

FCN-NEW-20070201-00024

IB2007000343

TCG Delaware Valley, Inc.

Approved by OMB

3060-0686



## Federal Communications Commission

### FEDERAL COMMUNICATIONS COMMISSION FCC FOREIGN CARRIER AFFILIATIONS NOTIFICATION

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Menu

#### CARRIER INFORMATION

**CONFIDENTIALITY:** Carriers filing foreign carrier affiliation notifications pursuant to Section 63.11 (a) of the Rules, 47 C.F.R §63.11(a), and requesting confidential treatment for the first twenty days pursuant to Sections 63.11(i) and 0.459 of the Rules, 47 C.F.R. §§63.11(i) and 0.459, should not file this form electronically, but instead, should file this form and the required attachments manually. Please send the manual submission to:

Secretary  
Room TW-B204F  
445 12th Street, SW  
Washington, DC 20554

**REMINDER:** Carriers filing foreign carrier affiliation notifications are reminded to review the requirements in Section 63.11 of the Rules, 47 C.F.R. §63.11. See [FACT SHEET](#)

**Note: Use only standard punctuation. Please do not use special characters - such as ';' - in any of the fields below!**

Enter a description of this notification to identify it on the main menu:

TCG DE Valley India FCN

#### 1. Carrier

Name: TCG Delaware Valley, Inc. Phone Number: 770-602-2065  
 DBA Name: Fax Number:  
 Street: 3215 Salem Road E-Mail: [jvaughan@att.com](mailto:jvaughan@att.com)  
 First Floor, H9  
 City: Conyers State: GA  
 Country: USA Zipcode: 30013 -  
 Attention: Jane M Vaughan

#### 2. Contact

Name: Mr. James J.R. Talbot - Sr. Attorney Phone Number: 202-457-3048

Company: AT&T Services, Inc.	Fax Number: 202-457-3073
Street: 1120 20th Street, N.W.	E-Mail: jjtalbot@att.com
City: Washington	State: DC
Country: USA	Zipcode: 20036 -
Attention:	Relationship: Legal Counsel

3. Place of Incorporation of Carrier Delaware

4. Other Company(ies) and Place(s) of Incorporation

5. Country or Countries for which carrier is notifying the Commission of an affiliation.

6. Is there an accompanying Transfer of Control or Assignment Application pursuant to Section 63.18(e)(3) of the Rules, 47 C.F.R. §63.18(e)(3), to this foreign carrier affiliation notification?  Yes  No

7. If the answer to question 6 is yes, please provide the date of filing of the Transfer of Control or Assignment Application.

8. Is this foreign carrier affiliation notification being filed as a prior notification pursuant to Section 63.11(a) or as a post notification pursuant to Section 63.11(b)-(c)?  Prior  Post

9. If this foreign carrier affiliation notification is being filed as a prior notification pursuant to Section 63.11(a)(1) or (2) of the Rules, 47 C.F.R. §§63.11(a)(1) or (2), is this filing being made at least forty-five days prior to the consummation of the acquisition? If the answer to this question is no, include in an Attachment (use Attachment 1 below) a statement explaining the reason for non-compliance with the Section 63.11(a) filing requirement.  Yes  No  N/A

10. If this foreign carrier affiliation notification is being filed as a post notification pursuant to Section 63.11(b)-(c) of the Rules, 47 C.F.R. §63.11(b)-(c), is this filing being made within thirty days after consummation of the acquisition? If the answer to this question is no, include in an Attachment (use Attachment 1 below) a statement explaining the reason for non-compliance with the Section 63.11(c) filing requirement.  Yes  No  N/A

11. If the foreign carrier affiliation notification is being filed as a post notification pursuant to Section 63.11(c) of the Rules, 47 C.F.R. §63.11(c), are you relying upon an exception in Section 63.11(b)?  Yes  No  N/A

12. If the answer to question 11 is yes, please certify to one or more of the following questions as applicable for each carrier and destination market for which notification is being made (see Section 63.11(b)):

- a. Has the Commission previously determined in an adjudication that the foreign carrier(s) lacks market power in any destination market being notified in this filing? If the answer is yes, please provide the citation(s) to the decision(s) in an Attachment (use Attachment 1 below).  Yes  No  N/A
- b. Does the foreign carrier(s) own facilities in any destination market(s) being notified in this filing (see Section 63.11(b)(1)(ii) for a definition of "facilities")? If the answer is yes, please specify the carrier(s) and destination market(s) being notified in this filing in an attachment (use Attachment 1 below).  Yes  No  N/A
- c. Is the foreign carrier authorized to operate in a WTO Member?
  - 1. If the foreign carrier is authorized to operate in a WTO Member, is the authorized carrier making this filing demonstrating that it is entitled to retain non-dominant classification on the newly  Yes  No  N/A

affiliated route pursuant to Section 63.10 of the Rules, 47 C.F.R. §63.10? If so, please provide the necessary demonstration in an Attachment (use Attachment 1 below).

2. If the foreign carrier is authorized to operate in a WTO Member, is the authorized carrier agreeing to comply with the dominant carrier safeguards contained in Section 63.10 of the Rules, 47 C.F.R. §63.10, effective upon the acquisition of the affiliation?  Yes  No Undefined field (dominant\_carrier\_safeguards\_sw:3)

13. If the foreign carrier affiliation notification is being filed as a prior notification pursuant to Section 63.11(a) of the Rules, 47 C.F.R. §63.11(a), is the foreign carrier authorized to operate in a non-WTO Member country?  Yes  No  N/A

14. If the answer to question 13 is yes, is the authorized carrier making the required showing that the foreign carrier lacks market power in the non-WTO Member country (see Section 63.18(k)(2), 47 C.F.R. §63.18(k)(2)) or, alternatively, the Effective Competitive Opportunities showing specified in Section 63.18(k)(3) of the Rules, 47 C.F.R. §63.18(k)(3)? If yes, please provide the supporting information in an Attachment (use Attachment 1 below).  Yes  No  N/A

15. If the answer to question 13 is yes and the answer to question 14 is no, you may provide information in an Attachment (use Attachment 1 below) to demonstrate it continues to serve the public interest for you to operate on the route for which you propose to acquire an affiliation with the non-WTO foreign carrier. (See Section 63.11(g)(2)).

16. Regardless of whether the foreign carrier affiliation notification is filed as a prior or post notification, does the authorized carrier request continued regulation as a non-dominant international carrier pursuant to Section 63.10 of the Rules, 47 C.F.R. §63.10? If yes, include an Attachment (use Attachment 1 below) stating how the carrier qualifies for non-dominant classification pursuant to this section.  Yes  No

17. Regardless of whether the foreign carrier affiliation notification is filed as a prior or post notification, provide in an Attachment (use Attachment 1 below) the name of the newly affiliated foreign carrier(s) and the country or countries in which it is authorized to provide telecommunications services to the public.

18. Regardless of whether the foreign carrier affiliation notification is filed as a prior or post notification, state in an Attachment (use Attachment 1 below) what services the authorized carrier(s) making this filing is authorized to provide to each country named in response to question 17 and the FCC file numbers under which each such authorization was granted.

19. Regardless of whether the foreign carrier affiliation notification is filed as a prior or post notification, state in an Attachment (use Attachment 1 below) which, if any, of the countries the authorized carrier making this filing serves solely through the resale of international switched services of unaffiliated U.S. facilities-based carriers.

20. Regardless of whether the foreign carrier affiliation notification is filed as a prior or post notification, provide in an Attachment (use Attachment 1 below) the name, address, citizenship and principal business of any person or entity that directly or indirectly owns at least ten percent of the equity of the authorized carrier making this filing, and the percentage of equity owned by each of those entities to the nearest one percent.

21. Regardless of whether the foreign carrier affiliation notification is filed as a prior or post notification, provide the name of any interlocking directorates, as defined in Section 63.09(g) of the Rules, 47 C.F.R. §63.09(g), with each foreign carrier named in the notification.

22. By checking Yes, the carrier certifies that it has not agreed to accept special concessions directly or indirectly from any foreign carrier with respect to any U.S. international route where the foreign carrier possesses market power on the foreign end of the route.  Yes  No

23. By checking Yes, the carrier certifies that it shall maintain the continuing accuracy of information provided pursuant to Section 63.11 of the Rules, 47 C.F.R. §63.11, for a period of forty-five days after the filing of this form. In addition, the applicant certifies that it shall immediately inform the Commission if at any time, not limited to forty-five days, the representations in the "special concessions" certification referenced in question 22 are no longer accurate.  Yes  No

### CERTIFICATION

24. Typed Name of Person Signing Mr. James J.R. Talbot	25. Title of Person Signing Senior Attorney - AT&T Services, Inc.	
<b>WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND / OR IMPRISONMENT</b> (U.S. Code, Title 18, Section 1001), AND/OR REVOCATION OF ANY STATION AUTHORIZATION (U.S. Code, Title 47, Section 312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).		
26. 1: <input type="text" value="Attachment 1"/>	2: <input type="text" value="Attachment"/>	3: <input type="text" value="Attachment"/>

#### FCC NOTICE REQUIRED BY THE PAPERWORK REDUCTION ACT

The public reporting for this collection of information is estimated to average 1 - 6,056 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the required data, and completing and reviewing the collection of information. If you have any comments on this burden estimate, or how we can improve the collection and reduce the burden it causes you, please write to the Federal Communications Commission, AMD-PERM, Paperwork Reduction Project (3060-0686), Washington, DC 20554. We will also accept your comments regarding the Paperwork Reduction Act aspects of this collection via the Internet if you send them to [jboley@fcc.gov](mailto:jboley@fcc.gov). PLEASE DO NOT SEND YOUR RESPONSE TO THIS ADDRESS.

Remember - You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number or if we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060-0686.

**THE FOREGOING NOTICE IS REQUIRED BY THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104-13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507.**

## ATTACHMENT 1

Pursuant to Section 63.11 of the Commission's rules, the U.S. international carrier affiliates of AT&T Inc. ("AT&T") listed below are submitting foreign carrier affiliation notifications to report their affiliations with a newly established carrier in India, AT&T Global Network Services Private Limited ("AT&T India"). AT&T India complied with the terms and conditions established by the telecommunications licensing authority in India for the commencement of service as from January 22, 2007 and was authorized to commence commercial operations on that date.

ACC National Long Distance Corp.  
Alascom, Inc.  
AT&T Corp.  
AT&T of Puerto Rico, Inc.  
AT&T of the Virgin Islands, Inc.  
BellSouth International, LLC  
BellSouth Long Distance, Inc.  
SBC Long Distance, LLC  
SNET America, Inc.  
SNET Diversified Group, Inc.  
TCG America, Inc.  
TCG Delaware Valley, Inc.  
TC Systems, Inc.

This Attachment provides the responses to Questions 5, 10, 12 and 16-21 of the Foreign Carrier Affiliations Notification Forms submitted herewith by the above-listed AT&T entities.

### Question 5

See response to Question 17 below.

### Question 10

These foreign carrier affiliation notifications are being filed within 30 days of the date of compliance by AT&T India with the requirements of the telecommunications licensing authority in India to provide telecommunications services to the public in India. As stated above, AT&T India met these requirements as of January 22, 2007 and was authorized to commence commercial operations on that date.

### Question 12

In response to Question 12.b., the above-listed U.S. international carrier affiliates of AT&T certify that their foreign carrier affiliate in India, AT&T India, is authorized to own and operate facilities in India. Because India is a WTO member country and the above-listed U.S. international carrier affiliates of AT&T demonstrate in response to

Question 16 below that they are entitled to retain non-dominant classification on this route pursuant to Section 63.10 of the Commission's rules, this notification is properly filed as a post notification pursuant to Section 63.11(b)(2)(i) regardless of any facilities ownership by AT&T India in this destination market.

In response to Question 12. c., the above-listed U.S. international carrier affiliates of AT&T certify that India is a WTO member country.<sup>1</sup>

### Question 16

Pursuant to Section 63.10 of the Commission's rules, 47 C.F.R. Sect. 63.10, the above-listed AT&T international carrier affiliates qualify for continued non-dominant classification on the route between the U.S. and India because their new affiliate in India, AT&T India, has no market power on the foreign end of this route. AT&T India has market shares under 50 percent in all relevant markets on the foreign end of the U.S.-India route, including the international transport and local access markets in India. Additionally, AT&T India is not listed on the Commission's List of Foreign Telecommunications Carriers that are Presumed to Possess Market Power in Foreign Telecommunications Markets. *See Public Notice, The International Bureau Revises and Reissues the Commission's List of Foreign Telecommunications Carriers that are Presumed to Possess Market Power in Foreign Telecommunications Markets*, Jan. 26, 2007, [http://hraunfoss.fcc.gov/edocs\\_public/attachmatch/DA-07-233A1.pdf](http://hraunfoss.fcc.gov/edocs_public/attachmatch/DA-07-233A1.pdf). Accordingly, pursuant to Section 63.10(a)(3), the above-listed AT&T entities are presumptively classified as non-dominant on this route.

### Question 17

AT&T Global Network Services Private Limited ("AT&T India") is authorized to provide telecommunications services to the public in India.

### Question 18

ACC National Long Distance Corp. holds FCC global authority to provide international switched resale services. *See* ITC-95-104.

Alascom, Inc. is authorized to provide international facilities-based and resale services to all countries. *See* ITC-214-19970421-0021.

AT&T Corp. holds Section 214 global authority to provide all facilities-based and resale services. *See, e.g.*, ITC-214-19960830-00414 (Previous File Number ITC-96-487) (global facilities-based services); ITC-95-298 (resale of international voice services between the United States and overseas points).

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<sup>1</sup> *See* [http://www.wto.org/english/thewto\\_e/whatis\\_e/tif\\_e/org6\\_e.htm](http://www.wto.org/english/thewto_e/whatis_e/tif_e/org6_e.htm) (listing WTO Members as of January 11, 2007).

AT&T of Puerto Rico, Inc. and AT&T of the Virgin Islands, Inc. hold authority to provide services on particular routes or over particular facilities. *See* ITC-89-060; ITC-90-066; ITC-90-071.

BellSouth International, LLC holds facilities-based and resale authority for service originating out of region (ITC-214-19971017-00638) and was a part of the consortium that received Section 214 authority to construct, acquire, and operate capacity in the MAYA-1 cable. *See* ITC-214-19990325-00153.

BellSouth Long Distance, Inc. holds global or limited global facilities-based and resale Section 214 authorizations for service originating both in region, *see, e.g.*, ITC-214-20020628-00328 (facilities-based and resale services originating in Alabama, Kentucky, Mississippi, North Carolina, and South Carolina), and out of region, *see, e.g.*, ITC-214-19990218-00144 (facilities-based and resale services originating out of region); ITC-214-19970122-00039 (resale services originating out of region).

SBC Long Distance, LLC holds Section 214 global authority to provide all facilities-based and resale services, both out of region, *see, e.g.*, ITC-214-19971108-00689 (facilities-based services originating out of region); ITC-214-19960906-00422 (resale services originating out of region), and in region, *see, e.g.*, ITC-214-20001130-00713 (facilities-based and resale services originating in Kansas and Oklahoma).

SNET America, Inc. holds authority to resell private line and switched services. *See* ITC-214-19960223-00083 (private line services); ITC-95-145 (switched services).

SNET Diversified Group, Inc. holds authority to provide global resale service. *See* ITC-214-19960917-00451.

TCG America, Inc. is authorized to provide international facilities-based and resale services to all countries. *See* ITC-214-19970814-00493 (Previous File Number ITC-97-506).

TCG Delaware Valley, Inc. holds an authorization to provide international resale services. *See* ITC-90-003.

TC Systems, Inc. holds FCC global authority to provide international switched resale services. *See* ITC-214-19951212-0056 (Previous File Number ITC-96-002).

### **Question 19**

None of the above-listed AT&T entities with international section 214 authority provides services to India solely through the resale of the international switched services of unaffiliated United States facilities-based carriers.

### **Question 20**

AT&T Inc. is a publicly traded corporation whose stock is widely held by the public. No person or entity holds a ten percent or greater ownership interest in AT&T Inc.

Alascom, Inc. is a wholly-owned subsidiary of AT&T Corp., which is a wholly-owned subsidiary of AT&T Inc.

ACC National Long Distance Corp. is a wholly-owned subsidiary of ACC Corp., which is a wholly-owned subsidiary of Teleport Communications Group, Inc., which is a wholly-owned subsidiary of AT&T Corp., which is a wholly-owned subsidiary of AT&T Inc.

AT&T Corp. is a wholly owned subsidiary of AT&T Inc.

AT&T of Puerto Rico, Inc. is a wholly-owned subsidiary of AT&T Corp., which is a wholly-owned subsidiary of AT&T Inc.

AT&T of the Virgin Islands, Inc. is a wholly-owned subsidiary of AT&T Corp., which is a wholly-owned subsidiary of AT&T Inc.

BellSouth International, LLC is a wholly-owned subsidiary of BellSouth Advertising & Publishing Corporation, which is a wholly-owned subsidiary of BellSouth Enterprises, Inc., which is a wholly-owned subsidiary of BellSouth Corporation, which is a wholly-owned subsidiary of AT&T Inc.

BellSouth Long Distance, Inc. is a wholly-owned subsidiary of BellSouth Corporation, which is a wholly-owned subsidiary of AT&T Inc.

SBC Long Distance, LLC is a wholly owned subsidiary of SBC Telecom, Inc., which is a wholly-owned subsidiary of AT&T Teleholdings, Inc., which is a wholly-owned subsidiary of AT&T Inc

SNET America, Inc. is a wholly-owned subsidiary of AT&T Teleholdings, Inc., which is a wholly-owned subsidiary of AT&T Inc

SNET Diversified Group, Inc. is a wholly-owned subsidiary of AT&T Teleholdings, Inc., which is a wholly-owned subsidiary of AT&T Inc

TCG America, Inc. is a wholly-owned subsidiary of Teleport Communications Group, Inc., which is a wholly-owned subsidiary of AT&T Corp., which is a wholly-owned subsidiary of AT&T Inc.

TCG Delaware Valley, Inc. a wholly-owned subsidiary of Teleport Communications Group, Inc., which is a wholly-owned subsidiary of AT&T Corp., which is a wholly-owned subsidiary of AT&T Inc.



TC Systems, Inc. is a wholly-owned subsidiary of TCG New York, Inc., which is a wholly-owned subsidiary of Teleport Communications Group, Inc., is a wholly-owned subsidiary of AT&T Corp., which is a wholly-owned subsidiary of AT&T Inc.

The addresses, citizenships and principal businesses of AT&T Inc., ACC Corp., AT&T Teleholdings, Inc., BellSouth Advertising & Publishing Corporation, BellSouth Corporation, BellSouth Enterprises, Inc., SBC Telecom, Inc., Teleport Communications Group, Inc. and TCG New York, Inc. are listed below:

AT&T Inc.  
175 East Houston Street  
San Antonio, Texas 78205  
Citizenship: Delaware  
Principal business: Holding Company

ACC Corp.  
One AT&T Way  
Bedminster, NJ 07921  
Citizenship: Delaware  
Principal business: Holding Company

AT&T Teleholdings, Inc.  
225 Randolph Street  
Chicago, IL 60606  
Citizenship: Delaware  
Principal business: Holding Company

BellSouth Advertising & Publishing Corporation  
2247 Northlake Parkway  
Atlanta, Georgia 30084  
Citizenship: Georgia  
Principal business: Advertising and Publishing

BellSouth Enterprises, Inc.  
1155 Peachtree Street, N.E.  
Atlanta, Georgia 30309  
Citizenship: Georgia  
Principal business: Holding Company

BellSouth Corporation  
1155 Peachtree Street, N.E.  
Atlanta, Georgia 30309  
Citizenship: Georgia  
Principal business: Holding Company

SBC Telecom, Inc.

175 East Houston Street  
San Antonio, Texas 78205  
Citizenship: Delaware  
Principal business: Holding Company

Teleport Communications Group, Inc.  
One AT&T Way  
Bedminster, NJ 07921  
Citizenship: Delaware  
Principal business: Holding Company

TCG New York, Inc.  
One AT&T Way  
Bedminster, NJ 07921  
Citizenship: Delaware  
Principal business: Holding Company

**Question 21**

None of the above-listed AT&T entities with international section 214 authority have interlocking directorates as defined in Section 63.09(g) of the Commission's rules with AT&T India.