PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
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DA No. 12-1445

Report No. TEL-01576 **Thursday September 6, 2012**

International Authorizations Granted

Section 214 Applications (47 C.F.R. § 63.18); Section 310(b)(4) Requests

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 25 percent foreign ownership benchmark applicable to common carrier radio licensees under 47 U.S.C. § 310(b)(4).

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 Section 1.4(b)(2)).

An updated version of Sections 63.09–.25 of the rules, and other related sections, is available at http://www.fcc.gov/ib/pd/pf/telecomrules.html.

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.

ISP-PDR-20111020-00011 P Truphone, Inc.

Petition for Declaratory Ruling

Grant of Authority Date of Action: 09/04/2012

Truphone, Inc. (TI) (f/k/a Software Cellular Network (North America) Ltd.) and its 100 percent direct parent, Truphone Limited (Truphone, and together with TI, "Petitioners"), request that the Commission modify the existing declaratory ruling issued to SmartCall, LLC (SmartCall) and its wholly-owned, direct subsidary, iSmart Mobile, LLC (iSmart), under section 310(b)(4) of the Communications Act of 1934, as amended (the "Act"). Petitioners filed the instant petition for declaratory ruling in connection with the transfer of control of broadband PCS licenses held by iSmart, which occurred on November 2, 2011, without prior Commission approval. See ULS File No. 0004928994.

According to Petitioners, SmartCall and iSmart are limited liability companies organized in Delaware. TI is a Delaware corporation that owns all of the membership interests in SmartCall. TI's parent, Truphone, is a U.K.-organized company. The existing section 310(b)(4) ruling for SmartCall and iSmart authorizes their 100 percent indirect foreign ownership (through their controlling U.S. parent, TI) by Truphone and its foreign shareholders identified in the original petition. See Public Notice, International Authorizations Granted, DA 10-313, 25 FCC Rcd 1860 (IB 2011) (granting File No. ISP-PDR-20091001-00009). The ruling also authorizes SmartCall and iSmart to have up to and including an additional, aggregate 25 percent indirect equity and/or voting interests from the foreign investors identified in the original petition and new foreign investors without seeking prior Commission approval under section 310(b)(4) subject to the requirements that SmartCall and iSmart obtain Commission approval before any foreign individual or entity acquires individually an indirect equity or voting interest in excess of 25 percent and before aggregate indirect foreign investment from non-WTO Member countries exceeds 25 percent.

In the instant petition, TI and Truphone seek authorization for the acquisition of a controlling 75.39 percent equity and voting interest directly in Truphone by Vollin Holdings Limited (Vollin), an entity organized in the British Virgin Islands. Vollin is wholly owned by Whiteclif Enterprises Limited (Whiteclif), also organized in the British Virgin Islands. Whiteclif, in turn, is wholly owned by two Russian citizens, Alexander Abramov (greater than 50 percent interest) and Alexander Frolov (less than 50 percent interest). The United Kingdom, the British Virgin Islands, and the Russian Federation are all Members of the World Trade Organization (WTO).

Petitioners have also submitted information to demonstrate that Truphone, Vollin and Whiteclif each has its principal place of business in a WTO Member country (the United Kingdom for Truphone and Cyprus for Vollin and Whiteclif). We find, based on the information in the record, that at least 75 percent of the equity and voting interests in TI are held, directly and/or indirectly, by citizens of, or by entities that have their principal places of business in, WTO Member countries. Accordingly, Petitioners are entitled to a rebuttable presumption that the foreign ownership of SmartCall and iSmart does not pose a risk to competition in the U.S. market. We find no credible evidence in the record to rebut this presumption.

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), we find that it would not serve the public interest to prohibit the indirect foreign ownership of SmartCall and iSmart in excess of the 25 percent benchmark in section 310(b)(4) of the Act. Specifically, this ruling permits SmartCall and iSmart to be owned indirectly, through their controlling U.S. parent, TI, by Truphone (individually, up to and including 100% of the equity and voting interests); Vollin and Whiteclif (individually and collectively, up to and including 75.39% of the equity and voting interests); and Alexander Abramov and Alexander Frolov (collectively, up to and including 75.39% of the equity and voting interests through their respective interests in Whiteclif). This ruling also authorizes SmartCall and iSmart to have up to and including an additional, aggregate 25 percent indirect equity and/or voting interests from other foreign investors without seeking prior Commission approval under section 310(b)(4) subject to the requirements that SmartCall and iSmart obtain Commission approval before any such foreign investor acquires individually an indirect equity and/or voting interest in excess of 25 percent and before aggregate indirect foreign investment from non-WTO Member countries exceeds 25 percent. SmartCall and iSmart shall also obtain Commission approval before either Mr. Abramov or Mr. Frolov increases his existing equity and/or voting interest in SmartCall or iSmart.

We grant the Petition to Adopt Conditions to Authorizations and Licenses filed in this proceeding on August 30, 2012, by the U.S. Department of Justice (Petition to Adopt Conditions). Accordingly, we condition grant of this declaratory ruling on compliance by TI and Truphone with the commitments and undertakings set forth in the August 22, 2012 Letter of Assurances from Gregory Mappledoram, General Counsel, Truphone Limited to Ms. Lisa Monaco, Assistant Attorney General, U.S. Department of Justice (August 22, 2012 LOA). A copy of the Petition to Adopt Conditions and August 22, 2012 LOA are publicly available and may be viewed on the FCC web-site through the International Bureau Filing System (IBFS) by searching for ISP-PDR-20111020-00011 and accessing "Other Filings related to this application" from the Document Viewing area.

Grant of this 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.

This authorization is without prejudice to the Commission's action on any related pending application(s).

ITC-214-20120706-00177 E Pacific Telephone Company 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: 08/31/2012

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).

ITC-214-20120709-00180 E Brightlink Communications, 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: 08/31/2012

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).

ITC-214-20120801-00195 E Payfone Inc.
International Telecommunications Certificate
Service(s): Global or Limited Global Facilities-Based Service, Global or Limited Global Resale Service
Grant of Authority Date of Action: 08/31/2012

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).

ITC-214-20120802-00194 E Voicetel Networks, Inc.
International Telecommunications Certificate
Service(s): Global or Limited Global Facilities-Based Service, Global or Limited Global Resale Service
Grant of Authority Date of Action: 08/31/2012

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).

ITC-214-20120803-00198 E Delta Telecom, Inc.
International Telecommunications Certificate
Service(s): Global or Limited Global Resale Service
Grant of Authority Date of Action: 08/31/2012

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).

ITC-214-20120806-00201 E ReliableIPTV 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: 08/31/2012

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).

ITC-214-20120815-00203 E Solavei, LLC
International Telecommunications Certificate
Service(s): Global or Limited Global Resale Service
Grant of Authority Date of Action: 08/31/2012

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).

ITC-T/C-20111107-00349 E Truphone, Inc.

Transfer of Control

Grant of Authority Date of Action: 09/04/2012

Current Licensee: Truphone, Inc.

FROM: Truphone Limited

TO: Vollin Holdings Limited

Application filed for the transfer of control of international section 214 authorization, ITC-214-20081112-00494, held by Truphone, Inc. (TI) (f/k/a Software Cellular Network (North America) Ltd.), a Delaware corporation, from its 100 percent direct parent, Truphone Limited (Truphone), a U.K.-organized company, to Vollin Holdings Limited (Vollin), a British Virgin Islands entity. To raise additional capital for the company, Truphone undertook an emergency rights issue and, on November 2, 2011, Vollin acquired a controlling 58.81 percent equity and voting interest in Truphone, without prior Commission approval. Vollin has since increased its ownership interest in Truphone to 75.39 percent equity and voting interest.

Vollin is wholly owned by Whiteclif Enterprises Limited (Whiteclif), also organized in the British Virgin Islands. Whiteclif, in turn, is wholly owned by two Russian citizens, Alexander Abramov (greater than 50 percent interest) and Alexander Frolov (less than 50 percent interest). No other individual or entity owns a 10 percent or greater direct or indirect equity or voting interest in TI.

We grant the Petition to Adopt Conditions to Authorizations and Licenses filed in this proceeding on August 30, 2012, by the U.S. Department of Justice (Petition to Adopt Conditions). Accordingly, we condition grant of this authorization on compliance by TI and Truphone with the commitments and undertakings set forth in the August 22, 2012 Letter of Assurances from Gregory Mappledoram, General Counsel, Truphone Limited to Ms. Lisa Monaco, Assistant Attorney General, U.S. Department of Justice (August 22, 2012 LOA). A copy of the Petition to Adopt Conditions and August 22, 2012 LOA are publicly available and may be viewed on the FCC web-site through the International Bureau Filing System (IBFS) by searching for ITC-T/C-20111107-00349 and accessing "Other Filings related to this application" from the Document Viewing area.

This authorization 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.

This authorization is without prejudice to the Commission's action on any related pending application(s).

ITC-T/C-20120816-00206 E Sigecom, LLC

Transfer of Control

Grant of Authority Date of Action: 09/05/2012

Current Licensee: Sigecom, LLC

FROM: WideOpenWest Finance, LLC

TO: WideOpenWest Finance, LLC

Notification filed August 16, 2012, of the pro forma transfer of control of international section 214 authorization, ITC-214-19991026-00677, held by SigeCom, LLC (SigeCom), effective July 17, 2012. Sigecom is a wholly-owned subsidiary of WideOpen West Finance, LLC (WOW!), which in turn is a wholly-owned subsidiary of Racecar Holdings, LLC (Racecar Holdings). On July 17, 2012, the voting interest in Racecar Holdings held by Avista Capital Partners, L.P. (Avista) was reduced from greater than 50% to approximately 31%. The ultimate control of Racecar Holdings, and SigeCom remains unchanged.

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 attached to 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://www.fcc.gov/ib/pd/pf/telecomrules.html#exclusionlist. 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) Carriers shall comply with the Commission's International Settlements Policy and associated filing requirements contained in Sections 43.51, 64.1001 and 64.1002 of the Commission's Rules, 47 C.F.R. §§ 43.51, 64.1001, 64.1002. The Commission modified these requirements most recently in International Settlements Policy Reform: International Settlement Rates, First Report and Order, FCC 04-53, 19 FCC Rcd 5709 (2004). In addition, any carrier interconnecting private lines to the U.S. public switched network at its switch, including any switch in which the carrier obtains capacity either through lease or otherwise, shall file annually with the Chief, International Bureau, a certified statement containing, on a country-specific basis, the number and type (e.g., 64 kbps circuits) of private lines interconnected in such manner. The Commission will treat the country of origin information as confidential. Carriers need not file their contracts for interconnection unless the Commission specifically requests. Carriers shall file their annual report on February 1 (covering international private lines interconnected during the preceding January 1 to December 31 period) of each year. International private lines to countries which the Commission has exempted from the International Settlements Policy at any time during a particular reporting period are exempt from this requirement. See 47 C.F.R. § 43.51(d). The Commission's list of U.S. international routes that are exempt from the International Settlements Policy may be viewed at http://www.fcc.gov/ib/pd/pf/isp_exempt.html.

(5) Carriers authorized to provide private line service either on a facilities or resale basis are limited to the provision of such private line service only between the United States and those foreign points covered by their referenced applications for Section 214 authority. 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).

(6) A carrier may engage in "switched hubbing" to countries that do not appear on the Commission's list of U.S. international routes that are exempt from the International Settlements Policy, set forth in Section 64.1002, 47 C.F.R. § 64.1002, provided the carrier complies with the requirements of Section 63.17(b) of the rules, 47 C.F.R. § 63.17(b). The Commission's list of U.S. international routes that are exempt from the International Settlements Policy may be viewed at http://www.fcc.gov/ib/pd/pf/isp_exempt.html.

(7) Carriers shall comply with the "No Special Concessions" rule, Section 63.14, 47 C.F.R. § 63.14.

(8) 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.

(9) Carriers shall file the annual reports of overseas telecommunications traffic required by Section 43.61(a). Carriers shall also file the quarterly reports required by Section 43.61 in the circumstances specified in paragraphs (b) and (c) of

that Section.

(10) Carriers shall file annual reports of circuit status and/or circuit additions in accordance with the requirements set forth in Rules for Filing of International Circuit Status Reports, CC Docket No. 93-157, Report and Order, 10 FCC Rcd 8605 (1995). See 47 C.F.R. § 43.82. See also §§ 63.22(e), 63.23(e). These requirements apply to facilities-based carriers and private line resellers, respectively. See also http:www.fcc.gov/ib/pd/pf/csmanual.html.

(11) Carriers should consult Section 63.19 of the rules when contemplating a discontinuance, reduction or impairment of service. Further, the grant of these applications shall not be construed to include authorization for the transmission of money in connection with the services the applicants have been given authority to provide. The transmission of money is not considered to be a common carrier service.

(12) 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.

(13) 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.

(14) 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.

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). In addition, the facilities listed shall not be used by U.S. carriers authorized under Section 63.18 of the Commission's Rules unless the carrier's Section 214 authorization specifically lists the facility. 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:

Cuba (Applications for service to Cuba shall comply with the separate filing requirements of the Commission's Public Notice, DA 10-112, dated January 21, 2010, "Modification of Process to Accept Applications for Service to Cuba and Related Matters.")

Facilities:

All non-U.S.-licensed satellite systems that are not on the Permitted Space Station List, maintained at http://www.fcc.gov/ib/sd/se/permitted.html. See International Bureau Public Notice, DA 99-2844 (rel. Dec. 17, 1999).

This list is subject to change by the Commission when the public interest requires. Before amending the list, the Commission will first issue a public notice giving affected parties the opportunity for comment and hearing on the proposed changes. The Commission may then release an order amending the exclusion list. This list also is subject to change upon issuance of an Executive Order. See Streamlining the Section 214 Authorization Process and Tariff Requirements, IB Docket No. 95-118, FCC 96-79, 11 FCC Rcd 12,884, released March 13, 1996 (61 Fed. Reg. 15,724, April 9, 1996). A current version of this list is maintained at http://www.fcc.gov/ib/pd/pf/telecomrules.html#exclusionlist.

For additional information, contact the International Bureau's Policy Division, (202) 418-1460.