

JONES DAY

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July 16, 2010

VIA E-MAIL AND MAIL

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th St., NW
Washington, DC 20554

Re: Petition of AT&T Inc., for Settlements Stop Payment Order on the U.S.-Tonga
Route (IB Docket No. 09-10)

Dear Ms. Dortch:

On behalf of Digicel USA, Inc. (“Digicel USA”), this is a further response to your letters of April 15 and May 11, 2010.

We are now able to confirm that, effective April 30, 2009, Digicel Tonga Ltd (“Digicel Tonga”) closed the point of presence (“POP”) that it acquired from Shoreline in Los Angeles. We are further advised from our internal inquiries that Digicel Tonga operates no other POP in the United States. Digicel Pacific Ltd (“Digicel Pacific”) informs us that the Digicel Tonga contractual relationship with Primus was also terminated in April or May 2009 in connection with the closing of the Los Angeles POP and as a result of Primus going into bankruptcy.

The only Digicel POPs confirmed as existing in the United States are those operated by Digicel USA in Miami and New York. Digicel USA performs no carrier operations, but is restricted instead to operating the switches in Miami and New York.

Voice traffic from the Caribbean and Central America is aggregated at the Digicel USA Miami POP by Digicel affiliate carriers as well as third-party carriers for transport, *inter alia*, to the Pacific region. Digicel USA’s parent organization, Digicel (Jamaica) Ltd., is responsible for the transport of such traffic to the Pacific, which is now delivered to a switch operated in Hong Kong by Digicel Carrier Services Ltd., a subsidiary of Digicel Pacific. That traffic is then distributed for termination in various Pacific markets, including, *inter alia*, Tonga. It is our understanding that none of the traffic aggregated in the Digicel USA Miami POP for transport to the Pacific originates in the United States. We are in the process of confirming that understanding at this time. We are further advised that, out of an abundance of caution, Digicel Jamaica is not settling any charges for terminating traffic that it sends to Digicel Tonga, regardless of where that traffic might originate, pending the lifting of the Stop Payment Order.

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Digicel Jamaica also receives some traffic at the Digicel USA Miami POP originated in Tonga and transported via the Digicel Hong Kong POP for termination in the Caribbean. We are advised that none of this traffic is terminated in the United States, and therefore is not subject to the Stop Payment Order. Any Tonga-originated traffic destined for the United States is handed off to Telecom New Zealand International ("TNZI") or REACH and they complete the delivery into the United States. Once this traffic is handed off, Digicel Tonga and its parent, Digicel Pacific, lose visibility of how this traffic is carried to its final destination.

Please let the undersigned know if you have any questions on the materials contained in this response. We will supplement this letter as further information becomes available to us.

Sincerely yours,

A handwritten signature in black ink, appearing to read "D. D. Smith", with a large, sweeping flourish extending to the right.

Delbert D. Smith

cc: James Ball