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May 14, 2003

HAND DELIVERY

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, N.W.
Washington, D.C. 20554

Re: Third Amendment to Application for Consent to Transfer Control
and Petition for Declaratory Ruling and Request for Expedited Treatment,
Global Crossing Ltd. et al., IB Docket No. 02-286

Dear Madame Secretary:

On May 13, 2003, Global Crossing Ltd. (Debtor-in-Possession) ("Global Crossing") and GC Acquisition Limited (the "Proposed Transferee") (Global Crossing and the Proposed Transferee collectively, the "Applicants") filed the above-referenced "Third Amendment" to their pending applications for consent to transfer control of various Commission licenses and authorizations held by Global Crossing to the Proposed Transferee (the "Application"). On behalf of IDT Corporation, we respectfully request that the Commission, consistent with the Communications Act of 1934, as amended (the "Act") and Commission rules, promptly issue an appropriate Public Notice of the proposed new transaction, allow interested parties the full period permitted by the Act and the rules to review the amended Application and to file comments thereon, and reject the Applicants' request for an abbreviated comment period.

The Application, as amended by the Third Amendment, describes a substantially different Proposed Transferee from the one that was pending before the Commission until May 13.¹ Notwithstanding this fact, nowhere does the Third Amendment acknowledge that it

¹ The Third Amendment contains a request for consent to transfer control of Global Crossing to a new Proposed Transferee – specifically, one to be affirmatively controlled by Singapore Technologies

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constitutes a “major amendment” and that the Applicants now seek approval of an ownership structure that represents a “substantial change” from that previously described. Instead, the Applicants request an abbreviated public comment cycle (21 days for comments, 10 days for response, and no replies (or, at most, 5 days for replies)), and essentially urge the Commission to rubber-stamp its approval of the Application. In support of this request the Applicants claim that interested parties already have had “ample opportunity ... to comment on ST Telemedia’s qualifications to invest in Global Crossing and [that there has been a] demonstrated lack of substantive concerns with ST Telemedia’s investment....” Third Amendment, p. 11.

ST Telemedia’s “qualifications to invest in Global Crossing” raise fundamentally different issues than do its qualifications to control Global Crossing. The newly proposed transfer of control to a single party, ST Telemedia, and the associated Petition for Declaratory Ruling, in fact raise substantive questions of fact and law which interested parties have not previously been afforded an opportunity to address, and which cannot be resolved by information previously filed. Moreover, newly filed information and assertions about ST Telemedia contained in the Third Amendment will require adequate time to review and assess. Similarly, ST Telemedia’s continued reliance on assertions that its “reasonable due diligence” is sufficient with respect to its descriptions of its foreign carrier affiliations and other matters,² will require independent analysis.³

The Act and the Commission’s rules are clear: a change in proposed control constitutes a major amendment to a pending application, and a major amendment requires the issuance of a Public Notice and a full 30-day public comment period. 47 U.S.C. §§ 214, 309(b); 47 C.F.R. §§ 63.24(c), 63.52(b), 1.927(h), 1.929(a)(2). With respect to the Application, Public Notice is

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Telemedia Pte Ltd (“ST Telemedia”), which ultimately is controlled by the Government of Singapore. As originally filed (including as amended by the First Amendment and the Second Amendment), the Application sought consent to transfer control to an entity in which ST Telemedia was to be a minority shareholder. Thus, the nature, structure, and ownership of the Proposed Transferee has substantially changed. The Applicants admit as much. *See Third Amendment at 2* (“ST Telemedia would receive a 61.5% interest in New GX and would control New GX and the FCC-Licensed Subsidiaries....”).

² *See, e.g.,* Third Amendment, Attachment G, p. 2.

³ We do not, of course, intend to prejudge a possible determination by the Commission that the amended Application is incomplete and thus, consistent with longstanding Commission policy, not acceptable for filing at this time. *See, e.g., Review of Commission Consideration of Applications Under the Cable Landing License Act, Report and Order*, 16 FCC Rcd 22165 (2001), ¶ 42. A thorough review of the Third Amendment and materials previously filed by the Applicants will be required in order to determine the completeness of the Application.

necessary to alert all interested parties of the fact that Global Crossing and the Proposed Transferee seek approval of a different transaction than the one previously proposed, and to afford both the Commission and interested parties sufficient time to review the new transaction and to determine whether it is in the public interest and consistent with applicable law.

Respectfully submitted,



E. Ashton Johnston
Mark J. Tauber

CERTIFICATE OF SERVICE

I, Jennifer A. Short, do hereby certify that on this 14th day of May 2003, I caused a copy of the foregoing to be transmitted via E-mail or U.S. Mail, First Class, postage pre-paid, to each of the following:

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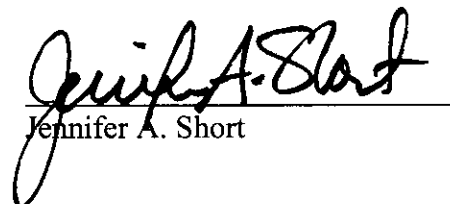
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