



# PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION  
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WASHINGTON D.C. 20554

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**Report No. TEL-00800NS**

**Thursday June 3, 2004**

## **NON STREAMLINED INTERNATIONAL APPLICATIONS ACCEPTED FOR FILING**

### **Section 214 Applications (47 C.F.R. § 63.18); Cable Landing License Applications (47 C.F.R. § 1.767); Authorize Switched Services over Private Lines (47 C.F.R. § 63.16) and Section 310(b)(4)**

Unless otherwise specified, the following procedures apply to the applications listed below:

The applications listed below have been found, upon initial review, to be acceptable for filing. These applications are not subject to the streamlined processing procedures set forth in Section 63.12 of the Commission's rules, 47 C.F.R. § 63.12. These applications shall not be deemed granted until the Commission affirmatively acts upon the application, either by public notice or by written order. Operation for which authorization is sought may not commence except in accordance with any terms or conditions imposed by the Commission.

Unless otherwise specified, interested parties may file comments with respect to these applications within 28 days of the date of this public notice. We request that such comments refer to the application file number shown below. Ex parte communications between outside parties and Commission staff concerning these applications are permitted subject to the Commission's rules for "permit-but-disclose proceedings." See 47 C.F.R. § 1.1206.

Copies of all applications listed here are available for public inspection in the FCC Office of Public Affairs Reference and Information Center, located in room CY-A257 at the Portals 2 building, 445 12th Street SW, Washington DC 20554. The center can be contacted at (202) 418-0270. All applications listed are subject to further consideration and review, and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations, and other requirements.

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**ISP-PDR-20040511-00004 P**

Icom America License Holding LLC

Petition for Declaratory Ruling

Icom America License Holdings LLC ("Icom" or "Petitioner") requests that the Commission find permissible the indirect foreign ownership of Icom in excess of the 25 percent benchmark set forth in Section 310(b)(4) of the Communications Act of 1934, as amended. Specifically, Icom requests a declaratory ruling that the Commission find permissible the 100 percent indirect foreign ownership of Icom by Icom Inc., a Japanese company. This request is filed in connection with an application seeking Commission consent to the assignment of certain common carrier radio licenses from Victor Communications to Icom. See File No. 0001707793.

Petitioner states that Icom is wholly owned by Icom America, Inc., a U.S. corporation. Icom America, Inc., in turn, is wholly owned by Icom Inc., a company organized under the laws of Japan, which is a Member of the World Trade Organization. According to the Petitioner, all of the equity and voting interests in Icom Inc. are currently held by individual shareholders that are all citizens of, and reside in, Japan. Petitioner asserts that, pursuant to the rules and policies established in the Commission's Foreign Participation Order, 12 FCC Rcd 23891 (1997), Order on Reconsideration, 15 FCC Rcd 18158 (2000), the home market of Icom Inc. is Japan. Accordingly, Icom requests that the Commission find that it is in the public interest to permit up to 100 percent indirect foreign ownership of Icom by Icom Inc.

Interested parties may file comments by June 24, 2004 and reply comments by July 5, 2004. For further information, please contact Francis Gutierrez at 202-418-1460.

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REMINDER:

Applicants must certify that neither the applicant nor any party to the application is subject to a denial of federal benefits by federal and/or state courts under authority granted in 21 U.S.C. § 862. See 47 C.F.R. §§ 1.2001–.2003.

The Commission most recently amended its rules applicable to international telecommunications common carriers in IB Docket No. 98-118, Review of International Common Carrier Regulations, FCC 99-51, released March 23, 1999, 64 Fed. Reg. 19,057 (Apr. 19, 1999). An updated version of Section 63.09-.24 of the rules, and other related sections, is available at <http://www.fcc.gov/ib/td/pf/telecomrules.html>.