



October 23, 2023

**VIA ECFS & FIRST-CLASS MAIL**

Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commission  
445 12th Street SW  
Washington, D.C. 20554

**Re: Request for Confidential Treatment of Filing of RGTN, LLC; Application of RGTN, LLC for Authorization to Obtain Numbering Resources, WC Docket No. 23-335**

Dear Ms. Dortch:

Pursuant to Section 52.15(g)(3)(i) of the Commission's Rules, RGTN USA Inc. ("RGTN"), hereby submits its application requesting authorization to obtain numbering resources. This filing includes confidential information.

As contemplated by the Commission's rules, we are filing the public version electronically and the confidential version via first-class mail.

RGTN respectfully requests that, pursuant to Sections 0.457 and 0.459 of the Commission's rules, 47 C.F.R. §§ 0.457 and 0.459, the Commission withhold from public inspection and grant confidential treatment to Exhibit A and B, a document that contains sensitive trade secrets and commercial information that falls within Exemption 4 of the Freedom of Information Act ("FOIA").<sup>1</sup> RGTN is voluntarily providing this information, "of a kind that would customarily not be released to the public"; therefore, this information is "confidential" under FOIA.<sup>2</sup> Moreover, RGTN would suffer substantial competitive harm if this information were disclosed.<sup>3</sup> As such, Exhibit A and B are marked with the header "SUBJECT TO REQUEST FOR CONFIDENTIAL TREATMENT – NOT FOR PUBLIC INSPECTION." Further details supporting this request for confidential treatment are contained in Attachment A to this letter.

Any questions you may have regarding this filing should be directed to my attention at (888) 977-7486 or via email to [l.herps@rgtn.com](mailto:l.herps@rgtn.com). Thank you for your assistance in this matter.

Respectfully Submitted,

/a/

Leonardus Herps

On behalf of RGTN USA Inc.

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<sup>1</sup> 5 U.S.C. § 552(b)(4).

<sup>2</sup> *Critical Mass Energy Project v. NRC*, 975 F.2d 871, 879 (D.C. Cir. 1992).

<sup>3</sup> See *Nat'l Parks & Conservation Ass'n v. Morton*, 498 F.2d 765 (D.C. Cir. 1974).

## **Attachment A**

In support of this request and pursuant to Section 0.459(b) of the Commission's rules,<sup>4</sup> RGTN hereby states as follows:

### **1. IDENTIFICATION OF THE SPECIFIC INFORMATION FOR WHICH CONFIDENTIAL TREATMENT IS SOUGHT.<sup>5</sup>**

RGTN seeks confidential treatment of Exhibit A and B to the enclosed application.

### **2. DESCRIPTION OF CIRCUMSTANCES GIVING RISE TO THE SUBMISSION.<sup>6</sup>**

As proof of RGTN's facilities readiness as required by Section 52.15(b)(3)(i)(D) of the Commission's rules, RGTN is submitting the agreement between it and its carrier partner as Exhibit A and B.

### **3. EXPLANATION OF THE DEGREE TO WHICH THE INFORMATION IS COMMERCIAL OR FINANCIAL, OR CONTAINS A TRADE SECRET OR IS PRIVILEGED.<sup>7</sup>**

The information for which RGTN seeks confidential treatment contains sensitive commercial information which would customarily be guarded from competitors.<sup>8</sup> Exhibit A and B describe the agreement between RGTN and its carrier partner and contain proprietary commercial information concerning the operations and pricing of RGTN's carrier partner and RGTN's network, services, and operating costs and expenses.

### **4. EXPLANATION OF THE DEGREE TO WHICH THE INFORMATION CONCERNS A SERVICE THAT IS SUBJECT TO COMPETITION.<sup>9</sup>**

Exhibit A and B contain information relating to commercial matters that could be used by competitors to RGTN's disadvantage. RGTN has numerous competitors in the Voice over Internet Protocol ("VoIP") services sector in which it operates. Detailed operations and commercial information of the type provided by RGTN could compromise RGTN's position in this highly competitive industry. Release would therefore result in substantial competitive harm to RGTN.

### **5. EXPLANATION OF HOW DISCLOSURE OF THE INFORMATION COULD RESULT IN SUBSTANTIAL COMPETITIVE HARM.<sup>10</sup>**

Competitors could use RGTN's proprietary commercial and operational information to RGTN's detriment as they would gain access to sensitive information about how RGTN provides services

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<sup>4</sup> 47 C.F.R. § 0.459(b).

<sup>5</sup> 47 C.F.R. § 0.459(b)(1).

<sup>6</sup> 47 C.F.R. § 0.459(b)(2).

<sup>7</sup> 47 C.F.R. § 0.459(b)(3).

<sup>8</sup> 47 C.F.R. §§ 0.457(d) and 0.459.

<sup>9</sup> 47 C.F.R. § 0.459(b)(4).

<sup>10</sup> 47 C.F.R. § 0.459(b)(5).

as well as about RGTN's commercial agreements with others in the market that are not normally disclosed to the public.

**6. IDENTIFICATION OF ANY MEASURES TAKEN BY THE SUBMITTING PARTY TO PREVENT UNAUTHORIZED DISCLOSURE.<sup>11</sup>**

RGTN has not distributed the information in Exhibit A and B to the public.

**7. IDENTIFICATION OF WHETHER THE INFORMATION IS AVAILABLE TO THE PUBLIC AND THE EXTENT OF ANY PREVIOUS DISCLOSURE OF THE INFORMATION TO THIRD PARTIES.<sup>12</sup>**

RGTN has not previously disclosed the information in Exhibit A and B to the public or to third parties.

**8. JUSTIFICATION OF THE PERIOD DURING WHICH THE SUBMITTING PARTY ASSERTS THAT MATERIAL SHOULD NOT BE AVAILABLE FOR PUBLIC DISCLOSURE.<sup>13</sup>**

RGTN requests that Exhibit A and B be treated as confidential for a period of ten years. This period is necessary due to the proprietary nature of the information in Exhibit A and B.

**9. OTHER INFORMATION THAT RGTN BELIEVES MAY BE USEFUL IN ASSESSING WHETHER ITS REQUEST FOR CONFIDENTIALITY SHOULD BE GRANTED.<sup>14</sup>**

The information concerns RGTN's proprietary network information, related to current and planned commercial and operational information, and, as such, is commercially sensitive.

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<sup>11</sup> 47 C.F.R. § 0.459(b)(6).

<sup>12</sup> 47 C.F.R. § 0.459(b)(7).

<sup>13</sup> 47 C.F.R. § 0.459(b)(8).

<sup>14</sup> 14 47 C.F.R. § 0.459(b)(9).

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

<i>In the Matter of</i>	)	
	)	
RGTN USA, Inc.	)	Docket No. 23-335
	)	
For Authorization to Obtain Numbering	)	
Resources Pursuant to Section 52.15(g) of	)	
The Commission's Rules	)	

**APPLICATION OF RGTN USA INC. FOR AUTHORIZATION  
TO OBTAIN NUMBERING RESOURCES**

RGTN USA Inc. ("RGTN"), pursuant to Section 52.15(g)(3)(i) of the Commission's rules, respectfully requests authorization to obtain numbering resources as described below.

As set forth in the Commission's Numbering Order<sup>1</sup>, an interconnected VoIP provider may obtain numbering resources from the Numbering Administrator upon a showing that it is authorized to provide service in the area for which the numbering resources are requested. Such authorization may be obtained upon an application to the Commission containing the information detailed in Sections 52.15(g)(3)(i)(A)-(F) of the Commission's Rules.

RGTN is a subsidiary of renowned Dutch provider of hosted VOIP and mobile telecom services to B2B customers. RGTN provides hosted VoIP / hosted PBX for companies that want an easy-to-use solution with a lot of options, along with SMS and other platform solutions. Through this application RGTN seeks to expand its services to the United States with access to numbering resources. In support of this application, RGTN provides the following information.

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<sup>1</sup> *Numbering Policies for Modern Communications et al.*, Report and Order, 30 FCC Rcd. 6839 (2015).

**I. INFORMATION REQUIRED BY SECTION 52.15(g)(3)(i)**

**(A) § 52.15(g)(3)(i)(A)**

**Name:** RGTN USA, Inc.

**Address:** 244 Fifth Avenue, Suite L220, New York, N.Y. 10001

**Telephone:** (888) 977-7486

**Qualified Personnel:** Leonardus Herps

**Contact for Regulatory Requirements, Compliance, 911, and Law Enforcement:**

**Name:** Leonardus Herps

**Address:** 244 Fifth Avenue, Suite L220, New York, N.Y. 10001

**Telephone:** (888) 977-7486

**Email:** [l.herps@rgtn.com](mailto:l.herps@rgtn.com)

**(B) § 52.15(g)(3)(i)(B)**

RGTN hereby acknowledges that authorization to obtain numbering resources under Section 52.15(g) of the Commission's rules is subject to compliance with applicable Commission numbering rules as well as to the numbering authority delegated to the states. RGTN hereby also acknowledges that this authorization is subject to compliance with industry guidelines and practices regarding numbering, as applicable to telecommunications carriers.

**(C) § 52.15(g)(3)(i)(C)**

RGTN hereby acknowledges that it must file requests for numbers with the relevant state commission(s) at least 30 days before requesting numbers from the Numbering Administrators.

**(D) § 52.15(g)(3)(i)(D)**

RGTN hereby sets forth its capability to provide service within 60 days of the numbering resources activation date.

RGTN seeks to expand its VoIP services to the United States. RGTN plans to begin placing numbers into service almost immediately and, in any event, within sixty (60) days of the numbering resources activation date. As further proof of its facilities readiness, RGTN is an established IP-communications provider in The Netherlands offering wholesale and retail interconnected communications services to global enterprises. RGTN also provides mobile virtual network enabler (MVNE) and SMS routing services to global enterprise customers. And, our RGTN subsidiary offers services to 911-emergency services call centers of several larger areas in The Netherlands.

**Proof of facilities readiness.** Enclosed as Exhibit A is an excerpt from RGTN's current Reciprocal Carrier Services Agreement with RSCOM LTD, AppTelx d/b/a Pop America, and Lingo ("Carrier Partners"). Also included in Exhibit A is an email from AppTelx confirming origination and termination of calls interconnected with the PSTN will be provided. Exhibit B contains the full Agreements.

Consistent with the Commission's *Direct Access Order* (FCC 15-70), This agreement between RGTN and Carrier Partners illustrates applicant's capability to provide interconnected VoIP service – including that the service "[p]ermits users generally to receive calls that originate on the public switched telephone network and to terminate calls to the public switched telephone network" within 60 days of numbering resource activation date.

**(E) § 52.15(g)(3)(i)(E)**

RGTN hereby certifies that it complies with its Universal Service Fund contribution obligations under 47 CFR part 54, subpart H; its Telecommunications Relay Service contribution obligations under 47 CFR § 64.604(c)(5)(iii); its North American Numbering Plan and Local Number Portability Administration contribution obligations under 47 CFR §§ 52.17 and 52.32 its obligations to pay regulatory fees under 47 CFR § 1.1154; and its 911 obligations under 47 CFR part 9.

With respect to 911 services, RGTN's calling platform, PortaOne, has fully integrated e911 modules. As stated in the documentation: "PortaBilling is also integrated with Intrado Inc. – the largest E911 service provider in the US and Canada."<sup>2</sup> RGTN USA will enable this module, along with services provided through Intrado, before any interconnected VoIP services are initiated in the United States. RGTN is also working with Intrado to integrate 988 connectivity.

**(F) § 52.15(g)(3)(i)(F)**

RGTN hereby certifies that it has the financial, managerial, and technical expertise to provide reliable service. RGTN, as a subsidiary of a renown IP-communications provider in The Netherlands offering wholesale and retail interconnected communications services to global enterprises, is led by a strong, experienced management team with substantial managerial experience in the telecommunications industry. RGTN has sufficient technical expertise and existing infrastructure in place to provide reliable numbering and related VoIP services.

RGTN has the superior technical qualifications necessary to provide and maintain successful operations within its existing service area. RGTN has the capabilities to efficiently

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<sup>2</sup> See <https://docs.portaone.com/docs/mr110-setting-up-emergency-services>

port and place numbers into service and successfully route calls.

RGTN's key management and technical personnel are listed below. None of the identified personnel is being or has been investigated by the Commission or any law enforcement or regulatory agency for failure to comply with any law, rule, or order.

**Key Personnel:**

Leonardus Herps: Mr. Herps is RGTN's Chief Executive Officer, where he has been leading the development of the company's short- and long-term strategy for the past fourteen years. Prior to serving as CEO, Mr. Herps served as the Chief Technology Officer for several innovative IP-based communications solutions providers. Mr. Herps holds a degree in international private law from Maastricht University.

Ownership of RGTN USA, Inc. is detailed in Exhibit C.

**(G) § 52.15(g)(3)(i)(G)**

RGTN hereby certifies that no party to this application is subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 862.

**II. ADDITIONAL REQUIRED INFORMATION**

**1. List of U.S. States.** Pursuant to the Commission's *Direct Access Order*, para. 24 & n.74,<sup>3</sup> the following is a list of all U.S. states in which RGTN USA, Inc. plans to offer interconnected VoIP services:

- |              |                  |
|--------------|------------------|
| ▪ California | ▪ New York       |
| ▪ Florida    | ▪ North Carolina |
| ▪ Georgia    | ▪ Ohio           |
| ▪ Illinois   | ▪ Pennsylvania   |

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<sup>3</sup> *In the Matter of Numbering Policies for Modern Communications*, Notice of Proposed Rulemaking, Order And Notice Of Inquiry, WC Docket No. 13-97 (28 FCC Rcd 5842 (7)) (Apr 18, 2013).



- Iowa
- Massachusetts
- New Jersey
- Texas

**2.**     **STIR/SHAKEN:** Pursuant to Commission’s *Second Report and Order* (FCC 20-136),<sup>4</sup> a certification has been filed in the Robocall Mitigation Database<sup>5</sup> regarding the implementation level of the STIR/SHAKEN caller ID authentication framework and other required Robocall Mitigation efforts. Evidence of this certification is enclosed in Exhibit D.

## **II. ACKNOWLEDGEMENT OF CONDITIONS IN SECTION 52.15(g)(3)(iv)**

As required by Section 52.15(g)(3)(iv), RGTN will maintain the accuracy of all contact information and certifications in this application and will file a correction with the Commission and each applicable state within 30 days of any changes. RGTN will also furnish accurate regulatory and numbering contact information to each state commission when requesting numbers in that state.

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<sup>4</sup> *In the Matter of Call Authentication Trust Anchor*, Second Report and Order, WC Docket No. 17-97 (36 FCC Rcd 1859 (4)) (Sep 29, 2020).

<sup>5</sup> <https://www.fcc.gov/robocall-mitigation-database>

### III. CONCLUSION

Pursuant to Section 52.15(g)(3)(i) of the Commission's Rules, RGTN respectfully requests the Commission grant this application for authorization to obtain numbering resources.

RGTN USA, Inc. respectfully submits these comments on this 19th day of October 2023.



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Leonardus Herps, CEO  
RGTN USA, Inc.  
244 Fifth Avenue, Suite L220  
New York, N.Y. 10001  
(888) 977-7486  
[l.herps@rgtn.com](mailto:l.herps@rgtn.com)

**Exhibit A**

RGTN Reciprocal Carrier Services Agreement (Excerpt)

PSTN Demonstrating Interconnection Services for iVoIP Services

**[THIS EXHIBIT  
SUBJECT TO REQUEST FOR CONFIDENTIAL TREATMENT  
– NOT FOR PUBLIC INSPECTION – ]**

**Exhibit B**

RGTN Reciprocal Carrier Services Agreement (Full)

**[THIS EXHIBIT  
SUBJECT TO REQUEST FOR CONFIDENTIAL TREATMENT  
– NOT FOR PUBLIC INSPECTION – ]**

## **Exhibit C**

### **RGTN Robocall Mitigation Certification**

[Home](#) > [Robocall Mitigation Database](#)

# Robocall Mitigation Database

## Revise Filing

\*FCC Registration Number (FRN)

 0034078592

Business Name

RGTN USA Inc.

Business Address

244 Fifth Avenue  
Suite L220  
New York NY 10001

- ☐ Voluntary Intermediate Provider Filing
- ☐ Gateway Provider Filing
- ☐ Combined Gateway and Voice Service Provider Filing

\*Foreign Voice Service Provider

No

Country for Business Address

 United States of America

*Please separate entered values with a semicolon*

\*Other FRNs (enter 'None' if you have none)

NONE

\*Other DBA Name(s) (enter 'None' if you have none)



\*Previous Business Names (enter 'None' if you have none)

## Contact Information

\*Robocall Mitigation Contact Name

\*Contact Title

\*Contact Department

☐ Contact Address Same as Business Address

Contact Street

Contact Street Continued

Contact City

\*Contact State/Territory

\*Contact Telephone Number

Contact Zip Code

Contact Country



United States of America

Contact Phone Extension

\* Contact Email

l.herps@rgtn.com

## Certification

\* Gateway Provider Certification (Choose one)

- ☐ Option 1: Complete STIR/SHAKEN Implementation. The filer certifies that it has fully implemented the STIR/SHAKEN authentication framework across its entire network and all calls it carries or processes are compliant with § 64.6302(b). The filer also certifies that the attached searchable PDF details the specific reasonable steps it has taken to avoid carrying or processing illegal robocall traffic and includes a commitment to respond fully and within 24 hours to all traceback requests from the Commission, law enforcement, and the industry traceback consortium, and to cooperate with such entities in investigating and stopping any illegal robocallers that use its service to carry or process calls.
- ☐ Option 2: Partial STIR/SHAKEN Implementation – Performing Robocall Mitigation. The filer certifies that it has implemented the STIR/SHAKEN authentication framework on a portion of its network and calls it carries or processes on that portion of its network are compliant with § 64.6302(b), and the remainder of the voice traffic that it carries or processes on its network is subject to a robocall mitigation program. The filer also certifies that the attached searchable PDF details the specific reasonable steps it has taken to avoid carrying or processing illegal robocall traffic and includes a commitment to respond fully and within 24 hours to all traceback requests from the Commission, law enforcement, and the industry traceback consortium, and to cooperate with such entities in investigating and stopping any illegal robocallers that use its service to carry or process calls.
- ☐ Option 3: No STIR/SHAKEN Implementation – Performing Robocall Mitigation. The filer certifies that it has not implemented the STIR/SHAKEN authentication framework on any portion of its network for carrying or processing calls, and all voice traffic that it carries or processes on its network is subject to a robocall mitigation program. The filer also certifies that the attached searchable PDF details the specific reasonable steps it has taken to avoid carrying or processing illegal robocall traffic and includes a commitment to respond fully and within 24 hours to all traceback requests from the Commission, law enforcement, and the industry traceback consortium, and to cooperate with such entities in investigating and stopping any illegal robocallers that use its service to carry or process calls.

\* Voice Service Provider Certification (Choose one)

- ☐ Option 1: Complete STIR/SHAKEN Implementation. The filer certifies that all voice traffic that originates on its network is authenticated with STIR/SHAKEN, consistent with 47 CFR § 64.6301(a).

- ☐ Option 2: Partial STIR/SHAKEN Implementation – Performing Robocall Mitigation. The filer certifies that it commits to respond to all traceback requests from the Commission, law enforcement, and the industry traceback consortium, and to cooperate with such entities in investigating and stopping any illegal robocallers that use its service to originate calls, and that some of the voice traffic that originates on its network is authenticated with STIR/SHAKEN, and the remainder of the voice traffic that originates on its network is subject to a robocall mitigation program. The filer also certifies that the attached searchable PDF details the specific reasonable steps it has taken to avoid originating illegal robocall traffic as part of its robocall mitigation program, and, if applicable, the type of extension or extensions it received under 47 CFR § 64.6304.
- ☐ Option 3: No STIR/SHAKEN Implementation – Performing Robocall Mitigation. The filer certifies that it commits to respond to all traceback requests from the Commission, law enforcement, and the industry traceback consortium, and to cooperate with such entities in investigating and stopping any illegal robocallers that use its service to originate calls, and that none of the voice traffic that originates on its network is authenticated with STIR/SHAKEN, and that all of the voice traffic that originates on its network is subject to a robocall mitigation program. The filer also certifies that the attached searchable PDF details the specific reasonable steps it has taken to avoid originating illegal robocall traffic as part of its robocall mitigation program, and, if applicable, the type of extension or extensions it received under 47 CFR § 64.6304.

## Upload

- ☐ The filer requests that some or all of the certification's contents be kept confidential and has filed such a request in the Electronic Comment Filing System (ECFS)

\*PDF

RGTN USA INC- ROBOCALL MITIGATION PLAN 10 20 2023.pdf

 Upload

 Delete

## Declaration

- ☐ \*I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on 10/20/2023.

\*Officer e-Signature

Leonardus Herps

**Exhibit D**  
**Ownership of RGTN USA, Inc.**

**NOTE: CONFIDENTIAL INFORMATION — SUBJECT TO PROTECTIVE ORDER BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION.**

**The names, address, citizenship and principal business of the applicant's ten percent or greater direct and indirect shareholders or other equity holders, and identify any interlocking directorates.**

[REDACTED]