



# PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION  
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WASHINGTON D.C. 20554

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**Report No. TEL-01505NS**

**Friday July 1, 2011**

## **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](mailto: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.

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**ISP-PDR-20110609-00005**      E                      ITC Global USA, LLC

Petition for Declaratory Ruling

ITC Global USA, LLC. (ITC USA) requests a declaratory ruling that indirect foreign ownership in excess of the 25 percent benchmark set forth in section 310(b)(4) of the Communications Act of 1934, as amended, will serve the public interest. ITC USA filed its petition in connection with the proposed assignment of a common carrier VSAT license from Broadpoint License Co., LLC. See SES-ASG-20110609-00698.

According to the petition, ITC USA is a Florida limited liability company 100% owned by ITC Global, Inc. (ITC Global), a Delaware corporation. ITC Global is 69.7% held by U.S. interests. ITC Global is 30.3% foreign owned by the following: SeaSpin Pty, Ltd., Aphrodite Trust A/C, an Australian entity (16.7%), CRH Telnet, an Australian entity (0.2%), Simon Bull, a citizen of the United Kingdom (4.8%) and, Christopher R. Hill, a citizen of Australia (8.6%). SeaSpin Pty, Ltd, Aphrodite Trust A/C is 100% owned by Charles Morgan, a citizen of Australia. The controlling interest in CRH Telnet is held by Christopher R. Hill. Mr. Joseph A. Spytek, a U.S. citizen, is the President of ITC USA and controls and manages the day-to-day operating of ITC USA, and therefore has de facto control of ITC USA. The foreign individuals will not have any involvement in the management of ITC USA, nor hold officer positions or serve on its board of directors.

The Petitioner asserts 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 ITC in excess of the 25 percent benchmark of section 310(b)(4) of the Communications Act is consistent with the public interest.

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**ISP-PDR-20110610-00006** E

Green Eagle Communications, Inc.

Petition for Declaratory Ruling

Green Eagle Communications, Inc. (Green Eagle or "Petitioner") requests a declaratory ruling that the indirect foreign ownership of its wholly-owned subsidiary, Green Eagle Networks Inc. (Green Eagle Networks), in excess of the 25 percent benchmark set forth in section 310(b)(4) of the Communications Act of 1934, as amended, will serve the public interest. Green Eagle filed its petition in connection with the proposed assignment of two Personal Communications Service (PCS) licenses to Green Eagle Networks for the provision of service in the geographic areas of Scottsbluff, Nebraska and western Wyoming. See ULS File No. 0004759579.

According to the petition, Green Eagle and Green Eagle Networks are Delaware corporations. Petitioner states that currently, foreign individuals hold 70% of the ultimate ownership of the equity and voting interests of Green Eagle. These interests are held through the following Becker Family entities: (1) Becker Capital Management, LLC (BCM) (13.22%), (2) GAH Investments LLC (GAH) (19.67%), (3) KDSL Investments LLC (KDSL) (12.13%), (4) Man Prince Holdings (Man Prince) (20%), and (5) Man Prince Holdings 2 (Man Prince 2)(4.98%). The remaining 30 percent equity and voting interests of Green Eagle are held through CEM & Associates, a Colorado limited liability company, wholly-owned and controlled by Charles Miller, a U.S. citizen.

BCM is a Colorado limited liability holding company, managed and controlled by Larry L. Becker, a citizen of Canada. The sole member of BCM is the LLB/GB Family Trust, an entity organized in the Cook Islands. The beneficiaries of LLB/GB are all Canadian citizens and members of the Becker family: Larry L. Becker, Gayle Becker and their children, Laryssa Becker, Sarena Becker, Dyanna Becker and Kyle Becker. The trustee of LLB/GB is Cook Islands Trust Ltd. which is 100% owned by the Cook Islands Trust Corporation Ltd., both organized in the Cook Islands. The Cook Islands Trust Corporation Ltd. is 100% owned by CITL Holding Company Ltd., which is incorporated and doing business in the Cook Islands and 99.99% owned by Pi Limited and .01% owned by Bret Gibson. Pi Limited is organized in the Republic of the Seychelles as a holding company and engages in no other business. Pi Limited is 100% owned by Samyak Veera, a citizen of St. Kitts and Nevis. Bret Gibson is a citizen of New Zealand.

GAH is a Colorado limited liability holding company, wholly-owned and controlled by Gayle Becker.

KDSL is a Colorado limited liability holding company, controlled and owned by Laryssa Becker, Sarena Becker, Dyanna Becker and Kyle Becker.

Man Prince and Man Prince 2 are entities organized under the laws of Canada and are each controlled and wholly owned by Lorn Becker, a Canadian citizen.

Green Eagle also requests that the Commission's ruling permit Green Eagle Networks to accept up to and including an additional, aggregate 25 percent indirect foreign equity and/or voting interests from these and other foreign investors (thus, up to 95 percent total) without seeking further Commission approval under section 310(b)(4) of the Communications Act.

The Petitioner asserts 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 Green Eagle Networks in excess of the 25 percent benchmark of section 310(b)(4) of the Communications Act is consistent with the public interest.

The Petitioner affirms that it will adhere to the Commitments agreed to by Telemetrix Inc. by Letter dated July 24, 2006 to the United States Department of Justice, United States Department of Homeland Security and Federal Bureau of Investigation.

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**ITC-214-20110506-00124** E

Appia Communications, Inc.

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).

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**ITC-214-20110523-00148** E

Beetel, LLC

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).

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**ITC-214-20110531-00156** E

BeoX LLC

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).

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Assignment

**Current Licensee:** Broadpoint License Co., LLC

**FROM:** Broadpoint License Co., LLC

**TO:** ITC Global USA, LLC

Application for consent to the partial assignment of assets held by Broadpoint License Co., LLC (Broadpoint) to ITC Global USA, LLC (ITC USA). Pursuant to the terms of an Asset Purchase Agreement executed on April 15, 2011, certain assets held by Broadpoint that are used to operate a satellite communications network in the Gulf of Mexico will be transferred from Broadpoint to ITC USA. Broadpoint will continue providing international services to its remaining customers pursuant to its existing international 214 authorization, ITC-214-19980226-00151 (ITC-98-189). ITC USA will provide international service to its newly acquired customers pursuant to ITC-214-20110609-00184.

ITC USA is a wholly-owned subsidiary of ITC Global Inc. (ITC Global). The following entities and individuals hold 10 percent or greater equity and voting interests in ITC Global: Fine Spotted Partners, LLC (100% member Michael Monier, U.S. citizen) (21.58%); SeaSpin Pty, Ltd. Aphrodite Trust A/C, an Australian entity (100% owned by Charles Morgan, an Australian citizen) (16.70%); Erwin Noval, U.S. citizen (10.01%); Joseph A. Spytek, U.S. citizen (10%). Mr. Spytek is the President of ITC USA and controls and manages the day-to-day operations of ITC USA, and therefore has de facto control of ITC USA. No other entity or individual holds a 10 percent or greater direct or indirect ownership interest in ITC Global or ITC USA.

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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.

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>