



Federal Communications Commission
Washington, D.C. 20554

November 1, 2023

DA 23-1033

Mr. Jaemin Bark
Vice President
SK Telink America, Inc.
110 E. 55th St., 18th Floor
New York, NY 10022

Via First Class Mail and Certified Mail, Return Receipt Requested

Re: Potential Reclamation of SK Telink America, Inc.'s International Signaling Point Code, 3-183-6 (Jersey City, NJ)

Dear Mr. Bark:

By this letter, the Telecommunications and Analysis Division of the Office of International Affairs (OIA) informs you of our intent to reclaim the above-captioned International Signaling Point Code (ISPC), which was provisionally assigned to SK Telink America, Inc. (SK Telink) on January 13, 2000.¹ We will take this action unless you respond to this letter within thirty (30) days, by **December 1, 2023**, and indicate whether SK Telink 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.708.² 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.”³ 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.⁴

¹ SK Telink America, Inc., File No. SPC-NEW-20000112-00001 (filed Jan. 12, 2000) (SK Telink ISPC Application); Letter from Cathy Hsu, Telecommunications Division, International Bureau, FCC to Mr. Jaemin Bark, Vice President, SK Telink America, Inc. (Jan. 13, 2000) (SK Telink Grant Letter).

² 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.708-199903-1> (ITU-T Recommendation Q.708).

³ *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.”).

⁴ ITU-T Recommendation Q.708 at 6.

In its letter granting the provisional assignment of ISPC 3-183-6 to SK Telink in 2000, the Telecommunications Division (Division) of the International Bureau (Bureau) of the Federal Communications Commission required SK Telink to inform the Division of the date the code was implemented, and to do so within 12 months of the assignment (i.e., by January 13, 2001).⁵ In granting the SK Telink ISPC Application, the Division also stated that requests for ISPCs must “strictly fit the [ITU-T Recommendation Q.708] guidelines and that ‘warehousing’ of ISPC assignments be avoided. . . .”⁶ Additionally, SK Telink was subject to annual traffic and revenue reporting requirements at the time of its ISPC assignment.⁷ We have no record that SK Telink informed the Division of the date the code was implemented or filed any international Traffic and Revenue reports for the years 2004-2015.⁸

Since March 2020, Division staff⁹ made several attempts to contact SK Telink to ascertain whether it is using its assigned ISPC. On March 5, 2020, the staff sent an inquiry by email to SK Telink which was unanswered.¹⁰ That same day, the staff called SK Telink’s phone number on record, which was no longer in service.¹¹ On October 27, 2021, the staff sent an email inquiry to another email address on file for SK Telink, and it was returned as undeliverable.¹² The staff also called additional SK Telink

⁵ SK Telink Grant Letter at 2.

⁶ *Id.* at 1.

⁷ See generally *Amendment of Section 43.61 of the Commission’s Rules*, CC Docket No. 91-22, Report and Order, 7 FCC Rcd 1379 (1992) (establishing the traffic and revenue reporting requirements that were in effect at the time of SK Telink’s ISPC assignment).

⁸ 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 SK Telink, were required to file the final traffic and revenue data for calendar year 2015.

⁹ The Telecommunications Division, also known in the past as the Policy Division, was renamed the Telecommunications and Analysis Division in 2015 as a result of an International Bureau reorganization. See *International Bureau Reorganization*, FCC New Release, December 14, 2015 (<https://docs.fcc.gov/public/attachments/DOC-336832A1.pdf>). In 2023, the Commission adopted an order that reorganized the International Bureau into: (1) a Space Bureau and (2) an Office of International Affairs (OIA). See *Establishment of the Space Bureau and the Office of International Affairs and Reorganization of the Consumer and Governmental Affairs Bureau and the Office of the Managing Director*, Order, MD Docket No. 23-12, FCC 23-1 (rel. Jan. 9, 2023). As a result of this reorganization, the Telecommunications and Analysis Division became a division within OIA.

¹⁰ Email from Arthur Lechtman, Attorney-Advisor, Telecommunications and Analysis Division, International Bureau, to Jaemin Bark, SK Telink America, Inc. (jbark@ocmp.com) (Mar. 5, 2020, 3:54 PM); Return email/delivery notification from Microsoft Outlook to Arthur Lechtman, Attorney-Advisor, Telecommunications and Analysis Division, International Bureau (Mar. 5, 2020, 3:54 PM). These emails are reprinted in the Attachment.

¹¹ Staff called the following telephone number: (212) 906-8181.

¹² Email from Arthur Lechtman, Attorney-Advisor, Telecommunications and Analysis Division, International Bureau, to Jaemin Bark, SK Telink America, Inc. (jbark@ocmp.com, info@sktamerica.com, info@sktamerica.com) (Oct. 27, 2021, 12:11 PM); Return email from Mail Delivery Subsystem to Arthur Lechtman, Attorney-Advisor, Telecommunications and Analysis Division, International Bureau (Oct. 27, 2021, 12:11 PM). These emails are reprinted in the Attachment.

telephone numbers on file, and these numbers were also not in service or no one answered.¹³ The FCC 499 Filer Database further indicates that SK Telink has not been active since July 1, 2003 and that SK Telink “has filed for Chapter 7 bankruptcy protection.”¹⁴ SK Telink also surrendered its international section 214 authority on December 18, 2003.¹⁵ In surrendering its section 214 authorization, SK Telink noted that it terminated service on June 1, 2003, but did not mention the disposition of its ISPC.¹⁶ Finally, according to New York’s Department of State, Division of Corporations’ website, SK Telink has been inactive since May 7, 2004.¹⁷ Based on our inability to contact a representative of SK Telink, our records, and the records of New York’s Department of State, we believe SK Telink may no longer be providing service and is no longer using its assigned ISPC.

We request that you respond to this letter by **December 1, 2023**, and indicate the date the code was implemented and describe the current use of SK Telink’s ISPC (3-183-6). A failure to respond to this letter will serve as confirmation that SK Telink is no longer using its provisionally assigned ISPC and has failed to comply with our ISPC requirements. If you fail to respond to this letter as requested, we will reclaim the ISPC (3-183-6) and immediately thereafter make the code available for reassignment consistent with the terms of ITU-T Recommendation Q.708. We are addressing this letter to the most recent contacts and addresses of record provided by SK Telink.

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
Office of International Affairs

¹³ Staff called the following telephone numbers: (212) 906-8009; (201) 613-8000; (201) 613-8009; (800) 341-0774; (201) 363-1600.

¹⁴ FCC Form 499 Filer Database, SK Telink America, Inc., <https://apps.fcc.gov/cgb/form499/499detail.cfm?FilerNum=820950> (last visited Mar. 17, 2022).

¹⁵ See Letter from Craig L. Sheldon, Assistant General Counsel, SK USA Inc., to Marlene Dortch, Secretary, and International Bureau, Federal Communications Commission (Dec. 18, 2003), File No. ITC-214-19991104-00698 (noted in *International Authorizations Granted*, Public Notice, DA No. 04-216, Report No. TEL-00754, 19 FCC Rcd. 1453 (January 29, 2004)).

¹⁶ *Id.*

¹⁷ See New York, Department of State, Division of Corporations, Corporation and Business Entity Database, <https://apps.dos.ny.gov/publicInquiry/>.

cc:

Craig L. Sheldon, Esq.
Assistant General Counsel
OCMP, Inc.
110 East 55th Street
New York, NY 10022

Craig L. Sheldon
Assistant General Counsel
SK USA, Inc.
400 Kelby Street, 17th Floor
Fort Lee, NJ 07024

Jeong Soo Kim
Chief Executive Officer
SK Telink America, Inc.
400 Kelby Street, 9th Floor
Fort Lee, NJ 07024

Attachment

Email Exchange 1

From: Microsoft Outlook <MicrosoftExchange329e71ec88ae4615bbc36ab6ce41109e@fccoffice.onmicrosoft.com>
Sent: Thursday, March 5, 2020 3:54 PM
To: Arthur Lechtman <Arthur.Lechtman@fcc.gov>
Subject: Relayed: ISPC inquiry

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

jbark@ocmp.com (jbark@ocmp.com)

Subject: ISPC inquiry

###

From: Arthur Lechtman
Sent: Thursday, March 5, 2020 3:54 PM
To: jbark@ocmp.com
Cc: Francis Gutierrez <Francis.Gutierrez@fcc.gov>; Stacey Ashton <Stacey.Ashton@fcc.gov>
Subject: ISPC inquiry

Hello Mr. Bark-

I am writing to inquire whether SK Telink is still using the international signaling point code that it was assigned in 2000 (3-183-6). Please let me know by email or call me at the number below if you have any questions. Thank you,

Artie Lechtman

Federal Communications Commission
International Bureau
202.418.1465

Email Exchange 2

-----Original Message-----

From: Mail Delivery Subsystem <MAILER-DAEMON@mx0a-0024ed01.pphosted.com>
Sent: Wednesday, October 27, 2021 12:11 PM
To: prvs=9934e2c74b=arthur.lechtman@fcc.gov
Subject: [EXTERNAL]: Returned mail: see transcript for details

The original message was received at Wed, 27 Oct 2021 16:10:51 GMT from m0102172.pops.net [127.0.0.1]

----- The following addresses had permanent fatal errors ----- <info@sktamerica.com>
(reason: 554 delivery error: dd No valid recipients found - atlas108.ptnr.mail.gq1.yahoo.com)
<info@sktamerica.com>
(reason: 554 delivery error: dd No valid recipients found - atlas108.ptnr.mail.gq1.yahoo.com)

----- Transcript of session follows ----- ... while talking to mx-biz.mail.am0.yahoodns.net.:
>>> DATA
<<< 554 delivery error: dd No valid recipients found - atlas108.ptnr.mail.gq1.yahoo.com
554 5.0.0 Service unavailable

###

From: Arthur Lechtman <Arthur.Lechtman@fcc.gov>
Sent: Wednesday, October 27, 2021 12:11 PM
To: info@sktamerica.com; info@sktamerica.com; jbark@ocmp.com
Cc: Francis Gutierrez <Francis.Gutierrez@fcc.gov>; Stacey Ashton <Stacey.Ashton@fcc.gov>
Subject: SK Telink America, Inc. international signaling point code (ISPC)

Hello-

Last year we tried to contact Mr. Bark regarding the above-referenced matter (see also the email below) and did not get a response. Please contact me with any information you may have about SK Telink America and its use of ISPC 3-183-6 (Jersey City, NJ). Thank you for your assistance,

Arthur Lechtman
International Bureau/TAD
Federal Communications Commission
202.418.1465

From: Arthur Lechtman
Sent: Thursday, March 5, 2020 3:54 PM
To: jbark@ocmp.com
Cc: Francis Gutierrez <Francis.Gutierrez@fcc.gov>; Stacey Ashton <Stacey.Ashton@fcc.gov>
Subject: ISPC inquiry

Hello Mr. Bark-

I am writing to inquire whether SK Telink is still using the international signaling point code that it was assigned in 2000 (3-183-6). Please let me know by email or call me at the number below if you have any questions. Thank you,

Artie Lechtman
Federal Communications Commission
International Bureau
202.418.1465