



# PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION  
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WASHINGTON D.C. 20554

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**DA No. 18-419**

**Report No. TEL-01904**

**Thursday April 26, 2018**

## 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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<b>ITC-ASG-20180323-00063</b>	<b>E</b>	<b>DIGICEL CARIBBEAN LIMITED</b>	
Assignment			
Grant of Authority			Date of Action: 04/25/2018

**Current Licensee:** Digicel USA, Inc.

**FROM:** Digicel USA, Inc.

**TO:** DIGICEL CARIBBEAN LIMITED

Notification filed March 23, 2018, of the pro forma assignment of international section 214 authorization, ITC-214-20031031-00520, held by Digicel USA, Inc. (Digicel USA) to Digicel Caribbean Limited (Digicel Caribbean), effective March 17, 2018. In internal corporate restructuring, Digicel USA assigned its international 214 authorization to its affiliate, Digicel Caribbean. Both Digicel USA and Digicel Caribbean are wholly owned subsidiaries of Digicel International Finance Limited.

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**ITC-T/C-20180227-00044** E

Columbus Networks Puerto Rico Inc

Transfer of Control

Grant of Authority

Date of Action: 04/25/2018

**Current Licensee:** Columbus Networks Puerto Rico Inc

**FROM:** Liberty Global plc

**TO:** Liberty Latin America Ltd.

Notification filed February 27, 2018, of the pro forma transfer of control of Columbus Networks Puerto Rico, Inc. (CNPR), which holds international section 214 authorization ITC-214-20091127-00497, from Liberty Global plc (Liberty Global) to Liberty Latin America Ltd (Liberty Latin America), effective December 29, 2017.

Prior to the transaction, CNPR, a Puerto Rico corporation, was an indirect wholly-owned subsidiary of Liberty Global, a publicly-traded company organized under the laws of England and Wales. Liberty Latin America, organized under the laws of Bermuda, was also a wholly-owned subsidiary of Liberty Global. Liberty Global's shares were divided into two tracking groups, both of which are listed on the NASDAQ Stock Exchange: (1) Liberty Global Group which primarily tracks Liberty Global's European operations, and (2) the LiLAC Group, which primarily tracked Liberty Global's Latin American and Caribbean operations.

On December 27, 2017, Liberty Global spun off the businesses, assets and liabilities attributed to the LiLAC Group to Liberty Latin America. Consequently, CNPR is now an indirect wholly-owned subsidiary of Liberty Latin America. Liberty Global no longer has an ownership interest in Liberty Latin America or CNPR.

As a result of the spin-off transaction the shares of Liberty Latin America are owned by the previous holders of the LiLAC Group tracking stock. The same shareholders that controlled Liberty Global controlled Liberty Latin America following the spin-off transaction.

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**ITC-T/C-20180227-00045** E

CWC New Cayman Limited

Transfer of Control

Grant of Authority

Date of Action: 04/11/2018

**Current Licensee:** CWC New Cayman Limited

**FROM:** Liberty Global plc

**TO:** Liberty Latin America Ltd.

Notification filed February 27, 2018, of the pro forma transfer of control of CWC New Cayman Ltd. (CWC New Cayman), which holds international section 214 authorization ITC-214-20100512-00191, from Liberty Global plc (Liberty Global) to Liberty Latin America Ltd (Liberty Latin America), effective December 29, 2017.

Prior to the transaction, CWC New Cayman, organized under the laws of the Cayman Islands, was an indirect wholly-owned subsidiary of Liberty Global, a publicly-traded company organized under the laws of England and Wales. Liberty Latin America, organized under the laws of Bermuda, was also a wholly-owned subsidiary of Liberty Global. Liberty Global's shares were divided into two tracking groups, both of which are listed on the NASDAQ Stock Exchange: (1) Liberty Global Group which primarily tracks Liberty Global's European operations, and (2) the LiLAC Group, which primarily tracked Liberty Global's Latin American and Caribbean operations.

On December 27, 2017, Liberty Global spun off the businesses, assets and liabilities attributed to the LiLAC Group to Liberty Latin America. Consequently, CWC New Cayman is now an indirect wholly-owned subsidiary of Liberty Latin America. Liberty Global no longer has an ownership interest in Liberty Latin America or CWC New Cayman.

As a result of the spin-off transaction the shares of Liberty Latin America are owned by the previous holders of the LiLAC Group tracking stock. The same shareholders that controlled Liberty Global controlled Liberty Latin America following the spin-off transaction.

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**ITC-T/C-20180227-00047** E Columbus Networks Telecommunications Services USA, Inc.  
Transfer of Control  
Grant of Authority Date of Action: 04/11/2018

**Current Licensee:** Columbus Networks Telecommunications Services USA, Inc.

**FROM:** Liberty Global plc

**TO:** Liberty Latin America Ltd.

Notification filed February 27, 2018, of the pro forma transfer of control of, Columbus Networks Telecommunications Services USA, Inc. (CNTS), which holds international section 214 authorization ITC-214-20070220-00077, from Liberty Global plc (Liberty Global) to Liberty Latin America Ltd (Liberty Latin America), effective December 29, 2017.

Prior to the transaction, (CNTS), organized under the laws of Delaware, was an indirect wholly-owned subsidiary of Liberty Global, a publicly-traded company organized under the laws of England and Wales. Liberty Latin America, organized under the laws of Bermuda, was also a wholly-owned subsidiary of Liberty Global. Liberty Global's shares were divided into two tracking groups, both of which are listed on the NASDAQ Stock Exchange: (1) Liberty Global Group which primarily tracks Liberty Global's European operations, and (2) the LiLAC Group, which primarily tracked Liberty Global's Latin American and Caribbean operations.

On December 27, 2017, Liberty Global spun off the businesses, assets and liabilities attributed to the LiLAC Group to Liberty Latin America. Consequently, CNTS is now an indirect wholly-owned subsidiary of Liberty Latin America. Liberty Global no longer has an ownership interest in Liberty Latin America or CNTS.

As a result of the spin-off transaction the shares of Liberty Latin America are owned by the previous holders of the LiLAC Group tracking stock. The same shareholders that controlled Liberty Global controlled Liberty Latin America following the spin-off transaction.

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**ITC-T/C-20180313-00053** E Broadsmart Florida, Inc.  
Transfer of Control  
Grant of Authority Date of Action: 04/20/2018

**Current Licensee:** Broadsmart Florida, Inc.

**FROM:** Broadsmart Florida, Inc.

**TO:** NEXXIS Inc.

Application filed for consent to the transfer of control of Broadsmart Florida, Inc. (Broadsmart Florida), which holds international section 214 authorization ITC-214-20010508-00295, to NEXXIS Inc. (Nexxis). Pursuant to an October 19, 2017 agreement, Nexxis will acquire all of the interests in Broadsmart Florida, and upon closing Broadsmart Florida will become a direct wholly-owned subsidiary of Nexxis.

Data Storage Corporation (DSC), a publicly held Nevada corporation, holds an 80% and controlling interest in Nexxis. The remaining 20% interest in Nexis is held by John Camello, a U.S. citizen. The ten percent or greater owners of DSC are Charles Piluso (25.52%), Harold J. Schwartz (20.22%) and Thomas C. Kempster (20.20%), all U.S. citizens. No other individual or entity holds a ten percent or greater direct or indirect ownership interest in DSC or Broadsmart Florida

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

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**SURRENDER**

**ITC-214-19970228-00125** New World Telecom International

Applicant notified the Commission of the Surrender of its international section 214 authorization effective April 6, 2018.

**ITC-214-20020828-00415** Interoute Communications Limited

Applicant notified the Commission of the Surrender of its international section 214 authorization effective March 22, 2018.

## 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) Carriers shall file annual circuit capacity reports required by Section 43.82. See <http://www.fcc.gov/encyclopedia/circuit-capacity-report>.
- (8) Carriers should consult Section 63.19 of the rules when contemplating a discontinuance, reduction or impairment of service.
- (9) 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.
- (10) 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.
- (11) 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.
- (12) Carriers shall comply with the Communications Assistance for Law Enforcement Act (CALEA), see 47 C.F.R. §§ 1.20000 et seq.

(13) 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.