

**Instructions to File an  
Application for International Section 214 Authorization  
Office of International Affairs**

**ITC-214**

**Purpose of Form**

This form is used to request approval from the Federal Communications Commission (Commission) to obtain an international section 214 authorization to provide services, pursuant to section 214 of the Communications Act of 1934, as amended and section 63.18 of the Commission's rules. 47 U.S.C. § 214; 47 CFR § 63.18. If the Commission grants the application, there are other forms that are relevant to an international section 214 authorization that are discussed below.

- **Assignment/Transfer of Control.** Once an international section 214 authorization is granted, it may be assigned, or control of such authorization may be transferred by any entity holding such authorization, to another party, whether voluntarily or involuntarily, directly or indirectly with prior approval by the Commission. 47 CFR § 63.24(a). An application to assign or transfer control of an authorization is filed using the ITC-ASG/TC form.
- **Foreign Carrier Notification.** A carrier must notify the Commission when it becomes or seeks to become affiliated with a foreign carrier that is authorized to operate in a foreign destination market served by the U.S. carrier. 47 CFR § 63.1. A foreign carrier affiliation notification is filed using the ITC-FCN form.
- **Modification.** A carrier is permitted to modify an existing authorization. 47 CFR §§ 63.13, 63.18. An application to modify an authorization is filed using the ITC-MOD form.

**Who Must File This Form and When**

Any party seeking authority pursuant to section 214 of the Communications Act of 1934, as amended, and section 63.18 of the Commission's rules to construct a new line, or acquire or operate any line, or engage in transmission over or by means of such additional line for the

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provision of common carrier communications services between the United States, its territories or possessions, and a foreign point shall request such authority by filing this form. 47 U.S.C. § 214; 47 CFR § 63.18.

The application must be filed, and the Commission must consent to the grant before the Applicant can construct such new line, or acquire or operate any line, or engage in transmission over or by means of such additional line for the provision of common carrier communications services.

### **Description of Form**

This form consists of a main form and the ability to file an attachment to support the request. The Applicant is encouraged to upload a single document in machine readable format, including all required information. The Applicant must fill in all required fields, upload required documents, make all required certifications, and sign the form before submitting the application.

### **Information Current and Complete**

Information filed in the application with the Commission must be kept current and complete under section [1.65](#) of the Commission's rules. Section 63.50 of the Commission's rules permits the applicant or the party to the application as a matter of right to amend any application prior to the date of any final action taken by the Commission and requires the Applicant to notify the Commission regarding any substantial and significant changes in the information provided in the application while it remains pending. 47 CFR § 63.50.

To amend a submitted application, use a separate form, ITC-AMD.

### **Applicable Rules and Regulations**

The requirements for international section 214 authorization can be found in section 63.18 of the Commission's rules. 47 CFR § 63.18.

Applicant(s) should refer to the Debt Collection Improvement Act of 1996. The Debt Collection Act requires all federal agencies to ensure that no debtors to the Federal government obtain any licenses or other benefits from the FCC. To ensure this, the Commission must collect FRN information to correlate its Applicants with any outstanding Federal debt that they might have incurred in other dealings with the Federal government. For additional information, see the [FCC's Debt Collection webpage](#).

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## Other International Section 214 (ITC) Forms

- **ITC-AMD Form**
  - This form is used to amend a pending application related to an international section 214 authorization.
- **ITC-ASG/TC Form**
  - This form is used for an assignment of an international section 214 authorization or the transfer of control of an authorization holder. The form is used for both substantive and pro forma transactions.
- **ITC-MOD Form**
  - This form is used to modify an existing international section 214 authorization, for example to add or remove a condition on an existing authorization.
- **ITC-FCN Form**
  - The form is used by a licensee to notify the FCC of new foreign carrier affiliations.
- **ITC-RPT Form**
  - This form is used to file the reports required for a carrier classified at dominant for the provision of particular services on particular routes due to an affiliation with a foreign carrier with market power in a destination country in accordance with section 63.10(c) of the Commission's rules.
- **ITC-STA Form**
  - This form is used to request Special Temporary Authority related to an international section 214 authorization, such as to provide service prior to grant of the authorization or related to an unauthorized transaction related to the authorization.
- **ITC-WAV Form**

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- o This form is used to request a waiver of the Commission rules related to an international section 214 authorization.

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### **FCC Notice Required By The Paperwork Reduction Act**

The number of hours it will take to respond to the collection will vary depending on whether the Applicant is required to file responses to the Standard Questions for an Applicant with reportable foreign ownership with the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector (Committee). We have estimated that on average each response to this collection of information for an international section 214 authorization will be 9 hours for in-house and outside counsel. If the Applicant is required to file responses to the Standard Questions with the Committee the average will be 130 hours (9 hours for the substantive application, 120 hours to respond to the Standard Questions and 1 hour to file the responses with the Committee). Our estimate includes the time to read the instructions, review existing records, gather and maintain the required data, and actually complete and review the form or response. If you have any comments on this burden estimate, or on how we can improve the collection and reduce the burden it causes you, please e-mail them to [pra@fcc.gov](mailto:pra@fcc.gov) or send them to the Federal Communications Commission, AMDPERM, Paperwork Reduction Project (3060-0404), Washington, DC 20554.

The Applicant is not required to respond to a collection of information sponsored by the Federal government (and the government may not conduct or sponsor this collection, without displaying a currently valid OMB control number) if we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060-0686. This notice is required by the Paperwork Reduction Act of 1995, P.L. 104-13, October 1, 1995, 44 U.S.C. Section 3507.

### **For Assistance**

For technical assistance with completing the forms, contact the ICFS Helpline at (202) 418-2222 or [ICFSINFO@fcc.gov](mailto:ICFSINFO@fcc.gov). For general questions about the form requirements, contact the Office of International Affairs, Telecommunications and Analysis Division at (202) 418-1480 or at [FCC-OIA-TAD@fcc.gov](mailto:FCC-OIA-TAD@fcc.gov).

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## FILING INSTRUCTIONS

Remember to save your draft application periodically by clicking the save button. ICFS will time-out after 15 minutes of no activity, and failure to save will result in loss of any information entered into the application form after the last save.

### Applicant Information

Item 1. Enter the information requested. Some data will be pre-populated using the data associated with Applicant's FCC Registration Number (FRN).

When the Applicant enters its FRN, the Applicant Information will pre-populate with its FRN data in [CORES](#). To modify these pre-populated data, update the data associated with the FRN in CORES.

Enter any missing data and sections that are not already populated from CORES, such as the "Applicant/Legal Entity Type" or "Doing Business As (DBA)" name.

### Contact Information

Item 2. Identify the contact representative, if different from the Applicant. The contact information can be imported automatically from CORES if the Applicant supplied an FRN, but fields are still editable.

If the contact representative is the same as the person indicated in Item 1, then check the box "Same as Applicant." If the contact representative is not the same as the Applicant, provide the requested information.

- Provide the name of a person in your organization, your outside counsel, or other representative whom we can contact if there are questions regarding your application. This person should have decisional authority over the contents of your application.
- Provide the Company name if different from the "Applicant" name in Item 1 or repeat "Company" name here.
- Provide the contact representative's address, phone number, fax number, and email.
- Provide your "Doing Business As (DBA)" name. If the Applicant is not operating its business using a DBA, you may leave this section blank.

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- Indicate how the contact person is related to the Applicant by selecting a choice from the drop-down “Relationship” menu. For example, select “Legal Counsel” if the contact is the Applicant’s counsel. Selecting “other” will open a text box for entry of a description of the relationship.

### **Additional Contacts**

Item 3(a). Enter requested contact information for execution of lawful requests.

Item 3(b). Enter requested alternate contact information for execution of lawful requests.

Item 3(c). Enter requested contact information for agent for legal service of process.

Item 3(d). Enter requested alternate contact information for agent for legal service of process.

Item 4. In the table, in column (a), click in the cell or box and enter the name of the Applicant, and in column (b) click in the cell or box and select the place of organization using the drop-down menu of countries. If the place of organization is in the United States, use the drop-down box to identify the state or territory. If the place of organization is not listed in the drop-down menu, select “Other non-specified areas” and provide more detailed information in an uploaded attachment.

### **Application Information**

Item 5. Provide a brief description of the application in the field. For example, state “This is a request for international section 214 authorization to provide global facilities-based and resale service to all international points.”

Item 6. Check the box(es) next to all service types that the Applicant seeks to provide.

- 6.a. Global Facilities-Based Authority pursuant to section 63.18(e)(1) of the Commission’s rules.
- 6.b. Limited Facilities-Based Authority pursuant to section 63.18(e)(1)(ii) of the Commission’s rules. If 6.b. is checked, then identify the countries from the drop-down menu for which the Applicant does **NOT** request authorization.
- 6.c. Global Resale Authority pursuant to section 63.18(e)(2) of the Commission’s rules.

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- 6.d. Limited Resale Authority pursuant to section 63.18(e)(2)(ii) of the Commission's rules. If 6.d. is selected, then check the box(es) from the drop down menu for which the Applicant does **NOT** request authorization.
- 6.e. Other Authorizations pursuant to section 63.18(e)(3) of the Commission's rules.

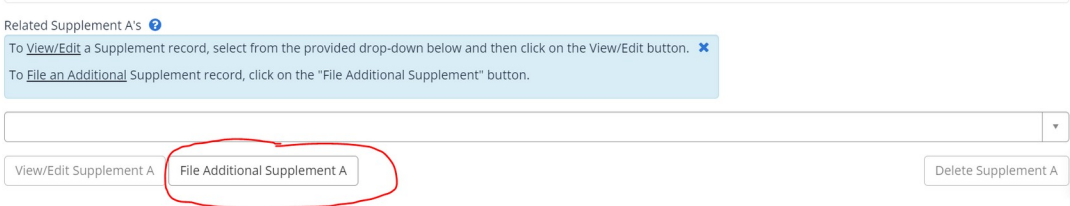
If Applicant selects Other Authorizations, then Applicant must check one or more of the choices below and provide in an attachment a complete description of the request and the information required by section 63.18 of the Commission's rules.

- 6.e.1. Facilities-Based Service to a single destination country
  - 6.e.2. Resale Service to a single destination country
  - 6.e.3. Overseas Cable Construction for common carrier submarines cables. If checked, then in 6.f. indicate whether there is one or multiple applicants for the Overseas Cable Construction authorization.
  - 6.e.4. Other Requests. If this is checked, then the applicant must fill in text box at 6.e.4.a.
- 6.f. If Overseas Cable Construction is selected, then indicate whether there is a single Applicant or there are multiple Applicants for the Authorization by checking the appropriate box. If there are multiple Applicants, indicate how many Applicants are seeking to become holders of this Overseas Cable Construction Authorization by filling in the box (Item 6.f.2.a) with the number of Applicants. If there are multiple Applicants, fill in the table (Item 6.f.2.b) with each additional Applicant's FRN and name. If there are multiple Applicants, for each additional Applicant fill in the specific information identified in the "Additional Applicants/ITC-214-Supplement A."

**Note:** The Lead Applicant for an Overseas Cable Construction authorization should provide its ownership and foreign carrier affiliation information in this main form. For each additional Applicant, use the "Additional Applicants/ITC-214-Supplement A" and upload the required information for additional Applicants.

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**Note on filling out Supplement A:** After the lead applicant has entered the FRNs of the additional applicants in the table and saved the draft, the additional applicants will receive a notification in their ICFS message box notifying them that the application is available to access. Each additional applicant will need to log into ICFS and access the ITC-214 application via the My Filings tab. After accessing the application, each additional applicant must click the corresponding button for filing a Supplement A:



Clicking this button will launch the Supplement A for that applicant. Each additional applicant will provide its own identity, contact, ownership, and foreign affiliation information, as well as submit its own set of application attachments and certifications.

Each additional applicant must file its own Supplement A. The lead applicant will be able to view all Supplements A, but cannot edit or alter them. Similarly, if there are more than one additional applicants, each will be able to view all Supplements A, but will not be able to edit or alter any of them other than its own. All additional applicants will be able to view the main application prepared by the lead applicant, but will not be able to edit or alter it. Additional applicants filling out a Supplement A can save the supplement draft at any time, and must save the draft when it is complete.

Multiple applicants should coordinate with each other so that they know all Supplements A are complete prior to the lead applicant filing the application. Detailed instructions for Supplement A are below.

- 6.g. If an application is for facilities-based authority, then indicate whether the facilities to be used by the Applicant(s) are categorically excluded from



environmental processing as defined by section 1.1306 of the Commission's rules by checking "Yes" or "No." 47 CFR § 1.1306. If "no," then provide an environmental assessment as described in section 1.1311 of the Commission's rules in an attachment.

Item 7. Indicate whether the Applicant(s) is requesting streamlined processing by checking "Yes" or "No." If "Yes," then submit an attachment that includes a statement of how the application qualifies for streamlined processing under section 63.12 of the Commission's rules.

Item 8. Indicate whether the Commission previously granted the Applicant an international section 214 authorization(s) by checking "Yes" or "No." If "Yes," then provide the ICFS file number(s) (i.e., ITC-214-XXXXXXXX-XXXXX, ITC-MOD-XXXXXXXX-XXXXX) or AuthID(s) in the designated box.

Item 9. Indicate whether there is a separately related application filed by the Applicant by checking "Yes" or "No." If "Yes," then enter the ICFS Files Number(s), ULS File Number(s), or Docket Number(s) for the related filing, in the designated box.

### **Foreign Ownership**

Item 10. The Applicant must indicate whether or not any individual or entity that is not a U.S. citizen holds a 10% or greater direct or indirect equity or voting interest, or a controlling interest, in the Applicant or any other Applicant by checking "Yes" or "No".

Item 10.a. If the Applicant responds "Yes" to Item 10, the Applicant must indicate whether the Applicant(s) qualifies for exclusion from referral to the Executive Branch because (1) the only reportable foreign ownership is through wholly owned intermediate holding companies and the ultimate ownership and control is held by U.S. citizens or entities; (2) the Applicant has an existing international section 214 authorization that is conditioned on compliance with an agreement with an Executive Branch agency concerning national security and/or law enforcement, there are no new reportable foreign owners of the Applicant since the effective date of the agreement, and the Applicant agrees to continue to comply with the terms of that agreement; and/or (3) the Applicant was reviewed by the Executive Branch within 18 months of the filing of the application and the Executive Branch had not previously requested that the Commission condition the Applicant's international section 214 authorization on compliance with an agreement with an Executive Branch agency concerning national security and/or law

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enforcement and there are no new reportable foreign owners of the Applicant since that review.

**Qualifies for Exclusion.** If the Applicant(s) does qualify for exclusion from referral, the Applicant(s) must attach a specific showing in its application that it qualifies for the exclusion(s). Attachments can be added in the Attachments section of the application.

**Does Not Qualify for Exclusion.** If the Applicant(s) checked “No” in response to Item 10, indicating that it does *not* qualify for exclusion from referral, each Applicant with reportable foreign ownership shall prepare and submit responses to the standard questions and send them to the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector (Committee), **prior to or at the same time the Applicant files its application with the Commission**, pursuant to part 1, subpart CC, of the Commission’s rules. The required information shall be submitted separately from this application and shall be submitted directly to the Committee. Applicants submitting responses to the standard questions must also submit a complete and unredacted copy of this and any related FCC application(s), including the file number(s) and docket number(s), to the Committee within three (3) business days of filing it with the Commission. Detailed instructions for completing and sending the standard question responses and a copy of the FCC application(s) can be found on the Office of International Affairs’ website.

If the Applicant(s) checked “No” in response to Item 10, indicating that it does *not* qualify for exclusion from referral, the Applicant must acknowledge that it is aware of its obligation to submit the standard question responses and copy of the application(s) to the Committee by checking the box at the end of Item 10.

### **Applicant Ownership Information**

Item 11. Indicate whether any individual or entity directly or indirectly holds a 10% or more of the equity and/or voting interests, or a controlling interest, in the Applicant, pursuant to section 63.18(h) of the Commission’s rules, by checking “Yes” or No.” If “Yes,” in the designated column in the table provide the following (use separate rows to provide the information for each Interest Holder):

- (a) Name of the individual or entity that directly or indirectly owns 10% or more of the equity and/or voting interests of the Applicant or has a controlling interest (“Interest Holder”);

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- (b) Postal address of interest holder;
- (c) Citizenship or country of incorporation of Interest Holder, and if the Interest Holder is a person/individual with dual or more citizenship, select the country of dual citizenship from the drop-down menu in the column (c)(1);
- (d) Principal business of interest holder;
- (e) Name of entity in which Interest Holder has a direct 10% or more equity and/or voting interest;
- (f) Percentage of equity interest by the Interest Holder to the nearest 1%; and
- (g) Percentage of voting interest by the Interest Holder to the nearest 1%.

If the Applicant responds “Yes” to Item 11, also upload an attachment with a detailed ownership listing responding to 63.18(h) of the Commission’s rules.

Item 12. Indicate whether Applicant has any interlocking directorates with a foreign carrier, pursuant to section 63.18(h) of the Commission’s rules, by checking “Yes” or No.”

If the Applicant indicates that it does have interlocking directorates, the Applicant must upload an attachment, identifying the interlocking directorates, pursuant to section 63.18(h) of the Commission’s rules.

**Foreign Carrier Affiliations**

Item 13. Indicate whether the Applicant is a foreign carrier or affiliated with a foreign carrier as defined in section 63.09(d) and (e) of the Commission’s rules, by checking “Yes” or “No.”

If “No,” the Applicant must provide an attachment with the information and certifications required by section 63.18(i) through (m) of the Commission’s rules.

13.a. If “Yes,” provide information regarding the foreign carrier affiliation in the table provided and, in an attachment, provide the information and certifications required by section 63.18(i) through (m) of the Commission’s rules. In the designated column of the table, provide the following information. Add additional rows to provide information for all foreign carrier affiliations as necessary.

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- (a) Provide the name of the foreign carrier.
- (b) Use the drop-down menu to select the country in which the affiliation occurs.
- (c) Indicate the type of affiliation:
- The Applicant is a foreign carrier in that country;
  - The Applicant controls a foreign carrier in that country;
  - An entity that owns more than 25% of the Applicant, or that controls the Applicant, controls a foreign carrier in that country;
  - Two or more foreign carriers (or parties that control foreign carriers) own, in the aggregate, more than 25% of the Applicant and are parties to, or the beneficiaries of, a contractual relation (e.g., a joint venture or market alliance) affecting the provision or marketing of international basic telecommunications services in the United States; or
  - Non-standard affiliation. If the Applicant selected “Non-standard affiliation” in column (c)(1), then provide an explanation in column (c)(2).
- (d) Indicate whether the Applicant seeks to provide international telecommunications service to this country by checking “Yes” or “No.”
- (e) Indicate whether this country is a member of the World Trade Organization by checking “Yes” or “No.”

13.b. If the Applicant is a foreign carrier or affiliated with a foreign carrier as defined in section 63.09(d) and (e) of the Commission’s rules (responded “Yes” in Item 13), then indicate whether the Applicant seeks to be classified as non-dominant on any route listed in the application, pursuant to section 63.10 of the Commission’s rules by checking “Yes” or “No.”

If “Yes” to Item 13, then the Applicant must provide in an attachment information to demonstrate that it qualifies for non-dominant classification under section 63.10 of the Commission’s rules.

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13.c. If “Yes” to Item 13.b., then the Applicant must identify the routes for which it is requesting to be classified as a “non-dominant” carrier by selecting the country name(s) in the drop-down menu (multiple entries can be selected).

13.d. If “Yes” to Item 13.b., then the Applicant must indicate whether the Applicant has uploaded an attachment that contains information to demonstrate that the Applicant qualifies for non-dominant classification under section 63.10 of the Commission’s rules by checking “Yes” or “No.”

13.e. If “No” to Item 13.b., then the Applicant must agree to the requirements of section 63.10(c), (d), and (e) of the Commission’s rules for the routes where the Applicant will be classified as a dominant carrier by selecting the country name(s) from the drop-down menu (multiple entries can be selected).

### **Application Fees**

Item 14. An application fee is required for this form. The fee code is DAG. Select this fee code.

Indicate whether you are exempt from the application fee by selecting “Yes” or “No.”

**Note that the FCC may not be able to start its review of a submitted application until the associated application fee is paid.** To determine the required fee amount, refer to Subpart G of Part 1 of the Commission’s Rules ([47 CFR Part 1, Subpart G](#)) and the current Fee Filing Guide. The current Fee Filing Guide can be downloaded from the FCC’s website at [https://www.fcc.gov/licensing-databases/fees/application-processing-fees\\_](https://www.fcc.gov/licensing-databases/fees/application-processing-fees_), by calling the FCC’s Form Distribution Center at (800) 418-FORM (3676), or by faxing your request to the FCC’s Fax Information System at 1-866-418-0232.

- If the Applicant claims a fee exemption by answering “No” to Item 14, it must select a reason by checking “Government Entity”, “Noncommercial educational license,” or “Other.”
  - If “No,” then the Applicant must submit an attachment demonstrating the Applicant’s eligibility for exemption from FCC application fees.
- If the Applicant selects “Other” as the reason for the fee exemption, the Applicant must briefly describe the rationale in the text box provided.

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- If the Applicant has filed a request for waiver/deferral of the FCC application fees, provide the date-stamped copy of the request filed with the Commission's Office of the Managing Director as an attachment.
- If the Applicant answers "Yes" to Item 14, it must select the appropriate fee code for the application from the drop-down menu.

## **Waivers**

Item 15. Indicate whether the Applicant requests a waiver of the Commission's rules by checking "Yes" or "No." If "Yes," the Applicant must provide an explanation for the waiver request in an attachment, along with other material information.

15.a. If "Yes" to Item 15, identify the rules for which a waiver is sought in the designated fill-in box.

15.b. Attach a statement explaining the waiver request and identify the rules for which a waiver is sought.

## **Attachments**

For Items 16-24, the Applicant must indicate for each of the following items whether it has included the described attachment, as appropriate, by selecting "Yes" or "N/A."

Item 16. If the Applicant seeks "Other Authorization" to acquire facilities or to provide services under section 63.18(e)(3), the Applicant has uploaded a complete description of the request and the information required by section 63.18 of the Commission's rules.

Item 17. The Applicant has uploaded an attachment that includes a statement of how the application qualifies for streamlined processing under section 63.12 of the Commission's rules.

Item 18. The Applicant has provided an environmental assessment as described in section 1.1311 of the Commission's rules.

Item 19. The Applicant has uploaded an attachment to provide a detailed ownership listing and ownership diagram responding to 63.18(h) of the Commission's rules.

Item 20: The Applicant has uploaded an attachment identifying any interlocking directorates with a foreign carrier, pursuant to section 63.18(h) of the Commission's rules.

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Item 21. The Applicant has uploaded an attachment providing the information and certifications required by section 63.18(i) through (m) of the Commission's rules.

Item 22. The Applicant has uploaded an attachment providing information to demonstrate that it qualifies for non-dominant classification under section 63.10 of the Commission's rules.

Item 23. The Applicant has uploaded a statement supporting the waiver request and identifying the rule number(s) involved, along with other material information.

Item 24. The Applicant has uploaded a statement showing that its application qualifies for exclusion from referral to the Executive Branch under section 1.40001(a)(2) of the Commission's rules.

### **Attachments/Confidential Treatment of Attachments**

Item 25. Indicate whether the Applicant is requesting confidential treatment of an attachment(s) under 0.459 of the Commission's rules by checking "Yes" or "No."

If the Applicant answers "Yes" in Item 25, the Applicant must upload a supporting statement for the "confidential treatment request(s)" identifying the applicable rule(s) and providing other supporting materials or information. The Applicant must also upload both the Redacted Public version and the Non-Redacted Confidential version of the attachment(s). The Applicant can upload attachments in this section of the notification.

In this item, the Applicant must identify the attachment(s) with a short description for easy identification of the information included in each attachment.

**Note:** Each document required to be filed as an attachment should be current as of the date of filing. Each page of every attachment must be identified with the number or letter, the number of the page, and the total number of pages.

In this item, the Applicant may use the upload button to upload its attachments. After uploading, the Applicant can describe the attachment. Also, after uploading, the Applicant can click the confidential treatment button next to the attachment name if it so desires. Clicking the confidential treatment button will trigger a request to upload both a redacted, public version of the attachment and a public supporting statement justifying the confidentiality request. Identify in the attachment the applicable rule(s) and provide other supporting materials or

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information. Documents designated for confidential treatment will not be publicly viewable in ICFS while the Commission considers the confidentiality request.

### **National Security/Law Enforcement Certification Statements**

Item 26. In order to submit the application, the Applicant must certify acknowledgement of the following national security and law enforcement requirements by clicking on the single indicated checkbox. If there are multiple applicants, each applicant must certify acknowledgement of these requirements in their Supplements A.

These national security and law enforcement requirements include the obligations to:

- Comply with all applicable Communications Assistance for Law Enforcement Act (CALEA) requirements and related rules and regulations, including any and all FCC orders and opinions governing the application of CALEA, pursuant to the Communications Assistance for Law Enforcement Act and the Commission's rules and regulations in Title 47, part 1, subpart Z;
- Make communications to, from, or within the United States, as well as records thereof, available in a form and location that permits them to be subject to a valid and lawful request or legal process in accordance with U.S. law, including but not limited to:
  - o The Wiretap Act, 18 U.S.C. § 2510 et seq.;
  - o The Stored Communications Act, 18 U.S.C. § 2701 et seq.;
  - o The Pen Register and Trap and Trace Statute, 18 U.S.C. § 3121 et seq.; and
  - o Other court orders, subpoenas or other legal process;
- Designate a point of contact who is located in the United States and is a U.S. citizen or lawful U.S. permanent resident, for the execution of lawful requests and as an agent for legal service of process (note that these contacts were designated in Item 3 of this application);
- Ensure the continuing accuracy and completeness of all information submitted, whether at the time of submission of the application or subsequently in response to either the

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Commission or the Committee's request, as required under section 1.65(a) of the Commission's rules, and to inform the Commission and the Committee of any substantial and significant changes while an application is pending;

- Ensure that after the application is no longer pending for purposes of section 1.65 of the Commission's rules, it will notify the Commission and the Committee of any changes in the authorization holder or licensee information and/or contact information promptly, and in any event within thirty (30) days; and
- Fulfill the conditions and obligations set forth in the certifications set out in section 63.18(q) of the Commission's rules or in the grant of an application or authorization and/or that if the information provided to the United States Government is materially false, fictitious, or fraudulent, it may be subject to all remedies available to the United States Government, including but not limited to revocation and/or termination of the Commission's authorization or license, and criminal and civil penalties, including penalties under 18 U.S.C. § 1001.

### **General Certification Statements**

Item 27. In order to submit the application, the Applicant must certify acknowledgement of all requirements listed here and elsewhere in this form, as appropriate, by clicking on the single indicated checkbox. If there are multiple applicants, each applicant must certify acknowledgement of these requirements in their Supplements A. These requirements include:

- The Applicant certifies that for any country in which the Applicant is affiliated with a foreign carrier as defined in section 63.09(d) and (e) of the Commission's rules that is not a member of the World Trade Organization, it has demonstrated in an attachment whether the foreign carrier has market power or lacks market power under the criteria in section 63.10(a) of the Commission's rules.
- If applying for facilities-based authority, the Applicant certifies that that it will comply with the terms and conditions contained in sections 63.21 and 63.22 of the Commission's rules.
- If applying for resale-based authority, the Applicant certifies that that it will comply with the terms and conditions contained in sections 63.21 and 63.23 of the Commission's rules.

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- The Applicant certifies that, pursuant to section 63.14 of the Commission’s rules, it has not agreed to accept special concessions directly or indirectly from a foreign carrier with respect to any U.S. international route where the foreign carrier possesses sufficient market power on the foreign end of the route to affect competition adversely in the U.S. market and will not enter into such agreements in the future.
- The Applicant certifies that it has provided all the required information and certifications under section 63.18 of the Commission’s rules.
- The Applicant certifies that neither it nor any other party to the application is subject to a denial of Federal benefits, including FCC benefits, pursuant to section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 862, because of a conviction for possession or distribution of a controlled substance. See 47 CFR § 1.2002(b) for the meaning of “party to the application” for these purposes.”
- The (Lead) Applicant certifies that all of its statements made in this application (including any Supplement(s)) and in the attachments or documents incorporated by reference are material, are part of this application, and are true, complete, correct, and made in good faith.

**Party Authorized to Sign**

Item 28. Enter all of the requested information. Willful false statements are punishable by fine and or/imprisonment (U.S. Code, Title 18, Section 1001). By signing this, you certify that you are a party authorized to sign and all statements made in this application and in the attachment or documents incorporated by reference are material, are part of this application, and are true, complete, correct, and made in good faith.

Enter the title of the person signing the application. If the Applicant is a corporation or other business entity, the person submitting the application must be an officer.

The Applicant does not enter a date. ICFS will fill in the date automatically with the date on which the application is submitted.

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. Code, Title 18, Section 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. Code, Title 47, Section 35), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).

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## **Instructions for Supplement A**

Remember to save your draft application periodically by clicking the save button. ICFS will time-out after 15 minutes of no activity, and failure to save will result in loss of any information entered into the application form after the last save.

To go back to the main form, click the “Go to Main Form” button. Progress will be lost if you do not save before going back to the main form.

When there are multiple applicants for an international 214 overseas cable construction authorization, Supplement A is used to collect information, including contact, ownership, and foreign carrier affiliation information, about those additional applicants. Each filer of a Supplement A must also make its own general certifications and national security/law enforcement certifications. In the event that there are multiple applicants, the main ITC-LIC form will be signed by the lead applicant only (on behalf of all applicants), while each filer of a Supplement A must sign its own Supplement A. The complete application, containing all attachments and all Supplements A, will be submitted by the lead Applicant.

**Note: The instructions for completing the questions Supplement A are the same as the instructions for completing the same questions in the main application form.**

Item 1. The additional Applicant must enter the information requested. Some data will be pre-populated using the data associated with carrier’s FCC Registration Number (FRN).

When the Applicant enters its FRN, the Applicant Information will pre-populate with its FRN data in CORES. To modify these pre-populated data, update the data associated with the FRN in CORES. <https://www.fcc.gov/licensing-databases/commission-registration-system-fcc>

Enter any missing data and sections that are not already populated from CORES, such as the “Applicant/Licensee Legal Entity Type” field.

### **Contact Information**

Item 2. Identify the contact representative, if different from the Applicant. The contact information can be imported automatically from CORES if the Applicant carrier supplied an FRN, but fields are still editable.

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If the contact representative is the same as the person indicated in Item 1, then check the box “Same as Applicant.” If the contact representative is not the same as the filing carrier, provide the requested information.

- Provide the name of a person in your organization, your outside counsel, or other representative whom we can contact if there are questions regarding your application. This person should have decisional authority over the contents of your application.
- Provide the Company name if different from the “Applicant” name in Item 1 or repeat “Company” name here.
- Provide the contact representative’s address, phone number, fax number, and email.
- Provide your “Doing Business As (DBA)” name. If the Applicant is not operating its business using a DBA, you may leave this section blank.
- Indicate how the contact person is related to the Applicant by selecting a choice from the drop-down “Relationship” menu. For example, select “Legal Counsel” if the contact is the Applicant’s counsel. Selecting “other” will open a text box for entry of a description of the relationship.

#### **Additional Contacts for law enforcement**

All applicants for an international section 214 authorization for overseas cable construction must designate a point of contact who is located in the United States and is a U.S. citizen or lawful U.S. permanent resident, for the execution of lawful requests and as an agent for legal service of process, as required by 47 CFR § 63.18(q)(1)(iii). Each applicant for a consortium cable (or the lead applicant, if there is only one applicant) may designate one person for both roles or a different person for each role (i.e., contact for execution of lawful requests and/or agent for legal service of process).

While the lead applicant must submit its law enforcement contact information within the form itself, **Supplement A filers must provide this information in an attachment to the application.** In the attachment, indicate if the information is the same for the contact for execution of lawful requests and the agent for legal service of process. For each person named (i.e., contact for execution of lawful requests and agent for legal service of process), the Applicant may also designate an alternate contact. The required information for contacts for execution of lawful requests and agents for legal service of process (and alternates, if any) is:

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Individual Name

Company

Telephone number

Fax number

Email

Complete business address

Item 3. In the table, in column (a), click in the cell or box and enter the name of the applicant, and in column (b) click in the cell or box and select the place of organization using the drop-down menu of countries. If the place of organization is in the United States, use the drop-down box to identify the state or territory. If the place of organization is not listed in the drop-down menu, select "Other non-specified areas" and provide more detailed information in an uploaded attachment.

Item 4. This is an optional question. The Applicant may indicate whether or not any individual or entity that is not a U.S. citizen holds a 10% or greater direct or indirect equity or voting interest, or a controlling interest, in itself or any other Applicant by checking "Yes" or "No".

Item 5. Indicate whether any individual or entity that is not a U.S. citizen holds a 10% or greater direct or indirect equity or voting interest in the Applicant, pursuant to section 63.18(h) of the Commission's rules, by checking "Yes" or "No." If "Yes," in the designated column in the chart provide the following:

- (a) name of the individual or entity that directly or indirectly owns at least ten percent of the equity of the Applicant ("Interest Holder");
- (b) postal address of interest holder;
- (c) country name(s) for dual or more citizenship;
- (d) principal business of interest holder;
- (e) name of entity in which Interest Holder has a 10% or greater interest and indicate whether it is a direct or indirect interest;
- (f) percentage of equity interest by the Interest Holder to the nearest 1%; and

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(g) percentage of voting interest by the Interest Holder to the nearest 1%.

Use separate rows to provide the information for each individual or entity that directly or indirectly has a 10% or greater direct or indirect ownership of the Applicant.

Item 6. Indicate whether Applicant has any interlocking directorates with a foreign carrier, pursuant to section 63.18(h) of the Commission's rules, by checking "Yes" or No."

If the Applicant has indicated that it does have interlocking directorates, Applicant must upload an attachment, listing any interlocking directorates, pursuant to section 63.18(h) of the Commission's rules.

### **Foreign Carrier Affiliations**

Item 7.

Indicate whether the Applicant is a foreign carrier or affiliated with a foreign carrier as defined in section 63.09(d) and (e) of the Commission's rules, by checking "Yes" or "No."

If "No," the Applicant must provide an attachment with the information and certifications required by section 63.18(i) through (m) of the Commission's rules.

7.a. If "Yes," provide information regarding the foreign carrier affiliation in the table. In the table, in column:

(a) Provide the name of the affiliated carrier;

use the drop-down menu to select the country in which the affiliation occurs.

(b) Provide Country or Countries of affiliation

(c) Indicate the type of affiliation:

- The Applicant is a foreign carrier in that country;
- The Applicant controls a foreign carrier in that country;
- An entity that owns more than 25% of the applicant, or that controls the Applicant, controls a foreign carrier in that country;
- Two or more foreign carriers (or parties that control foreign carriers) own, in the aggregate, more than 25% of the applicant and are parties to, or the

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beneficiaries of, a contractual relation (e.g., a joint venture or market alliance) affecting the provision or marketing of international basic telecommunications services in the United States; or

- N/A, and provide an explain, if needed.

(d) indicate whether the Applicants seek to provide international telecommunications service to this country by checking “Yes” or “No.”

(e) indicate whether country is a member of the World Trade Organization by checking “Yes” or “No.” Add additional rows to provide information for all foreign carrier affiliations as necessary.

7.b. If Applicant has foreign carrier affiliations (checked “Yes” in Item 8), then indicate whether Applicant seeks to be classified as non-dominant on any route listed in the application, pursuant to section 63.10 of the Commission’s rules by checking “Yes” or “No.”

7.c. If “Yes” to 7.b., then Applicant must identify the routes for which it is requesting to be classified as a “non-dominant” carrier by checking the country name in the drop-down menu (multiple entries can be made).

7.d. If “Yes” to 7.b., then the Applicant must indicate whether the Applicant has uploaded attachment that contains information to demonstrate that applicant qualifies for non-dominant carrier classification under section 63.10 of the Commission’s rules by checking “Yes” or “No.”

7.e. If “No” to 7.b., then the Applicant agrees to the requirements of section 63.10(c), (d), & (e) of the Commission’s rules for the routes where the Applicant will be classified as a dominant carrier by selecting the countries from the drop down menu (multiple entries can be made).

### **Waivers**

Item 8. Indicate whether this application includes a request for waiver of the Commission’s rules by checking “Yes” or “No.” If “Yes,” the Applicant must provide an explanation for the waiver request in an attachment, along with other material information.

Item 8.a. If “Yes” to 8, list the rules for which a waiver is sought.

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Item 8b. Attach a statement explaining the waiver request and identify the rules for which a waiver is sought.

### **Attachments**

Item 9. Indicate whether the Applicant has uploaded an attachment to provide a detailed ownership listing and ownership diagram responding to 63.18(h) of the Commission's rules by checking "Yes" or if not applicable, by checking "N/A"

Item 10. Indicate whether the Applicant has uploaded an attachment identifying any interlocking directorates with a foreign carrier, pursuant to section 63.18(h) of the Commission's rules by checking "Yes" or if not applicable, by checking "N/A."

Item 11. Indicate whether the Applicant has uploaded an attachment providing the information and certifications required by section 63.18(i) through (m) of the Commission's rules by checking "Yes" or if not applicable, by checking "N/A."

Item 12. Indicate whether the Applicant has uploaded an attachment providing information to demonstrate that it qualifies for non-dominant classification under section 63.10 of the Commission's rules by checking "Yes" or if not applicable, by checking "N/A."

Item 13. Indicate whether the Applicant has uploaded a statement supporting the waiver request and identifying the rule number(s) involved, along with other material information by checking "Yes" or if not applicable, by checking "N/A."

### **Attachments/Confidential Treatment of Attachments**

Item 14. Indicate whether the Applicant is requesting confidential treatment of an attachment(s) under 0.459 of the Commission's rules by checking "Yes" or "No."

Item 15. If the Applicant answers "yes" in item 15, then it must upload a supporting statement for the "confidential treatment request(s)" identifying the applicable rule(s) and providing other supporting materials or information. The Applicant must also upload both the Redacted Public version and the Non-Redacted Confidential version of the attachment(s) in the Attachments section which follows below.

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The Applicant(s) can upload attachments in this section of the application. The Applicant(s) will identify the attachment(s) with a short name for easy identification of the information included in each attachment.

Note: Each document required to be filed as an attachment should be current as of the date of filing. Each page of every attachment must be identified with the number or letter, the number of the page, and the total number of pages.

In this item, the Applicant may use the upload button to upload its attachments. After uploading, the Applicant can describe the attachment. Also, after uploading, the Applicant can click the confidential treatment button next the attachment name if it so desires. Clicking the confidential treatment button will trigger a request to upload both a redacted, public version of the attachment and a public supporting statement justifying the confidentiality request. Identify in the attachment the applicable rule(s) and provide other supporting materials or information. Documents designated for confidential treatment will not be publicly viewable in ICFS while the Commission considers the confidentiality request.

### **General Certification Statements**

Item 16. The Applicant must certify acknowledgement of all requirements listed here and elsewhere in this form, as appropriate, by clicking on the single indicated checkbox. These certification statements and acknowledgements include:

- The Applicant certifies that for any country in which the Applicant is affiliated with a foreign carrier as defined in section 63.09(d) and (e) of the Commission's rules that is not a member of the World Trade Organization, it has demonstrated in an attachment whether the foreign carrier has market power or lacks market power under the criteria in section 63.10(a) of the Commission's rules.
- For facilities-based authority, the Applicant certifies that that it will comply with the terms and conditions contained in sections 63.21 and 63.22 of the Commission's rules.
- For resale-based authority, the Applicant certifies that that it will comply with the terms and conditions contained in sections 63.21 and 63.23 of the Commission's rules.
- The Applicant certifies that it has not agreed to accept special concessions directly or indirectly from a foreign carrier with respect to any U.S. international route where the foreign carrier possesses sufficient market power on the foreign end of the route to

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affect competition adversely in the U.S. market and will not enter into such agreements in the future.

- The Applicant certifies that it has provided all the required information and certifications under section 63.18 of the Commission's rules.
- The Applicant certifies that neither the Applicant nor any other party to the Application is subject to a denial of Federal benefits that includes FCC benefits pursuant to section 6301 of the Anti-Drug Act of 1988, 21 U.S.C. § 862, because of a conviction for possession or distribution of a controlled substance. *See 47 CFR § 1.2002(b) for the meaning of "party to the application" for these purposes.*
- The Applicant certifies that all of its statements made in this application and in the attachments or documents incorporated by reference are material, are part of this application, and are true, complete, correct, and made in good faith.

### **National Security/Law Enforcement Certification Statements**

In order to submit the application, each Applicant must certify acknowledgement of the following national security and law enforcement requirements. If there are multiple applicants, each applicant must certify acknowledgement of these requirements in an attachment to their Supplements A.

These national security and law enforcement requirements include the obligations to:

- Comply with all applicable Communications Assistance for Law Enforcement Act (CALEA) requirements and related rules and regulations, including any and all FCC orders and opinions governing the application of CALEA, pursuant to the Communications Assistance for Law Enforcement Act and the Commission's rules and regulations in Title 47, part 1, subpart Z;
- Make communications to, from, or within the United States, as well as records thereof, available in a form and location that permits them to be subject to a valid and lawful request or legal process in accordance with U.S. law, including but not limited to:
  - o The Wiretap Act, 18 U.S.C. § 2510 et seq.;
  - o The Stored Communications Act, 18 U.S.C. § 2701 et seq.;

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- o The Pen Register and Trap and Trace Statute, 18 U.S.C. § 3121 et seq.; and
- o Other court orders, subpoenas or other legal process;
- Designate a point of contact who is located in the United States and is a U.S. citizen or lawful U.S. permanent resident, for the execution of lawful requests and as an agent for legal service of process (note that these contacts were designated in Item 3 of this application);
- Ensure the continuing accuracy and completeness of all information submitted, whether at the time of submission of the application or subsequently in response to either the Commission or the Committee’s request, as required under section 1.65(a) of the Commission’s rules, and to inform the Commission and the Committee of any substantial and significant changes while an application is pending;
- Ensure that after the application is no longer pending for purposes of section 1.65 of the Commission’s rules, it will notify the Commission and the Committee of any changes in the authorization holder or licensee information and/or contact information promptly, and in any event within thirty (30) days; and
- Fulfill the conditions and obligations set forth in the certifications set out in section 63.18(q) of the Commission’s rules or in the grant of an application or authorization and/or that if the information provided to the United States Government is materially false, fictitious, or fraudulent, it may be subject to all remedies available to the United States Government, including but not limited to revocation and/or termination of the Commission’s authorization or license, and criminal and civil penalties, including penalties under 18 U.S.C. § 1001.

**Party Authorized to Sign**

Item 17. Enter all of the required information in the table:

- the name of the Applicant.
- the title of the person signing the application. If the Applicant is a corporation or other business entity, the person submitting the application must be an officer.
- the signature of the person signing the application.

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The Applicant does not enter a date. ICFS will fill in the date automatically with the date on which the application is submitted.

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. Code, Title 18, Section 1001), AND/OR REVOCATION OF ANY STATION AUTHORIZATION (U.S. Code, Title 47, Section 312(a)), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).

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