



# PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION  
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**Report No. TEL-01682NS**

**Wednesday July 23, 2014**

**Non Streamlined International Applications/Petitions Accepted For Filing  
Section 214 Applications (47 C.F.R. § 63.18); Section 310(b) Petitions**

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.

## Petition for Declaratory Ruling

Puerto Rico Telephone Company, Inc. (PRTC or "Petitioner") has filed a petition requesting an updated declaratory ruling ("Petition"), pursuant to section 1.990(a)(1) of the Commission's rules, 47 C.F.R. § 1.990(a)(1), that it would not serve the public interest to prohibit PRTC from exceeding the 25 percent foreign ownership benchmark in section 310(b)(4) of the Communications Act of 1934, as amended (the "Act"), 47 U.S.C. § 310(b)(4). According to the Petition, PRTC holds the following types of radio licenses to which section 310(b) is applicable: Advanced Wireless Service, Cellular, Common Carrier Fixed Point to Point Microwave, Digital Electronic Message Service - Common Carrier, PCS Broadband, and 700 MHz Lower Band. PRTC is a wholly-owned direct and indirect subsidiary of Telecomunicaciones de Puerto Rico, Inc. (TELPRI), a corporation organized under the laws of the Commonwealth of Puerto Rico, and America Movil, S.A.B. de C.V. (America Movil), a corporation organized under the laws of Mexico, respectively. America Movil is controlled by Mr. Carlos Slim Helu and certain members of his family (the "Slim Family"), all of whom are citizens of Mexico. PRTC has filed the instant Petition to obtain approval for a recent increase in ownership of America Movil by the Slim Family as well as for potential future increases in the Slim Family's ownership, up to and including 100 percent of America Movil's equity and voting interests.

Petitioner notes that the Commission has previously issued a section 310(b)(4) ruling allowing America Movil to hold indirectly, through a series of named subsidiaries organized in Mexico, up to and including 100 percent of the equity and voting interests in TELPRI (citing America Movil Order, FCC 07-43, 22 FCC Rcd 6195 (2007)). At the time of the ruling, the Slim Family had a 32.33 percent equity and 66.21 percent voting interest in America Movil. Petitioner further notes that the Commission has granted subsequent rulings allowing the Slim Family to increase its equity interest in America Movil (citing International Authorizations Granted, Public Notice, ISP-PDR-20100623-00012, DA 11-259, 26 FCC Rcd 1359 (Int'l Bur. 2011) (permitting 40.18 percent equity interest by the Slim Family); International Authorizations Granted, Public Notice, ISP-PDR-20120820-00004, DA 12-1740, 27 FCC Rcd 13434 (Int'l Bur. 2012) (permitting up to 49.99 percent equity interest by the Slim Family)).

According to the Petition, on June 27, 2014, the Slim Family (through Inmobiliaria Carso, S.A. de C.V. (Inmobiliaria Carso) and its subsidiary Control Empresarial de Capitales, S.A. de C.V. (Control Empresarial)) purchased shares of America Movil from AT&T International, Inc. Petitioner explains that, because Mexican law prohibited America Movil from directly repurchasing the shares, the Slim Family, as America Movil's controlling shareholder group, purchased the shares. The share purchase, which represented an 8.37 percent equity interest in America Movil, increased the Slim Family's equity interest in America Movil from 48.69 percent to 57.06 percent and the Slim Family's voting interest from 66.73 percent to 88.87 percent. The Petitioner states that, other than the recent increase in ownership by the Slim Family, the current and contemplated foreign ownership of TELPRI remains materially unchanged since issuance of PRTC's last ruling in 2012, which permitted up to 49.99 percent equity interest by the Slim Family.

As in 2012, the following entities hold, directly or indirectly, a ten percent or greater equity and/or voting interest in TELPRI: Tenedora Telpri, S.A. de C.V. (Tenedora) (100% direct equity and voting interest); Radiomovil Dipsa, S.A. de C.V. (Telcel) (99.99% direct equity and voting interest in Tenedora); Sercotel, S.A. de C.V. (Sercotel) (99.99% direct equity and voting interest in Telcel); America Movil (99.99% direct equity and voting interest in Sercotel). America Movil's wholly-owned indirect subsidiary, Amov IV, S.A. de C.V., holds the remaining 00.01 percent ownership interests in Sercotel, Telcel, and Tenedora. All of these entities are organized in Mexico.

According to the Petition, as of June 30, 2014, the Slim Family interests in America Movil are held by: a Mexican trust (the "Family Trust") (24.34% equity and approximately 45.20% voting interests); Inmobiliaria Carso (8.0% equity and approximately 17.34% voting interests); Control Empresarial (5.8% equity and approximately 11.57% voting interests); members of the Slim Family, individually (in the aggregate, 18.92% of the equity interests and approximately 14.76% of the voting interests, with no individual member, excluding Mr. Slim, holding a 5% or greater voting interest). The Petitioner states that other Mexican and foreign investors hold the remaining equity and voting stock of America Movil.

Pursuant to section 1.991(i) of the rules, the Petitioner requests that the Commission specifically approve the foreign equity and voting interests held directly or indirectly in TELPRI by the above-described foreign entities. It also requests, pursuant to section 1.991(k) of the rules, advance approval for the foreign entities with a controlling interest in TELPRI (i.e., Telcel, Sercotel, and the Slim Family) to increase their interests, at some future time, up to any amount, including 100 percent of the equity and voting interests in TELPRI.

PRTC states that it is subject to a network security agreement with which it will continue to comply. It asserts that the requested ruling is fully consistent with the standard set forth in section 310(b)(4) of the Act, the Commission's new foreign ownership rules (47 C.F.R. §§ 1.990-1.994), and prior precedent.

Interested parties may file comments on or before August 6, 2014, and reply comments on or before August 13, 2014.

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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>