



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
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Report No. TEL-02096NS

Friday May 21, 2021

Non Streamlined International Applications/Petitions Accepted For Filing

Section 214 Applications (47 CFR §§ 63.18, 63.24); Section 310(b) Petitions (47 CFR § 1.5000)

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 CFR § 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. Pursuant to Section 1.1910(b)(2) of the rules, action will be withheld on any application by any entity found to be delinquent in its debts to the Commission. Applicants should check the Red Light Display System's website at www.fcc.gov/redlight to determine if they are delinquent in a debt to the Commission and for information on how to pay the debt.

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 CFR § 1.1206.

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), 1-888-835-5322 (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

On January 28, 2021, DOCOMO Pacific, Inc. (DPAC or Petitioner) filed a letter notification pursuant to section 1.5004(f) of the Commissioner's rules, 47 CFR § 1.5004(f). Concurrently, Petitioner filed a petition for a new declaratory ruling (Petition), pursuant to section 310(b)(4) of the Communications Act of 1934, as amended, 47 U.S.C. § 310(b)(4), and section 1.5000(a)(1) of the Commission's rules, asking the Commission to find that it would serve the public interest to approve the increase of indirect foreign equity and voting interests in DPAC's controlling U.S. parent, DOCOMO Guam Holdings, Inc. (DGH).

According to the Petition, DPAC, a corporation organized under the law of Guam, is a provider of voice and internet service in Guam and the Commonwealth of Northern Mariana Islands. DPAC holds the following types of authorizations to which section 310(b) is applicable: AWS-3, AWS-1, Cellular, Paging, Common Carrier Fixed Point to Point Microwave, PCS Broadband, 700 MHz Lower Band, and Wireless Communications Service. DPAC is wholly owned by DGH, a Guam corporation, which is a wholly-owned subsidiary of NTT DOCOMO, INC. (NTT DOCOMO), a Japanese corporation.

In 2015, the Commission issued a foreign ownership ruling to DPAC, finding that the public interest would not be served by prohibiting foreign ownership of DGH in excess of the 25% benchmark in section 310(b)(4) of the Act. See International Authorizations Granted, Public Notice, 30 FCC Rcd 7403 (2015 Ruling). At the time of the 2015 Ruling, NTT DOCOMO was majority-owned by Nippon Telegraph and Telephone Corporation (NTT), a Japanese corporation publicly traded on the Tokyo Stock Exchange, and Japanese Ministry of Finance (JMOF), a Japanese government entity, in turn held 33.33% equity and voting interests in NTT. The 2015 Ruling specifically approved direct and indirect foreign equity and/or voting interests in DGH as follows: (1) NTT DOCOMO to hold up to and including 100% equity and voting interests; (2) NTT to hold up to and including 65.15% of the equity and voting interests; and (3) JMOF to hold up to and including 26.95% of the equity interest and 41.53% of the voting interest.

According to the Petition, NTT commenced a tender offer for outstanding NTT DOCOMO shares on September 30, 2020. On November 24, NTT acquired such tendered shares, which increased its interests in DPAC to 91.46%. On November 27, 2020, NTT made a cash-out demand, which DOCOMO approved. According to the Petition, on December 29, 2020, NTT had completed a series of transactions that resulted in NTT directly acquiring 100% of the equity and voting interests in NTT DOCOMO. As a result of those transactions, NTT, now indirectly owns 100% of the equity and voting interests in DGH, in excess of the equity and voting percentages approved by the Commission in the 2015 Ruling. In addition, JMOF, which holds 33.93% of NTT's issued and outstanding shares, now indirectly holds 33.93% equity and voting interests in DGH, in excess of the equity percentage approved in the 2015 Ruling.

Pursuant to section 1.5001(i) of the Commission's rules, Petitioner requests that the Commission specifically approve direct and indirect foreign equity and voting interests in DPAC's controlling U.S. parent, DGH, by foreign-organized entities as follows:

NTT DOCOMO, Inc., (up to and including 100% equity and voting) (Japan); Nippon Telephone and Telegraph Corporation (up to and including 100% equity and voting) (Japan); and Japan Ministry of Finance (33.93% equity and voting) (Japan).

Petitioner also requests advance approval, pursuant to section 1.5001(k) of the Commission's rules, for Japan Ministry of Finance to acquire up to a non-controlling 49.9% indirect equity and/or voting interest in DGH.

Petitioner acknowledges that DGH continues to be subject to the October 10, 2006 agreement entered into by and between DGH, on the one hand, and the Federal Bureau of Investigation, the U.S. Department of Justice, and the U.S. Department of Homeland Security, on the other hand. See Memorandum Opinion and Order and Declaratory Ruling, FCC 06-167, 21 FCC Rcd 13580, 13623-53 (2006).

Petitioner asserts that the public interest would be served by granting the Petition.

Through this Public Notice, pursuant to Commission practice, the Petition for Declaratory Ruling is being referred to the relevant Executive Branch agencies for their views on any national security, law enforcement, foreign policy, or trade policy concerns related to the foreign ownership of the Petitioners.

Action on this Petition for Declaratory Ruling is without prejudice to any enforcement action by the Commission for non-compliance with the Communications Act of 1934, as amended, or the Commission's rules.

Interested parties may file comments on or before June 4, 2021, and reply comments on or before June 11, 2021.

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 CFR § 63.18(e)(2).

Inovocom, LLC is 100% owned by Albert Davydov, a U.S. citizen.

ITC-214-20210513-00084 E Oktacom Inc.

International Telecommunications Certificate

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

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

Oktacom Inc. is 100% owned by Upco International Inc., a company organized under the laws of Canada. Upco International Inc. is owned by Aduna Holding GmbH (12%), a company organized under the laws of Germany, and Coserfi SRL (10%), a company organized under the laws of Italy. No other person or entity owns 10% or greater of Oktacom Inc. or Upco International Inc.

Pursuant to Commission practice, the application is being referred to the relevant Executive Branch agencies for their views on any national security, law enforcement, foreign policy or trade policy concerns related to the proposed foreign ownership of Oktacom, Inc.

ITC-T/C-20210415-00070 E CarrierDomain Inc.

Transfer of Control

Current Licensee: CarrierDomain Inc.

FROM: CarrierDomain Inc.

TO: IPS Inc.

Application filed for consent to transfer control of CarrierDomain Inc. (CarrierDomain), a Delaware corporation, which holds international section 214 authorization ITC-214-20111025-00327, to IPS Inc. (IPS). Ilya Belov, a U.S. citizen, currently holds a 98% ownership interest in CarrierDomain. IPS will acquire a 51% and controlling interest in CarrierDomain and Mr. Belov will retain a 47% interest. Koji Miyashita, a citizen of Japan, holds a 41% ownership interest in IPS, a Japanese entity. Applicants state that there are no other 10% or greater direct or indirect owners of IPS.

Pursuant to Commission practice, the application is being referred to the relevant Executive Branch agencies for their views on any national security, law enforcement, foreign policy or trade policy concerns related to the proposed foreign ownership of CarrierDomain.

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 CFR §§ 1.2001–.2003.