



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
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Report No. TEL-01081NS

Friday October 27, 2006

NON STREAMLINED INTERNATIONAL APPLICATIONS ACCEPTED FOR FILING

Section 214 Applications (47 C.F.R. § 63.18); 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. No application listed below shall be granted by the Commission earlier than the day after the date specified in this public notice for the filing of comments.

Unless otherwise specified, 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 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. People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty). 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.

Petition for Declaratory Ruling

T-Mobile USA, Inc. (T-Mobile USA or "Petitioner"), the 100% direct parent of T-Mobile License LLC, a winning bidder of certain Advanced Wireless Services (AWS) licenses in Auction No. 66, see DA 06-2179 (rel. Oct. 27, 2006), requests that the Commission find permissible the indirect foreign ownership of T-Mobile License in excess of the 25 percent benchmark set forth in Section 310(b)(4) of the Communications Act of 1934, as amended, 47 U.S.C. § 310(b)(4). Specifically, the Petitioner requests a declaratory ruling approving the 100 percent indirect foreign ownership of T-Mobile License by Deutsche Telekom AG (DT) (see ULS File No. 0002769270).

T-Mobile License, a single member Delaware limited liability company, is a wholly-owned direct subsidiary of T-Mobile USA, which is indirectly wholly owned by DT, a corporation organized under the laws of the Federal Republic of Germany, a World Trade Organization Member country. There are three named wholly-owned intermediate subsidiaries between T-Mobile USA and DT, all of which are organized under the laws of the Federal Republic of Germany.

The Federal Republic of Germany (FRG) holds a 14.62% direct interest in DT. Kreditanstalt für Wiederaufbau (KfW), a bank organized under the laws of the Federal Republic of Germany and controlled by the FRG, holds a 16.63% direct interest in DT. The FRG holds an 80% interest in KfW.

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 100% indirect foreign ownership of T-Mobile License by DT is consistent with the public interest. Petitioner notes that the Commission has previously granted a declaratory ruling approving the 100 percent indirect foreign ownership of T-Mobile USA by DT for other common carrier wireless services, see VoiceStream-DT Order, IB Docket No. 00-187, FCC 01-142, 16 FCC Rcd 9779 (2001). Petitioner requests a declaratory ruling allowing DT to hold the same indirect ownership interest of up to 100% in the AWS licenses held by T-Mobile License.

Interested parties may file comments on or before November 6, 2006, and reply comments on or before November 14, 2006.

Petition for Declaratory Ruling

Cellco Partnership d/b/a Verizon Wireless (Verizon Wireless or the "Petitioner"), a winning bidder of certain Advanced Wireless Services (AWS) licenses in Auction No. 66, see DA 06-2179 (rel. Oct. 27, 2006), requests that the Commission find permissible the indirect foreign ownership of Verizon Wireless in excess of the 25 percent benchmark set forth in Section 310(b)(4) of the Communications Act of 1934, as amended, 47 U.S.C. § 310(b)(4). Specifically, the Petitioner requests a declaratory ruling approving up to 65.1% indirect foreign ownership of Verizon Wireless by Vodafone Group Plc (Vodafone) (see ULS File No. 0002773715).

Verizon Wireless is a general partnership ultimately owned indirectly by Verizon Communications, Inc. (Verizon) and Vodafone. Verizon, a Delaware corporation, owns 55% of the partnership interests and Vodafone indirectly owns 45% of the partnership interests through numerous named intermediate subsidiaries, which are organized under the laws of Luxembourg and the United Kingdom, both of which are World Trade Organization Member countries, or the United States. Vodafone is a widely-held, publicly-traded company organized under the laws of the United Kingdom.

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 indirect foreign ownership of Verizon Wireless in excess of 25% by Vodafone is consistent with the public interest. Petitioner notes that the Commission has previously granted a declaratory ruling approving the 65.1% indirect foreign ownership of Verizon Wireless by Vodafone for other common carrier wireless services, see Vodafone Airtouch/Bell Atlantic Order, File Nos. 0000032969, et al., DA 00-721, 15 FCC Rcd 16507 (IB/WTB 2000). Petitioner requests a declaratory ruling allowing Vodafone to hold the same indirect ownership interest of up to 65.1% in the AWS licenses held by Verizon Wireless.

Interested parties may file comments on or before November 6, 2006, and reply comments on or before November 14, 2006.

Petition for Declaratory Ruling

AST Telecom, LCC (AST Telecom or "Petitioner"), a winning bidder of an Advanced Wireless Services (AWS) license in Auction No. 66, see DA 06-2179 (rel. Oct. 27, 2006), requests that the Commission find permissible the indirect foreign ownership of AST Telecom in excess of the 25 percent benchmark set forth in Section 310(b)(4) of the Communications Act of 1934, as amended, 47 U.S.C. § 310(b)(4). (See ULS File No. 0002774539).

AST Telecom, LLC, a U.S. limited liability company, is a wholly-owned subsidiary of eLandia, Inc. (eLandia), a U.S. corporation. According to the petition, Stanford International Bank Limited (SIBL), a company organized under the laws of Antigua and Barbuda, a World Trade Organization (WTO) Member country, holds a 42.90% ownership interest in eLandia. SIBL, in turn, is wholly-owned by Stanford International Bank Holdings Limited (SIBHL), which is also organized under the laws of Antigua and Barbuda. SIBHL is 100 percent owned by the Stanford Financial Group, a U.S. company that is wholly-owned and controlled by R. Allen Stanford, a U.S. citizen (who also holds citizenship of Antigua and Barbuda). The Petition indicates that 30.5% of the ownership interests in eLandia are held by a group of shareholders that predominantly are from Canada and the Fiji Islands, both of which are WTO Member countries. In addition, W&R South Pacific, L.P. (WSPLP), a U.S. limited partnership, holds a 10.6% ownership interest in eLandia. WSPLP is owned and controlled by Barry and Fay Alailima Rose, U.S. citizens, through W&R, Inc., a U.S. corporation. The remaining 16.0% ownership interests in eLandia are held by "Other" shareholders.

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 indirect foreign ownership of AST Telecom in excess of 25% is consistent with the public interest. Petitioner states that the Commission has previously approved the current level of foreign participation in the ownership structure of AST Telecom and its wholly-owned direct subsidiary American Samoa License, Inc. See International Authorizations Granted, ISP-PDR-20050810-00009, Public Notice, DA 05-2416, 20 FCC Rcd 14520, 14521 (IB 2005). Petitioner requests a declaratory ruling allowing the same indirect foreign ownership interest in the AWS license held by AST Telecom.

Interested parties may file comments on or before November 6, 2006, and reply comments on or before November 14, 2006.

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.

An updated version of Section 63.09-.25 of the rules, and other related sections, is available at <http://www.fcc.gov/ib/pd/pf/telecomrules.html>