DA 22-503

Kenneth Jacobi

Latin Node, Inc.

7232 NW 31st St.

Miami, FL 33122

*Via Certified Mail, Return Receipt Requested*

**Re: Potential Reclamation of Latin Node, Inc.’s International Signaling**

**Point Code, 3-194-4 (Miami, FL)**

Dear Mr. Jacobi:

 By this letter, we inform you of our intent to reclaim the above-captioned International Signaling Point Code (ISPC), provisionally assigned to Latin Node, Inc. (Latin Node), unless you respond to this letter within thirty (30) days, by **June 6, 2022**, and indicate whether Latin Node is still using the code.

The Federal Communications Commission (Commission), as the Administrator for the United States, assigns ISPCs for Signaling System No. 7 networks under ITU-T Recommendation Q.708.[[1]](#footnote-3) 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.”[[2]](#footnote-4) Finally, ITU-T Recommendation Q.708 provides that the Commission should withdraw an ISPC assignment if the code is “no longer in use or required” by the operator, among other reasons.[[3]](#footnote-5)

Pursuant to ITU-T Recommendation Q.708, the Commission also required Latin Node to make several certifications in its application for the ISPC. *First*, Latin Node certified that the “[c]ode assignments held in excess of 12 months without implementation must be returned to this Administrator for reassignment.”[[4]](#footnote-6) To confirm this, the Telecommunications Division (Division) of the International Bureau (Bureau) in a letter provisionally assigning the code to Latin Node on July 31, 2003, required Latin Node to inform the Division of the date the code was implemented.[[5]](#footnote-7) *Second*, Latin Node 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.”[[6]](#footnote-8) In granting the Latin Node ISPC Application, the Division also stated that requests for ISPCs must “strictly fit the [ITU-T Recommendation Q.708] guidelines and that ‘warehousing’ of assignments be avoided. . . .”[[7]](#footnote-9) *Third*, Latin Node was subject to the annual traffic and revenue reporting requirements at the time of its ISPC assignment. Latin Node certified that its failure to file this report would “be interpreted as inactive operation and could, therefore, result in the loss of the carrier’s point code assignment.”[[8]](#footnote-10) Despite these certifications, we have no record that Latin Node informed the Division or the Bureau of the date the code was implemented or filed any International Traffic and Revenue Reports for the years 2004-2015.[[9]](#footnote-11)

In October 2021, Bureau staff made several attempts to contact Latin Node to ascertain whether it is using its assigned ISPC. On October 21, 2021, the staff sent inquiries to the email addresses on file, which were either returned due to an unknown user error or unanswered.[[10]](#footnote-12) On October 22, 2021, staff called Latin Node’s phone numbers on record, which are either no longer in service or the calls went unanswered.[[11]](#footnote-13) We are also aware that Latin Node surrendered its international section 214 authorization in 2008, and it indicated at that time that it would cease operations.[[12]](#footnote-14) The FCC 499 Filer Database confirms this, indicating that Latin Node has not been active since July 17, 2008 and “is no longer providing telecommunications services.”[[13]](#footnote-15) Finally, staff viewed the Florida Department of State, Division of Corporations website, according to which Latin Node has been inactive since 2010, when it was dissolved.[[14]](#footnote-16) Based on our inability to contact a representative of Latin Node, our records, Latin Node’s apparent failure to file any International Traffic and Revenue Reports for 2005-2014, and the records of Florida’s Department of State, we believe Latin Node may no longer be providing service and may no longer be using its assigned ISPC.

We request that you respond to this letter by **June 6, 2022**, and indicate the date the code was implemented and describe the current use of Latin Node’s ISPC (3-194-4). A failure to respond to this letter by this date will serve as confirmation that Latin Node is no longer using its provisionally assigned ISPC and has failed to comply with our ISPC requirements. Consistent with the terms of the ITU-T Recommendation Q.708, we will reclaim the ISPC (3-194-4) and immediately thereafter make the code available for reassignment if you fail to respond to this letter as requested. We are addressing this letter to the most recent contacts and addresses of record provided by Latin Node.

If you have any questions, please contact me at (202) 418-7370 or Francis.Gutierrez@fcc.gov or my colleague Arthur Lechtman at (202) 418-1465 or Arthur.Lechtman@fcc.gov.

Sincerely,

 /*Francis Gutierrez*/

Francis Gutierrez

Deputy Chief, Telecommunications and Analysis Division

International Bureau

cc:

Jorge Granados, President

Latin Node, Inc.

7232 N.W. 31st St.

Miami, Fl 33122

Kenneth Jacobi

Kenneth Jacobi & Associates, Inc

10700 SW 10th Court

Davie, Florida 33324

Kurt Knutzon, Chief Executive Officer

Jorge Granados, President

Latin Node, Inc.

9800 NW 41st Street, Suite 200

Miami, FL 33178

Edward A. Maldonado

1717 K Street NW, Suite 600

Washington, DC 20036

**Attachment**

-----Original Message-----
From: Mail Delivery Subsystem <MAILER-DAEMON@mx0a-0024ed01.pphosted.com>
Sent: Wednesday, October 20, 2021 4:01 PM
To: prvs=992724cd3d=arthur.lechtman@fcc.gov
Subject: [EXTERNAL]: Returned mail: see transcript for details

The original message was received at Wed, 20 Oct 2021 20:01:02 GMT from m0102176.ppops.net [127.0.0.1]

 ----- The following addresses had permanent fatal errors ----- <JGranados@latinode.com>

 (reason: 550 5.1.1 <jgranados@latinode.com> Recipient not found. <[https://urldefense.proofpoint.com/v2/url?u=http-3A\_\_x.co\_irbounce&d=DwIBAg&c=y0h0omCe0jAUGr4gAQ02Fw&r=LgaPB62cnAL6aGQ2Ex5mx\_JPBXwqbNdDzoMf2egvzTM&m=XpptBxLi9T45N96ca4qeO0Amor4MnohYBfnwTcb\_RqQDa4LRhJxcX51uxsrAlEpW&s=YxqgAT5Jy3kirzTvIWBda-rLQSIczr9kOarsC7s6ggo&e=](https://urldefense.proofpoint.com/v2/url?u=http-3A__x.co_irbounce&d=DwIBAg&c=y0h0omCe0jAUGr4gAQ02Fw&r=LgaPB62cnAL6aGQ2Ex5mx_JPBXwqbNdDzoMf2egvzTM&m=XpptBxLi9T45N96ca4qeO0Amor4MnohYBfnwTcb_RqQDa4LRhJxcX51uxsrAlEpW&s=YxqgAT5Jy3kirzTvIWBda-rLQSIczr9kOarsC7s6ggo&e=%20) >) <kjacobi@latinode.com>

 (reason: 550 5.1.1 <kjacobi@latinode.com> Recipient not found. <[https://urldefense.proofpoint.com/v2/url?u=http-3A\_\_x.co\_irbounce&d=DwIBAg&c=y0h0omCe0jAUGr4gAQ02Fw&r=LgaPB62cnAL6aGQ2Ex5mx\_JPBXwqbNdDzoMf2egvzTM&m=XpptBxLi9T45N96ca4qeO0Amor4MnohYBfnwTcb\_RqQDa4LRhJxcX51uxsrAlEpW&s=YxqgAT5Jy3kirzTvIWBda-rLQSIczr9kOarsC7s6ggo&e=](https://urldefense.proofpoint.com/v2/url?u=http-3A__x.co_irbounce&d=DwIBAg&c=y0h0omCe0jAUGr4gAQ02Fw&r=LgaPB62cnAL6aGQ2Ex5mx_JPBXwqbNdDzoMf2egvzTM&m=XpptBxLi9T45N96ca4qeO0Amor4MnohYBfnwTcb_RqQDa4LRhJxcX51uxsrAlEpW&s=YxqgAT5Jy3kirzTvIWBda-rLQSIczr9kOarsC7s6ggo&e=%20) >)

 ----- Transcript of session follows ----- ... while talking to smtp.secureserver.net.:

>>> RCPT To:<kjacobi@latinode.com>

<<< 550 5.1.1 <kjacobi@latinode.com> Recipient not found. <[https://urldefense.proofpoint.com/v2/url?u=http-3A\_\_x.co\_irbounce&d=DwIBAg&c=y0h0omCe0jAUGr4gAQ02Fw&r=LgaPB62cnAL6aGQ2Ex5mx\_JPBXwqbNdDzoMf2egvzTM&m=XpptBxLi9T45N96ca4qeO0Amor4MnohYBfnwTcb\_RqQDa4LRhJxcX51uxsrAlEpW&s=YxqgAT5Jy3kirzTvIWBda-rLQSIczr9kOarsC7s6ggo&e=](https://urldefense.proofpoint.com/v2/url?u=http-3A__x.co_irbounce&d=DwIBAg&c=y0h0omCe0jAUGr4gAQ02Fw&r=LgaPB62cnAL6aGQ2Ex5mx_JPBXwqbNdDzoMf2egvzTM&m=XpptBxLi9T45N96ca4qeO0Amor4MnohYBfnwTcb_RqQDa4LRhJxcX51uxsrAlEpW&s=YxqgAT5Jy3kirzTvIWBda-rLQSIczr9kOarsC7s6ggo&e=%20) >

550 5.1.1 <kjacobi@latinode.com>... User unknown

>>> RCPT To:<JGranados@latinode.com>

<<< 550 5.1.1 <jgranados@latinode.com> Recipient not found. <[https://urldefense.proofpoint.com/v2/url?u=http-3A\_\_x.co\_irbounce&d=DwIBAg&c=y0h0omCe0jAUGr4gAQ02Fw&r=LgaPB62cnAL6aGQ2Ex5mx\_JPBXwqbNdDzoMf2egvzTM&m=XpptBxLi9T45N96ca4qeO0Amor4MnohYBfnwTcb\_RqQDa4LRhJxcX51uxsrAlEpW&s=YxqgAT5Jy3kirzTvIWBda-rLQSIczr9kOarsC7s6ggo&e=](https://urldefense.proofpoint.com/v2/url?u=http-3A__x.co_irbounce&d=DwIBAg&c=y0h0omCe0jAUGr4gAQ02Fw&r=LgaPB62cnAL6aGQ2Ex5mx_JPBXwqbNdDzoMf2egvzTM&m=XpptBxLi9T45N96ca4qeO0Amor4MnohYBfnwTcb_RqQDa4LRhJxcX51uxsrAlEpW&s=YxqgAT5Jy3kirzTvIWBda-rLQSIczr9kOarsC7s6ggo&e=%20) >

550 5.1.1 <JGranados@latinode.com>... User unknown

>>> DATA

<<< 503 5.5.0 need RCPT before DATA

**###**

**From:** Microsoft Outlook <MicrosoftExchange329e71ec88ae4615bbc36ab6ce41109e@fccoffice.onmicrosoft.com>
**Sent:** Wednesday, October 20, 2021 4:01 PM
**To:** Arthur Lechtman <Arthur.Lechtman@fcc.gov>
**Subject:** Relayed: Latin Node, Inc. International Signaling Point Code

**Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:**

JGranados@latinode.com (JGranados@latinode.com)

kenjacobi@hotmail.com (kenjacobi@hotmail.com)

kjacobi@latinode.com (kjacobi@latinode.com)

Subject: Latin Node, Inc. International Signaling Point Code

**###**

**From:** Arthur Lechtman <Arthur.Lechtman@fcc.gov>
**Sent:** Wednesday, October 20, 2021 4:01 PM
**To:** JGranados@latinode.com; kenjacobi@hotmail.com; kjacobi@latinode.com
**Cc:** Francis Gutierrez <Francis.Gutierrez@fcc.gov>; Stacey Ashton <Stacey.Ashton@fcc.gov>
**Subject:** Latin Node, Inc. International Signaling Point Code

Good afternoon,

My office in the FCC’s International Bureau is reviewing international signaling point code (ISPC) records.  We are aware that Latin Node, Inc. surrendered its international Section 214 authorization in 2008.  We do not have records showing the current disposition of the International Signaling Point Code (ISPC) that the International Bureau provisionally assigned to Latin Node in 2003:

File no. SPC-NEW-20030729-00029:        3-194-4 (Miami, FL)

Is Latin Node or any other entity to your knowledge using ISPC 3-194-4?  As these codes are a scarce resource, we reclaim them when not in use so that they may be available for res-assignment to other operators.  Please let me know the status of this ISPC by email or call me at the number below if you have any questions.  Thank you,

Arthur Lechtman

International Bureau/TAD

Federal Communications Commission

202.418.1465

1. International Telecommunication Union (ITU), 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). [↑](#footnote-ref-3)
2. *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); *see also* *China Telecom (Americas) Corporation, GN Docket No. 20-109 et al*., Order Instituting Proceedings on Revocation and Termination and Memorandum Opinion and Order, 35 FCC Rcd 15006, 15040, para. 58 (2020) (“ISPCs are a scarce resource that are used by international Signaling System 7 (SS7) gateways as addresses for routing domestic voice traffic to an international provider and anyone seeking an ISPC assignment is required by rule to file an application with the Commission and comply with its procedures.”). [↑](#footnote-ref-4)
3. ITU-T Recommendation Q.708 at 6. [↑](#footnote-ref-5)
4. Latin Node, Inc., File No. SPC-NEW-20030729-00029 (filed July 29, 2003) (Latin Node ISPC Application). [↑](#footnote-ref-6)
5. Letter from Cathy Hsu, Policy Division, International Bureau, FCC to Kenneth Jacobi, Regulatory, Latin Node, Inc. (July 31, 2003) (*Latin Node Grant Letter*). Due to a special condition, Latin Node was required to implement its code assignment within one month of assignment. *Latin Node Grant Letter* at 2 (“your implementation and notification to this office must occur on or before August 31, 2003.”). [↑](#footnote-ref-7)
6. Latin Node ISPC Application. In its *Latin Node Grant Letter*, the Bureau reiterated the certifications, 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.” *Latin Node Grant Letter* at 2. [↑](#footnote-ref-8)
7. *Latin Node Grant Letter* at 1. [↑](#footnote-ref-9)
8. Latin Node ISPC Application. [↑](#footnote-ref-10)
9. In 2017, the Commission eliminated the requirement that U.S. providers of international telecommunications services file annual Traffic and Revenue Reports. *See* *Section 43.62 Reporting Requirements for U.S. Providers of International Services; 2016 Biennial Review of Telecommunications Regulations*, IB Docket Nos. 17-55 & 16-131, Report and Order, 32 FCC Rcd 8115 (2017). Providers, including Latin Node, were required to file the final traffic and revenue data for calendar year 2015. [↑](#footnote-ref-11)
10. Email from Arthur Lechtman, Attorney-Advisor, Telecommunications and Analysis Division, International Bureau, to Jorge Granados and Kenneth Jacobi, Latin Node, Inc. (JGranados@latinode.com, kenjacobi@hotmail.com, kjacobi@latinode.com) (Oct. 20, 2021, 4:01 PM); Return email from Mail Delivery Subsystem to Arthur Lechtman, Attorney-Advisor, Telecommunications and Analysis Division, International Bureau (Oct. 20, 2021, 4:01 PM). These emails are reprinted in the Attachment below. [↑](#footnote-ref-12)
11. Staff called the following telephone numbers: (305) 592-4848, (954) 257-0873, and (773) 862-8555. [↑](#footnote-ref-13)
12. Latin Node, Inc., File no. SUR-NDR-20080716-00031 (filed July 16, 2008). [↑](#footnote-ref-14)
13. Latin Node, Inc., FCC Form 499 Filer Database, <https://apps.fcc.gov/cgb/form499/499detail.cfm?FilerNum=825711> (last visited Feb. 17, 2022). [↑](#footnote-ref-15)
14. *See* Florida, Department of State, Division of Corporations, Search Records, <https://dos.myflorida.com/sunbiz/search/>. [↑](#footnote-ref-16)