



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
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ISP-WAV-20030414-00011

DA 03-1904

Released: June 9, 2003

**AT&T SUPPLEMENTAL PETITION FOR WAIVER OF SECTION 43.51(e)(3) OF THE
COMMISSION'S RULES, 47 C.F.R. § 43.51(e)(3), TO REMOVE THE INTERNATIONAL
SETTLEMENTS POLICY ON THE SPECIFIC ROUTE
BETWEEN THE UNITED STATES AND INDIA**

PLEADING CYCLE ESTABLISHED

Petitions/Comments due: July 7, 2003

Oppositions/Responses due: July 14, 2003

On May 29, 2003, AT&T Corporation, on behalf of itself, AT&T Alascom, Inc., AT&T Puerto Rico, Inc., and AT&T of the U.S. Virgin Islands, Inc. (collectively referred to as "AT&T") filed a supplemental petition for waiver of Section 43.51(e)(3) of the Commission's rules, 47 C.F.R. § 43.51(e)(3), to remove the International Settlements Policy (ISP) from the U.S.-India route. This petition supplements a previous petition AT&T filed on April 14, 2003 for waiver of Section 43.51(e)(3) of the Commission's rules, 47 C.F.R. § 43.51(e)(3), to remove the International Settlements Policy (ISP) from certain U.S.-international routes and to add the foreign points to the list of U.S.-international routes exempt from the ISP. Specifically, AT&T now seeks to remove the ISP from the routes between the United States and the Bahamas, Caymen Islands, India, Kazakhstan, Russia, Ukraine, Uzbekistan, and Yemen.

AT&T asserts that the settlement rate criteria required to seek removal of the ISP from these U.S.-international routes have been met, as required by Section 43.51 of the Commission's rules. However, AT&T seeks a waiver of the rule for the above-named foreign points because of the difficulty in demonstrating that at least fifty percent of the settled U.S.-billed traffic between the United States and the above-named foreign points is being settled at least twenty-five percent below the relevant benchmark rate applicable to each of these U.S.-international routes, as established in *In the Matter of International Settlement Rates*, IB Docket 96-261, Report and Order, 12 FCC Rcd 19,806 (1997) and *In the Matter of 1998 Biennial Regulatory Review -- Reform of the International Settlements Policy and Associated Filing Requirements*, IB Docket Nos. 98-148 and 95-22, CC Docket No. 90-337 (Phase II), Report and Order and Order on Reconsideration, 14 FCC Rcd 7963 (1999). Pursuant to Section 1.3 of the Commission's rules, 47 C.F.R. § 1.3, AT&T states that there is good cause to waive for the above-named foreign points,

the requirement in Section 43.51(e)(3) of the Commission's rules and requests that the above-named foreign points be added to the Commission's list of U.S.-international routes exempt from the ISP.

Interested parties may file comments regarding or petitions to deny the applications no later than **July 7, 2003**. Oppositions or responses to these comments and petitions may be filed no later than **July 14, 2003**. All filings concerning matters referenced in this Public Notice should refer to ISP-WAV-20030414-00011. An original and four copies of all pleadings must be filed in accordance with Section 1.51(c) of the Commission's rules, 47 C.F.R. § 1.51(c).

If filed by hand delivery, the Commission's contractor, Vistronix, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00am to 7:00 pm. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building.

If filed by mail, the following procedures should be followed: Commercial Overnight Mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, SW, Washington, DC 20554. All filings must be addressed to Marlene Dortch, Office of the Secretary, Federal Communications Commission.

All parties must file one copy of each pleading electronically or by paper with each of the following:

- (1) The Commission's duplicating contractor, Qualex International, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554; e-mail: qualexint@aol.com; facsimile: (202) 863-2898; phone (202) 863-2893.
- (2) Lisa Choi, Policy Division, International Bureau, 445 12th Street, S.W., Washington, D.C. 20554; facsimile: (202) 418-2824.

The petitions, comments, and reply comments and any other filed documents in this matter may be obtained from Qualex International, in person at 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, via telephone at (202) 863-2893, via facsimile at (202) 863-2898, or via e-mail at qualexint@aol.com. The pleadings will be also available for public inspection and copying during regular business hours in the FCC Reference Information Center, Room CY-A257, 445 Twelfth Street, S.W., Washington, D.C. 20554 and through the International Bureau's International Bureau Filing System (IBFS) accessible on the Commission's World Wide Website, www.fcc.gov.

Ex parte communications between outside parties and Commission staff concerning these applications are permitted subject to the Commission's rules for "permit-but-disclose proceedings." See 47 C.F.R. § 1.1206.

For further information, contact Lisa Choi, International Bureau, at (202) 418-1460.

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