



# PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION  
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WASHINGTON D.C. 20554

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DA No. 19-253

Thursday April 4, 2019

Report No. TEL-01950

## International Authorizations Granted

### Section 214 Applications (47 C.F.R. §§ 63.18, 63.24); Section 310(b) Petitions (47 C.F.R. § 1.5000)

The following applications have been granted pursuant to the Commission's streamlined processing procedures set forth in Section 63.12 of the Commission's rules, 47 C.F.R. § 63.12, other provisions of the Commission's rules, or procedures set forth in an earlier public notice listing applications accepted for filing.

Unless otherwise noted, these grants authorize the applicants (1) to become a facilities-based international common carrier subject to 47 C.F.R. § 63.22; and/or (2) to become a resale-based international common carrier subject to 47 C.F.R. § 63.23; or (3) to exceed the foreign ownership benchmark applicable to common carrier radio licensees under 47 U.S.C. § 310(b).

THIS PUBLIC NOTICE SERVES AS EACH NEWLY AUTHORIZED CARRIER'S SECTION 214 CERTIFICATE. It contains general and specific conditions, which are set forth below. Newly authorized carriers should carefully review the terms and conditions of their authorizations. Failure to comply with general or specific conditions of an authorization, or with other relevant Commission rules and policies, could result in fines and forfeitures.

Petitions for reconsideration under Section 1.106 or applications for review under Section 1.115 of the Commission's rules in regard to the grant of any of these applications may be filed within thirty days of this public notice (see 47 CFR § 1.4(b)(2)).

For additional information, please contact the FCC Reference and Information Center, Room CY-A257, 445 12th Street SW, Washington, D.C. 20554, (202) 418-0270.

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ITC-214-20181026-00193 E Hadlo Technologies, LLC

International Telecommunications Certificate

Service(s): Global or Limited Global Facilities-Based Service, Global or Limited Global Resale Service

Grant of Authority

Date of Action: 03/29/2019

Application for authority to provide facilities-based service in accordance with section 63.18(e)(1) of the Commission's rules, and also to provide resale service in accordance with section 63.18(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(1), (2).

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**ITC-ASG-20190327-00094** E

Windstream Services LLC, Debtor-In- Possession

Assignment

Grant of Authority

Date of Action: 04/03/2019

**Current Licensee:** Windstream Services, LLC

**FROM:** Windstream Services, LLC

**TO:** Windstream Services LLC, Debtor-In- Possession

Notification filed March 27, 2019, of the pro forma assignment of international section 214 authorization, ITC-214-19980925-00658, held by Windstream Services LLC (Windstream Services), a wholly owned subsidiary of Windstream Holdings, Inc. (Windstream Holdings), to Windstream Services LLC, Debtor-In- Possession, effective February 25, 2019. Windstream Holdings and its subsidiaries filed a Petition under Chapter 11 of the Bankruptcy Code (Petition) in the United States Bankruptcy Court for the Southern District of New York (Case No. 19-22312). Upon filing of the Petition, Windstream Services' legal status was converted to debtor-in-possession.

The following wholly owned following wholly owned subsidiaries provide international telecommunications service under the international section 214 authorization held by the Windstream Services LLC, Debtor-In- Possession, ITC-214-19980925-00658, pursuant to section 63.21(h) of the Commission's rules, 47 CFR § 63.21(h): A.R.C. Networks, Inc.; ATX Licensing, Inc.; Broadview Networks, Inc.; BridgeCom International, Inc.; Business Telecom, LLC; Choice One Communications of Connecticut Inc.; Choice One Communications of Maine Inc.; Choice One Communications of Massachusetts Inc.; Choice One of New Hampshire Inc.; Choice One Communications of New York Inc.; Choice One Communications of Ohio Inc.; Choice One Communications of Pennsylvania Inc.; Choice One Communications of Rhode Island Inc.; Choice One Communications Resale L.L.C.; Connecticut Broadband, LLC; Connecticut Telephone & Communication Systems, Inc.; Conversent Communications of Connecticut, LLC; Conversent Communications of Maine, LLC; Conversent Communications of Massachusetts, Inc.; Conversent Communications of New Hampshire, LLC; Conversent Communications of New Jersey, LLC; Conversent Communications of New York, LLC; Conversent Communications of Pennsylvania, LLC; Conversent Communications of Rhode Island, LLC; Conversent Communications of Vermont, LLC; Conversent Communications Resale L.L.C.; CTC Communications Corp.; CTC Communications of Virginia, Inc.; DeltaCom, LLC; EarthLink Business, LLC; EarthLink Carrier, LLC; Eureka Telecom, Inc.; Lightship Telecom, LLC; TruCom Corporation; US Xchange, Inc.; US Xchange of Illinois, L.L.C.; US Xchange of Indiana, L.L.C.; US Xchange of Michigan, L.L.C.; and, US Xchange of Wisconsin, L.L.C.

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**ITC-ASG-20190327-00095** E

American Telephone Company (Debtor-In-Possession)

Assignment

Grant of Authority

Date of Action: 04/03/2019

**Current Licensee:** American Telephone Company LLC

**FROM:** American Telephone Company LLC

**TO:** American Telephone Company (Debtor-In-Possession)

Notification filed March 27, 2019, of the pro forma assignment of international section 214 authorization, ITC-214-20061201-00539, held by American Telephone Company LLC (ATC), a wholly owned subsidiary of Windstream Holdings, Inc. (Windstream Holdings), to American Telephone Company LLC, Debtor-In- Possession, effective February 25, 2019. Windstream Holdings and its subsidiaries filed a Petition under Chapter 11 of the Bankruptcy Code (Petition) in the United States Bankruptcy Court for the Southern District of New York (Case No. 19-22312). Upon filing of the Petition, ATC's legal status was converted to debtor-in-possession.

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**ITC-ASG-20190327-00096** E

MassComm Inc, Debtor-In-Possession

Assignment

Grant of Authority

Date of Action: 04/03/2019

**Current Licensee:** MassComm, Inc. d/b/a MASS Communications

**FROM:** MassComm, Inc. d/b/a MASS Communications

**TO:** MassComm Inc, Debtor-In-Possession

Notification filed March 27, 2019, of the pro forma assignment of international section 214 authorization, ITC-214-20080220-00084, held by MassComm, Inc. d/b/a MASS Communications (MassComm), a wholly owned subsidiary of Windstream Holdings, Inc. (Windstream Holdings), to MassComm, Inc., Debtor-In- Possession, effective February 25, 2019. Windstream Holdings and its subsidiaries filed a Petition under Chapter 11 of the Bankruptcy Code (Petition) in the United States Bankruptcy Court for the Southern District of New York (Case No. 19-22312). Upon filing of the Petition, MassComm's legal status was converted to debtor-in-possession.

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ITC-T/C-20190221-00083 E

Metro Optical Solutions, Inc.

Transfer of Control

Grant of Authority

Date of Action: 03/29/2019

**Current Licensee:** Metro Optical Solutions, Inc.

**FROM:** Metro Optical Holdings, LLC

**TO:** MBS Holdings, Inc.

Application filed for consent to the transfer of control of Metro Optical Solutions Inc. (Metro Optical), which holds international section 214 authorization ITC-214-20130916-00248, from Metro Optical Holdings, LLC (Metro Holdings) to MBS Holdings, Inc. (MBS Holdings). Pursuant to a February 15, 2019 Membership Interest Purchase Agreement, MBS Intermediate Holdings, LLC (MBS Intermediate Holdings), a wholly owned U.S. subsidiary of MBS Holdings, will acquire 100% of the equity and voting interests in Metro Optical. Metro Optical and Metro Holdings are affiliates that are both 100% owned by Andrew Hornig. To facilitate the transaction, prior to closing, Mr. Hornig will contribute 100% of the outstanding shares of capital stock of Metro Optical to Metro Holdings, resulting in Metro Holdings becoming the sole stockholder of Metro Optical. At closing, Mr. Hornig will cause Metro Holdings to contribute a portion of the issued and outstanding membership interests of Metro Optical to MBS Holdings' ultimate parent company, Castle Holding Company, LLC (Castle Holding), in exchange for units of ownership interests in Castle Parent that will be held by Mr. Hornig, and MBS Intermediate Holdings will acquire the remaining issued and outstanding membership interests of Metro Optical from Metro Holdings. As a result, Metro Optical will become a wholly-owned direct subsidiary of MBS Intermediate Holdings and a wholly-owned indirect subsidiary of MBS Holdings. Metro Optical's existing management team, including Mr. Hornig, will continue to actively manage the day-to-day operations of Metro Optical following completion of the proposed transaction.

Upon consummation, the following will hold 10% or greater direct and indirect ownership interests in MBS Holdings: Direct 100% - Castle Intermediate Holdings, Inc., a Delaware entity that is wholly owned by Castle Holding, a Delaware limited liability company. Indirect - Castle Holding is owned by CSC Castle Holdings, L.P. (CSC Castle Holdings), a Delaware limited partnership (87.5% equity and voting interest) and Members of MBS Holdings, Inc.'s management and other investors including Mr. Hornig (12.5% equity and voting interest). Court Square Capital Partners III, L.P. (CSC Partners III), a Delaware limited partnership, holds 96.82% equity interest and 0% voting interest in CSC Capital Holdings. Court Square Capital GP III, LLC (GP), a Delaware limited liability company, is the sole general partner of CSC Partners III. No member of GP will hold 10% or greater ownership interest in Metro Optical upon closing.

This authorization is without prejudice to the Commission's action in any other related pending proceedings.

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ITC-T/C-20190327-00097 E

NE Colorado Cellular Inc.

Transfer of Control

Grant of Authority

Date of Action: 04/03/2019

**Current Licensee:** NE Colorado Cellular Inc.

**FROM:** NE Colorado Cellular Inc.

**TO:** Viaero Wireless Technologies, Inc.

Notification filed March 27, 2019, of the pro forma transfer of control of NE Colorado Cellular Inc. (NE Colorado Cellular), which holds international section 214 authorization ITC-214-20090911-00414, to Viaero Wireless Technologies, Inc. (Viaero Wireless Technologies), effective March 27, 2019. In a corporate restructuring, Viaero Wireless Technologies, a newly formed holding company, was inserted into the corporate chain as a 100% direct parent of NE Colorado Cellular. All individuals and entities that previously held direct interests in the shares of NE Colorado Cellular, now hold their respective interests indirectly, and Francis J. DiRico continues to remain the ultimate owner of the company and control NE Colorado Cellular.

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## CONDITIONS APPLICABLE TO INTERNATIONAL SECTION 214 AUTHORIZATIONS

- (1) These authorizations are subject to the Exclusion List for International Section 214 Authorizations, which identifies restrictions on providing service to particular countries or using particular facilities. The most recent Exclusion List is at the end of this Public Notice. The list applies to all U.S. international carriers, including those that have previously received global or limited global Section 214 authority, whether by Public Notice or specific written order. Carriers are advised that the attached Exclusion List is subject to amendment at any time pursuant to the procedures set forth in Streamlining the International Section 214 Authorization Process and Tariff Requirements, IB Docket No. 95-118, 11 FCC Rcd 12884 (1996), para. 18. A copy of the current Exclusion List will be maintained in the FCC Reference and Information Center and will be available at <http://transition.fcc.gov/ib/pd/pf/exclusionlist.html>. It also will be attached to each Public Notice that grants international Section 214 authority.
- (2) The export of telecommunications services and related payments to countries that are subject to economic sanctions may be restricted. For information concerning current restrictions, call the Office of Foreign Assets Control, U.S. Department of the Treasury, (202) 622-2520.
- (3) Carriers shall comply with the requirements of Section 63.11 of the Commission's rules, which requires notification by, and in certain circumstances prior notification by, U.S. carriers acquiring an affiliation with foreign carriers. A carrier that acquires an affiliation with a foreign carrier will be subject to possible reclassification as a dominant carrier on an affiliated route pursuant to the provisions of Section 63.10 of the rules.
- (4) A carrier may provide switched services over its authorized resold private lines in the circumstances specified in Section 63.23(d) of the rules, 47 C.F. R. § 63.23(d).
- (5) Carriers shall comply with the "No Special Concessions" rule, Section 63.14, 47 C.F.R. § 63.14.
- (6) Carriers regulated as dominant for the provision of a particular communications service on a particular route for any reason other than a foreign carrier affiliation under Section 63.10 of the rules shall file tariffs pursuant to Section 203 of the Communications Act, as amended, 47 U.S.C. § 203, and Part 61 of the Commission's Rules, 47 C.F.R. Part 61. Carriers shall not otherwise file tariffs except as permitted by Section 61.19 of the rules, 47 C.F.R. § 61.19. Except as specified in Section 20.15 with respect to commercial mobile radio service providers, carriers regulated as non-dominant, as defined in Section 61.3, and providing detariffed international services pursuant to Section 61.19, must comply with all applicable public disclosure and maintenance of information requirements in Sections 42.10 and 42.11.
- (7) International facilities-based service providers must file and maintain a list of U.S.-international routes on which they have direct termination arrangements with a foreign carrier. 47 CFR § 63.22(h). A new international facilities-based service provider or one without existing direct termination arrangements must file its list within thirty (30) days of entering into a direct termination arrangement(s) with a foreign carrier(s). Thereafter, international facilities-based service providers must update their lists within thirty (30) days after adding a termination arrangement for a new foreign destination or discontinuing an arrangement with a previously listed destination. See Process For The Filing Of Routes On Which International Service Providers Have Direct Termination Arrangements With A Foreign Carrier, ITC-MS-20181015-00182, Public Notice, 33 FCC Rcd 10008 (IB 2018).
- (8) Any U.S. Carrier that owned or leased bare capacity on a submarine cable between the United States and any foreign point must file a Circuit Capacity Report to provide information about the submarine cable capacity it holds. 47 CFR § 43.82(a)(2). See <https://www.fcc.gov/circuit-capacity-data-us-international-submarine-cables>.
- (9) Carriers should consult Section 63.19 of the rules when contemplating a discontinuance, reduction or impairment of service.
- (10) If any carrier is reselling service obtained pursuant to a contract with another carrier, the services obtained by contract shall be made generally available by the underlying carrier to similarly situated customers at the same terms, conditions and rates. 47 U.S.C. § 203.
- (11) To the extent the applicant is, or is affiliated with, an incumbent independent local exchange carrier, as those terms are defined in Section 64.1902 of the rules, it shall provide the authorized services in compliance with the requirements of Section 64.1903.
- (12) Except as otherwise ordered by the Commission, a carrier authorized here to provide facilities-based service that (i)

is classified as dominant under Section 63.10 of the rules for the provision of such service on a particular route and (ii) is affiliated with a carrier that collects settlement payments for terminating U.S. international switched traffic at the foreign end of that route may not provide facilities-based switched service on that route unless the current rates the affiliate charges U.S. international carriers to terminate traffic are at or below the Commission's relevant benchmark adopted in International Settlement Rates, IB Docket No. 96-261, Report and Order, 12 FCC Rcd 19806 (1997). See also Report and Order on Reconsideration and Order Lifting Stay in IB Docket No. 96-261, FCC 99-124 (rel. June 11, 1999). For the purposes of this rule, "affiliated" and "foreign carrier" are defined in Section 63.09.

(13) Carriers shall comply with the Communications Assistance for Law Enforcement Act (CALEA), see 47 C.F.R. §§ 1.20000 et seq.

(14) Every carrier must designate an agent for service in the District of Columbia. See 47 U.S.C. § 413, 47 C.F.R. §§ 1.47(h), 64.1195.

#### Exclusion List for International Section 214 Authorizations

The following is a list of countries and facilities not covered by grant of global Section 214 authority under Section 63.18(e)(1) of the Commission's Rules, 47 C.F.R. § 63.18(e)(1). Carriers desiring to serve countries or use facilities listed as excluded hereon shall file a separate Section 214 application pursuant to Section 63.18(e)(3) of the Commission's Rules. See 47 C.F.R. § 63.22(c).

#### Countries:

None.

#### Facilities:

Any non-U.S.-licensed space station that has not received Commission approval to operate in the U.S. market pursuant to the procedures adopted in the Commission's DISCO II Order, IB Docket No. 96-111, Report and Order, FCC 97-399, 12 FCC Rcd 24094, 24107-72 paragraphs 30-182 (1997) (DISCO II Order). Information regarding non-U.S.-licensed space stations approved to operate in the U.S. market pursuant to the Commission's DISCO II procedures is maintained at [http://transition.fcc.gov/bureaus/ib/sd/se/market\\_access.html](http://transition.fcc.gov/bureaus/ib/sd/se/market_access.html).

This list is subject to change by the Commission when the public interest requires. The most current version of the list is maintained at <http://transition.fcc.gov/ib/pd/pf/exclusionlist.html>.

For additional information, contact the International Bureau's Telecommunications and Analysis Division, (202) 418-1480.