



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
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Report No. TEL-01405NS

Monday January 11, 2010

**NON STREAMLINED INTERNATIONAL APPLICATIONS/PETITIONS 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

Software Cellular Network (North America) Ltd (SCN) and its parent, Software Cellular Network Ltd (SCN UK and, together with SCN, "Petitioners") petition the Commission for a declaratory ruling under section 310(b)(4) of the Communications Act of 1934, as amended, that it is in the public interest to allow SCN UK to acquire indirectly, through SCN, 100 percent of the membership interests in SmartCall, LLC (SmartCall), which wholly owns iSmart Mobile Service LLC ("iSmart"). iSmart is a lessee of Personal Communications Service ("PCS") spectrum and the proposed assignee of a PCS license held by Leap Wireless International, Inc. Liquidating Trust ("Leap").

SCN is a Delaware corporation that is wholly owned by SCN UK, a privately-held corporation formed under the laws of England and Wales. SmartCall and iSmart are limited liability companies organized under the laws of Delaware. Petitioners filed this petition in connection with several related applications for consent to (1) transfer control of iSmart's PCS spectrum leases to SCN UK (see ULS File No. 0004007920 for WPUR878 (Bozeman, MT) and WPSJ976 (Butte, MT); and ULS File No. 0004012065 for WPOK576 (Bozeman, MT)); and (2) to assign to iSmart, contemporaneously with its transfer of control to SCN UK, the PCS license for WPOK576, which is held currently by Leap (see ULS File No. 0003989856). Petitioners also request that any ruling granted under this petition take into account the future assignment to iSmart of the underlying licenses for WPUR878 and WPSJ97, which are held currently by NTCH, Inc.

According to the Petitioners, the following foreign individuals and entities own five percent or more of the shares of SCN-UK: Mr. George Robinson (12.34%) (United Kingdom); Mr. James Tagg (6.49%) (United Kingdom); Eden One LP (12.56%) (United Kingdom); Independent News and Media Investments Ltd. (9.79%) (United Kingdom); Wellington Partners III Technology Fund, L.P. (8.02%) (Channel Islands); Burda Digital Ventures GmbH (7.24%) (Germany); ESQ VentureA Inc. (5.00%) (British Virgin Islands).

The Petitioners assert that, pursuant to the rules and policies established by the Commission's Foreign Participation Order, 12 FCC Rcd 23891 (1997), Order on Reconsideration, 15 FCC Rcd 18158 (2000), the indirect foreign ownership of iSmart in excess of the 25 percent benchmark of section 310(b)(4) of the Communications Act is consistent with the public interest.

International Telecommunications Certificate

Service(s): Global or Limited Global Resale Service

Application for authority to provide resale service in accordance with section 63.18(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(2).

Modification

Global Crossing Limited (GCL) on behalf of its subsidiaries - Budget Call Long Distance, Inc.; Global Crossing Americas Solutions, Inc.; Global Crossing Bandwidth, Inc.; Global Crossing North American Networks, Inc.; Global Crossing Telecommunications, Inc; International Optical Network, L.L.C.; and Racal Telecommunications Inc. (collectively, "GCL affiliates") - requests, pursuant to section 63.13 of the Commission's rules, 47 C.F.R. § 63.13, that the Commission reclassify the GCL subsidiaries as non-dominant on the U.S.-Indonesia route.

The GCL subsidiaries were classified as dominant on the U.S.-Indonesia route under section 63.10 of the Commission's rules, 47 C.F.R. § 63.10, because they were affiliated with PT Indonesian Satellite Corporation (PT Indosat), a foreign carrier presumed to have market power on the foreign-end of the route, through their parent company Singapore Technologies Telemedia Pte Ltd (ST Telemedia). GCL states that in 2008 ST Telemedia sold its interest in PT Indosat and thus GCL and its subsidiaries are no longer affiliated with a foreign carrier with market power on the U.S.-Indonesia route. (GCL states that GCL and its affiliates are affiliated with Telekomunikasi Selular, but that Telekomunikasi Selular does not have market power in Indonesia.) GCL submits that its affiliates are therefore entitled to a presumption of non-dominance in their provision of service on the U.S.-Indonesia route.

Interested parties may file comments on or before January 25, 2010, and reply comments on or before February 1, 2010.

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>