch Communications of the Northeast, LLC; Birch Telecom of the South, LLC; Birch Telecom of the Great Lakes, LLC; Birch Telecom of the West, LLC; IONEX Communications, LLC; IONEX Communications South, LLC; and IONEX Communications North, LLC.

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

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ITC-T/C-20210111-00004 E Matrix Telecom, LLC

Transfer of Control  
Grant of Authority

Date of Action: 02/26/2021

**Current Licensee:** Matrix Telecom, LLC

**FROM:** Lingo Communications, LLC

**TO:** B. Riley Principal Investments, LLC

Application filed for consent to transfer control of Matrix Telecom, LLC (Matrix) from Lingo Communications, LLC to B. Riley Principal Investments, LLC (BRPI). Matrix is an indirect wholly owned subsidiary of Lingo Management, LLC. Matrix holds international section 214 authorizations ITC-214-19900713-00004, ITC-214-19930330-00053, ITC-214-19940830-00266, ITC-214-19970415-00212, ITC-214-19980507-00300, and ITC-214-19980915-00644.

Lingo Communications currently holds a 60% voting interest in Lingo Management and has the ability to designate two of the four members of the operating board of Lingo Management. BRPI currently holds a 40% voting interest in Lingo Management and has the right to designate two of the four board members. Following the consummation of the proposed transaction, BRPI will hold 80% of the voting interest and the right to designate three of the five members of the operating board of Lingo Management. Lingo Communications will hold 20% of the voting interest and the right to designate two of the five board members.

BRPI, a Delaware limited liability and holding company, is wholly owned by B. Riley Financial, Inc. (B. Riley), a publicly traded financial services company. Applicants state that Bryant R. Riley, a U.S. citizen, holds approximately 20% of B. Riley and that no other individual or entity holds a 10% or greater direct or indirect equity or voting interest in B. Riley.

Lingo Communications, a Georgia limited liability and holding company, is a wholly owned direct subsidiary of GG Telecom Investors, LLC (GG Telecom), a Georgia limited liability company. GG Telecom, in turn, is owned by Holcombe T. Green, Jr. (62.5%) and R. Kirby Godsey (37.5%), both U.S. citizens.

Matrix Telecom of Virginia, LLC provides international service under authority of the international section 214 authorizations held by Matrix pursuant to section 63.21(h) of the Commission's rules, 47 CFR § 63.21(h).

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

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ITC-T/C-20210111-00005 E Lingo Communications of Kentucky, LLC

Transfer of Control  
Grant of Authority

Date of Action: 02/26/2021

**Current Licensee:** Lingo Communications of Kentucky, LLC

**FROM:** Lingo Communications, LLC

**TO:** B. Riley Principal Investments, LLC

Application filed for consent to transfer control of Lingo Communications of Kentucky, LLC (Lingo Kentucky), which holds international section 214 authorization ITC-214-20130716-00198, from Lingo Communications, LLC to B. Riley Principal Investments, LLC (BRPI). Lingo Kentucky is a direct wholly owned subsidiary of Lingo Management, LLC.

Lingo Communications currently holds a 60% voting interest in Lingo Management and has the ability to designate two of the four members of the operating board of Lingo Management. BRPI currently holds a 40% voting interest in Lingo Management and has the right to designate two of the four board members. Following the consummation of the proposed transaction, BRPI will hold 80% of the voting interest and the right to designate three of the five members of the operating board of Lingo Management. Lingo Communications will hold 20% of the voting interest and the right to designate two of the five board members.

BRPI, a Delaware limited liability and holding company, is wholly owned by B. Riley Financial, Inc. (B. Riley), a publicly traded financial services company. Applicants state that Bryant R. Riley, a U.S. citizen, holds approximately 20% of B. Riley and that no other individual or entity holds a 10% or greater direct or indirect equity or voting interest in B. Riley.

Lingo Communications, a Georgia limited liability and holding company, is a wholly owned direct subsidiary of GG Telecom Investors, LLC (GG Telecom), a Georgia limited liability company. GG Telecom, in turn, is owned by Holcombe T. Green, Jr. (62.5%) and R. Kirby Godsey (37.5%), 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-20210111-00006** E Tempo Telecom, LLC

Transfer of Control

Grant of Authority

Date of Action: 02/26/2021

**Current Licensee:** Tempo Telecom, LLC

**FROM:** Lingo Communications, LLC

**TO:** B. Riley Principal Investments, LLC

Application filed for consent to transfer control of Tempo Telecom, LLC (Tempo), which holds international section 214 authorization ITC-214-20130411-00107, from Lingo Communications, LLC to B. Riley Principal Investments, LLC (BRPI). Tempo is a direct wholly owned subsidiary of Lingo Management, LLC.

Lingo Communications currently holds a 60% voting interest in Lingo Management and has the ability to designate two of the four members of the operating board of Lingo Management. BRPI currently holds a 40% voting interest in Lingo Management and has the right to designate two of the four board members. Following the consummation of the proposed transaction, BRPI will hold 80% of the voting interest and the right to designate three of the five members of the operating board of Lingo Management. Lingo Communications will hold 20% of the voting interest and the right to designate two of the five board members.

BRPI, a Delaware limited liability and holding company, is wholly owned by B. Riley Financial, Inc. (B. Riley), a publicly traded financial services company. Applicants state that Bryant R. Riley, a U.S. citizen, holds approximately 20% of B. Riley and that no other individual or entity holds a 10% or greater direct or indirect equity or voting interest in B. Riley.

Lingo Communications, a Georgia limited liability and holding company, is a wholly owned direct subsidiary of GG Telecom Investors, LLC (GG Telecom), a Georgia limited liability company. GG Telecom, in turn, is owned by Holcombe T. Green, Jr. (62.5%) and R. Kirby Godsey (37.5%), 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-20210125-00025** E Accipiter Communications Inc DBA Zona Communications

Transfer of Control

Grant of Authority

Date of Action: 02/26/2021

**Current Licensee:** Accipiter Communications Inc DBA Zona Communications

**FROM:** ESU Zona LLC

**TO:** Wyverd Group Holdings, LLC

Application filed for consent to transfer control of Accipiter Communications Inc DBA Zona Communications (Zona), a Nevada corporation which holds international section 214 authorization ITC-214-20061026-00491, from ESU Zona LLC (ESU) to Wyverd Group Holdings, LLC (Wyverd Holdings). Zona is wholly owned subsidiary of Wyverd Group, LLC (Wyverd Group) a Delaware limited liability company, which, in turn, is majority owned (78.83%) by ESU, a Delaware limited liability company. Pursuant to the Agreement and Plan of Merger, dated January 22, 2021, Wyverd Group Merger Sub, LLC (Merger Sub), a direct wholly owned subsidiary of Wyverd Holdings will merge with and into Wyverd Group with Wyverd Group being the surviving entity. Consequently, Wyverd Group and Zona will become direct and indirect wholly owned subsidiaries of Wyverd Holdings respectively.

Wyverd Holdings, a newly formed Delaware limited liability company created for the purposes of this transaction, will, post-consummation, be majority owned and controlled by CGI Zoom Holdings, L.P. (Zoom Holdings) (66.47%), a Delaware limited partnership. Two other Delaware entities will hold a 10% or greater direct or indirect interest in Wyverd Holdings: (1) Columbia Capital Equity Partners VI (QP), L.P. (direct 10.79%), which is ultimately controlled by James B. Fleming, Jr. and John T. Siegel, Jr., both U.S. citizens; and (2) ESU Investments, LLC (direct 6.8% and indirect 8.5%), which is wholly owned by John Scarano.

Zoom Holdings is wholly owned by Carlyle CGI Zoom Aggregator, L.P. (Zoom Aggregator), a Delaware limited partnership. Carlyle CGI AIV, L.P., a Cayman Island entity, and Carlyle Electing LL, L.P., a Delaware limited partnership, hold a 59% and 40% limited partnership interest in Zoom Aggregator respectively. CGIOF General Partner S1, L.P., A Cayman Island entity, is the general partner of Zoom Holdings and Zoom Aggregator. CGIOF General Partner S1, L.P. is also the general partner of Carlyle CGI AIV, L.P. and Carlyle Electing LL, L.P. and holds a direct 1.1% equity interest in both. All of these entities are ultimately owned and controlled by private equity funds and entities associated with Carlyle Investment Management, L.L.C. (the Carlyle Group), a U.S.-based private equity firm with certain intermediate funds and entities organized in the Cayman Islands. The Carlyle Group is a U.S. publicly traded company and, according to the Applicants, no individual stockholder will be attributed a 10% or greater indirect interest in Wyverd Holdings.

In the Executive Branch Review Process Order the Commission set out categories of applications with reportable foreign ownership that may be excluded from referral to the Executive Branch for review for national security, law enforcement, foreign policy and trade policy issues. See Process Reform for Executive Branch Review of Certain FCC Applications and Petitions Involving Foreign Ownership, IB Docket 16-155, Report and Order, 35 FCC 10927, 10938-42, paras. 29-39 (2020). Applicants have made a showing that the only reportable foreign ownership in Wyverd Holdings and Zona is through passive, offshore intermediary holding companies and that 100% of the ultimate control is held by U.S. citizens or entities. We are exercising our discretion and are not referring this application to the Executive Branch. See id. at 10941, para. 36, n. 99; see also id. at 10957, para 81, n. 205.

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

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Transfer of Control

Grant of Authority

Date of Action: 02/26/2021

**Current Licensee:** Prairieburg Telephone Company, Incorporated**FROM:** Prairieburg Telephone Company, Incorporated**TO:** HILLIARY ACQUISITION IOWA, LLC

Application filed for consent to transfer control of Prairieburg Telephone Company, Incorporated (PTCI), a privately held Iowa corporation which holds international section 214 authorization ITC-214-20081015-00459, from its current shareholders to Hilliary Acquisition Iowa, LLC (Hilliary). Pursuant to the terms of the proposed transaction, Hilliary's wholly owned subsidiary, PTCI Acquisition Corp., an Iowa Corporation, will merge with and into PTCI with PTCI being the surviving entity. As a result, PTCI will become a wholly owned subsidiary of Hilliary.

Hilliary, an Oklahoma holding company, is owned by Edward E. Hilliary, Jr., Dustin J. Hilliary, Michael J. Hilliary, and Douglas J. Hilliary, all U.S. citizens, each holding a 25% interest.

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

**INFORMATIVE****ITC-T/C-20190905-00151**

Arrival Communications, Inc. d/b/a TPx Communications

On January 22, 2020, the Commission granted the application for the transfer of control of Arrival Communications, Inc. d/b/a TPx Communications, which holds international section 214 authorization ITC-214-19950920-00031, from U.S. TelePacific Holdings Corp. to Tango Private Holdings II, LLC. Grant of the application was conditioned on compliance with the commitments made by U.S. TelePacific Corp. and U.S. TelePacific Holdings Corp. regarding potential national security, law enforcement and public safety issues in a September 2, 2016 Letter of Assurances from Richard A. Jalkut, President & Chief Executive Officer, U.S. TelePacific Corp. and U.S. TelePacific Holdings Corp., to the Assistant Attorney General for National Security, National Security Division, Department of Justice, and the Assistant Secretary of Policy, Department of Homeland Security (2016 LOA). See International Authorizations Granted, Report No. TEL-02003, Public Notice, 35 FCC Red 620, 621 (IB 2020).

On March 2, 2021, the Department of Homeland Security (DHS), with the concurrence of the Department of Justice (DOJ), notified the Commission that DHS and DOJ have terminated the agreements with U.S. TelePacific Corp. and U.S. TelePacific Holdings Corp upon which the transfer application was conditioned (DHS Letter). Consequently, we remove the condition to comply with the 2016 LOA from ITC-T/C-20190905-00151 and ITC-214-19950920-00031. The DHS Letter may be viewed on the FCC's website through the International Bureau Filing System (IBFS) by searching for ITC-T/C-20190905-00151 and accessing the "Other Filings related to this application" from the Document Viewing Area.

**ITC-T/C-20190905-00152**

DSCI, LLC d/b/a TPx Communications

On January 22, 2020, the Commission granted the application for the transfer of control of DSCI LLC, which holds international section 214 authorization ITC-214-20040309-00098, from U.S. TelePacific Holdings Corp. to Tango Private Holdings II, LLC. Grant of the application was conditioned on compliance with the commitments made by U.S. TelePacific Corp. and U.S. TelePacific Holdings Corp. regarding potential national security, law enforcement and public safety issues in a September 2, 2016 Letter of Assurances from Richard A. Jalkut, President & Chief Executive Officer, U.S. TelePacific Corp. and U.S. TelePacific Holdings Corp., to the Assistant Attorney General for National Security, National Security Division, Department of Justice, and the Assistant Secretary of Policy, Department of Homeland Security (2016 LOA). See International Authorizations Granted, Report No. TEL-02003, Public Notice, 35 FCC Red 620, 622 (IB 2020).

On March 2, 2021, the Department of Homeland Security (DHS), with the concurrence of the Department of Justice (DOJ), notified the Commission that DHS and DOJ have terminated the agreements with U.S. TelePacific Corp. and U.S. TelePacific Holdings Corp upon which the transfer application was conditioned (DHS Letter). Consequently, we remove the condition to comply with the 2016 LOA from ITC-T/C-20190905-00152 and ITC-214-20040309-00098. The DHS Letter may be viewed on the FCC's website through the International Bureau Filing System (IBFS) by searching for ITC-T/C-20190905-00152 and accessing the "Other Filings related to this application" from the Document Viewing Area.

**ITC-T/C-20190905-00153**

TPx Communications Co.

On January 22, 2020, the Commission granted the application for the transfer of control of TPx Communications Co., which holds international section 214 authorization ITC-214-20050214-00568, from U.S. TelePacific Holdings Corp. to Tango Private Holdings II, LLC. Grant of the application was conditioned on compliance with the commitments made by U.S. TelePacific Corp. and U.S. TelePacific Holdings Corp. regarding potential national security, law enforcement and public safety issues in a September 2, 2016 Letter of Assurances from Richard A. Jalkut, President & Chief Executive Officer, U.S. TelePacific Corp. and U.S. TelePacific Holdings Corp., to the Assistant Attorney General for National Security, National Security Division, Department of Justice, and the Assistant Secretary of Policy, Department of Homeland Security (2016 LOA). See International Authorizations Granted, Report No. TEL-02003, Public Notice, 35 FCC Red 620, 623 (IB 2020).

On March 2, 2021, the Department of Homeland Security (DHS), with the concurrence of the Department of Justice (DOJ), notified the Commission that DHS and DOJ have terminated the agreements with U.S. TelePacific Corp. and U.S. TelePacific Holdings Corp upon which the transfer application was conditioned (DHS Letter). Consequently, we remove the condition to comply with the 2016 LOA from ITC-T/C-20190905-00153 and ITC-214-20050214-00568. The DHS Letter may be viewed on the FCC's website through the International Bureau Filing System (IBFS) by searching for ITC-T/C-20190905-00153 and accessing the "Other Filings related to this application" from the Document Viewing Area.

**INFORMATIVE**

**ITC-T/C-20190905-00154**

Mpower Communications Corp. d/b/a TPx Communications

On January 22, 2020, the Commission granted the application for the transfer of control of Mpower Communications Corp., which holds international section 214 authorization ITC-214-19970731-00440, from U.S. TelePacific Holdings Corp. to Tango Private Holdings II, LLC. Grant of the application was conditioned on compliance with the commitments made by U.S. TelePacific Corp. and U.S. TelePacific Holdings Corp. regarding potential national security, law enforcement and public safety issues in a September 2, 2016 Letter of Assurances from Richard A. Jalkut, President & Chief Executive Officer, U.S. TelePacific Corp. and U.S. TelePacific Holdings Corp., to the Assistant Attorney General for National Security, National Security Division, Department of Justice, and the Assistant Secretary of Policy, Department of Homeland Security (2016 LOA). See International Authorizations Granted, Report No. TEL-02003, Public Notice, 35 FCC Red 620, 624 (IB 2020).

On March 2, 2021, the Department of Homeland Security (DHS), with the concurrence of the Department of Justice (DOJ), notified the Commission that DHS and DOJ have terminated the agreements with U.S. TelePacific Corp. and U.S. TelePacific Holdings Corp upon which the transfer application was conditioned (DHS Letter). Consequently, we remove the condition to comply with the 2016 LOA from ITC-T/C-20190905-00154 and ITC-214-19970731-00440. The DHS Letter may be viewed on the FCC's website through the International Bureau Filing System (IBFS) by searching for ITC-T/C-20190905-00154 and accessing the "Other Filings related to this application" from the Document Viewing Area.

**ITC-T/C-20190905-00156**

U.S. TelePacific Corp. d/b/a TPx Communications

On January 22, 2020, the Commission granted the application for the transfer of control of U.S. TelePacific Corp., which holds international section 214 authorizations ITC-214-19970210-00076 and ITC-214-19970828-00514, from U.S. TelePacific Holdings Corp. to Tango Private Holdings II, LLC. Grant of the application was conditioned on compliance with the commitments made by U.S. TelePacific Corp. and U.S. TelePacific Holdings Corp. regarding potential national security, law enforcement and public safety issues in a September 2, 2016 Letter of Assurances from Richard A. Jalkut, President & Chief Executive Officer, U.S. TelePacific Corp. and U.S. TelePacific Holdings Corp., to the Assistant Attorney General for National Security, National Security Division, Department of Justice, and the Assistant Secretary of Policy, Department of Homeland Security (2016 LOA). See International Authorizations Granted, Report No. TEL-02003, Public Notice, 35 FCC Red 620, 625 (IB 2020).

On March 2, 2021, the Department of Homeland Security (DHS), with the concurrence of the Department of Justice (DOJ), notified the Commission that DHS and DOJ have terminated the agreements with U.S. TelePacific Corp. and U.S. TelePacific Holdings Corp upon which the transfer application was conditioned (DHS Letter). Consequently, we remove the condition to comply with the 2016 LOA from ITC-T/C-20190905-00156, ITC-214-19970210-00076 and ITC-214-19970828-00514. The DHS Letter may be viewed on the FCC's website through the International Bureau Filing System (IBFS) by searching for ITC-T/C-20190905-00156 and accessing the "Other Filings related to this application" from the Document Viewing Area.

## 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-MSC-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](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.