

C

DA 92-862

*1 IN THE MATTER OF
TELEFONICA LARGA DISTANCIA DE PUERTO RICO
US SPRINT COMMUNICATIONS COMPANY LIMITED PARTNERSHIP
AMERICAN TELEPHONE AND TELEGRAPH COMPANY
MCI INTERNATIONAL, INC.
ST. THOMAS AND SAN JUAN TELEPHONE COMPANY, INC.
TRT/FTC COMMUNICATIONS, INC.
GTE HAWAIIAN TELEPHONE COMPANY INCORPORATED
WORLD COMMUNICATIONS, INC.
JOINT APPLICATION FOR AUTHORIZATION UNDER SECTION 214 OF THE COMMUNICATIONS ACT
OF 1934, AS AMENDED, TO CONSTRUCT AND OPERATE THE TAINO-CARIB FIBER OPTIC
SUBMARINE CABLE SYSTEM EXTENDING BETWEEN PUERTO RICO AND ST. THOMAS IN THE U.S.
VIRGIN ISLANDS AND THE BRITISH VIRGIN ISLANDS

File No. **I-T-C-92-106**

Adopted: June 25, 1992; Released: July 8, 1992

ORDER AND AUTHORIZATION

By the Chief, Common Carrier Bureau:

1. The Commission has before it for consideration a joint application filed by the above-captioned applicants (hereinafter collectively referred to as "Joint Applicants") for authority under Section 214 of the Communications Act of 1934, as amended, to construct and operate a fiber optic submarine cable (TAINO-CARIB) system extending between Puerto Rico, St. Thomas in the U.S. Virgin Islands, and Tortola in the British Virgin Islands. The application was placed on public notice on February 19, 1992. No comments were received.

2. The proposed TAINO-CARIB system will consist of six fiber pairs between Puerto Rico and St. Thomas and six fiber pairs between St. Thomas and Tortola, with each fiber pair operating at a speed of 560 Mbps. The TAINO-CARIB cable will have a design capacity equivalent to 45,360 64-Kbs circuits. [FN1]

3. Upon review of the application, we find that grant of Section 214 authorization for Joint Applicants to construct and operate the TAINO-CARIB cable system will serve the public interest. The cable system will provide much needed connectivity with other digital cable systems in the region, thereby increasing service reliability. Because of the increased connectivity provided by the TAINO-CARIB system, both route and path diversity will be increased and the Joint Applicants will be able to utilize restoration alternatives that are not presently

available.

4. Accordingly, IT IS ORDERED that Joint Application File No. **I-T-C-92-106** IS GRANTED and the Joint Applicants are authorized to:

(a) construct and operate a digital fiber optic submarine cable system (TAINO-CARIB) extending between Puerto Rico, St. Thomas in the U.S. Virgin Islands and Tortola in the British Virgin Islands;

(b) acquire and activate capacity in the TAINO-CARIB cable system, on an ownership basis, in the number of MIUs (Minimum Investment Unit which consists of a usable 2.048 Mbps circuit plus 162.5 Kbps required for multiplexing) specified in Schedule D appended hereto;

(c) acquire capacity, by lease, in such connecting facilities as may be required to extend capacity in the TAINO-CARIB cable system in Puerto Rico and the U.S. Virgin Islands; and

(d) activate and operate capacity in the TAINO-CARIB cable system and aforementioned extension facilities for the provision of the Joint Applicants' authorized telecommunications services.

*2 5. IT IS FURTHER ORDERED that when a given Joint Applicant seeks to acquire or transfer an ownership or IRU interest in the TAINO-CARIB capacity, the reimbursement it receives shall be on the basis of depreciated original cost (or the pro-rated accumulated cost of such circuit if the systems are not then operational) or in conformance with such policy as the Commission shall develop in the future regarding the price at which IRUs will be made available.

6. IT IS FURTHER ORDERED that the Joint Applicants shall make available half-interests in the TAINO-CARIB capacity to such present and future U.S. carriers as may be authorized by the Commission to acquire such capacity.

7. IT IS FURTHER ORDERED that all Joint Applicants' tariffs must state that its customers may not resell international private lines leased from any Joint Applicant or connect them to the public switched network for the provision of international basic telecommunications services, including switched voice services, unless authorized to do so by the Commission upon a country-specific finding of resale opportunities equivalent to those available under U.S. law, in accordance with [Regulation of International Accounting Rates, Phase II, First Report and Order, 7 FCCRcd 559 \(1991\)](#), petitions for reconsideration pending.

8. IT IS FURTHER ORDERED that the Commission retains jurisdiction to reallocate U.S. carriers' interests in capacity herein authorized, as the public interest may require to accommodate additional carriers or otherwise, with, where required, the concurrence of the foreign administration or carriers concerned, and, further, jurisdiction is retained by the Commission over all matters relating to the Joint

Applicants' ownership, management, maintenance, and operation of the cable system as authorized herein, to assure the most efficient use not only of this cable system, but of all means of communications between the U.S. and points served by the TAINO-CARIB cable system.

9. IT IS FURTHER ORDERED that the Joint Applicants shall include TAINO-CARIB facility use in the monthly Circuit Status Reports filed pursuant to the Commission's Orders. These reports shall be filed no later than the 20th day of each month providing the information for the preceding month.

10. IT IS FURTHER ORDERED that the Commission retains jurisdiction to review the multiplexing and interworking arrangements and attribution of the costs thereof and to require such changes in the provision of these services and equipment as may be necessary.

11. IT IS FURTHER ORDERED that no Joint Applicant that is deemed a dominant carrier pursuant to the Commission's decision in CC Docket No. 85-107 [FN2] shall either dispose of any interest in TAINO-CARIB capacity it is authorized to acquire to any entity on an ownership basis or dispose of any interest in any such capacity in any way to a non-U.S. telecommunications service provider without prior authorization of the Commission.

12. This order is issued under Section 0.291 of the Rules and is effective upon adoption. Petitions for reconsideration under Section 1.106 or applications for review under Section 1.115 of the Rules may be filed within 30 days of public notice of this order (see Section 1.4(b)(2)).

*3 FEDERAL COMMUNICATIONS COMMISSION
Cheryl A. Tritt

Chief, Common Carrier Bureau

FN1. For a detailed description of the TAINO-CARIB cable system, see the Cable Landing License, SCL-92-002, DA 92- ---, adopted June ---, 1992.

FN2. See [International Carrier Policies, 102 FCC2d 812, 822 \(1985\)](#).

SCHEDULE B

27-Apr-92

VOTING INTERESTS IN THE TAINO-CARIB CABLE SYSTEM	
PARTIES	PERCENT
-----	-----
AACR-DR (DOMINICAN REPUBLIC)	0.36102
AT & T	42.35000

1992 WL 691145 (F.C.C.), 7 F.C.C.R. 4266, 7 FCC Rcd. 4266
 (Cite as: 1992 WL 691145 (F.C.C.))

BET (BARBADOS)	1.23336
C & W (BERMUDA)	9.94263
CANTV (VENEZUELA)	0.68895
CODETEL (DOMINICAN REPUBLIC)	1.75638
EMBRATEL (BRAZIL)	0.37951
FT (FRANCE)	0.95152
HAWTEL	0.11616
ITALCABLE (ITALY)	0.49360
KDD (JAPAN)	0.03959
MCII	8.24341
STSJ	0.47511
TDH (HAITI)	0.25970
TELECOM (COLUMBIA)	2.49435
TELINTAR (ARGENTINA)	0.03959
TELMEX (MEXICO)	0.27453
TLD	16.55913
TLFN (SPAIN)	0.94238
TLGB (CANADA)	2.36197
TRT/FTC	0.27453
TSTT (TRINIDAD & TOBAGO)	1.39276
USSP	7.81549
WCOM	0.55430

TOTALS	100.00000

SCHEDULE C-1

27-Apr-92

ALLOCATION OF CAPITAL, OPERATING, AND MAINTENANCE COSTS OF
 SUBSEGMENTS A, B, C1, C2, C3, AND D OF THE
 TAINO--CARIB CABLE SYSTEM

PARTIES	SEGMENT A PERCENT	SEGMENT B PERCENT	SUBSEGMENT C1 PERCENT	SUBSEGMENT C2 PERCENT	SUBSEGMENT C3 PERCENT	SEGMENT D PERCENT
-----	-----	-----	-----	-----	-----	-----
AACR-DR	0.30864	0.00000	0.30864	0.00000	0.88496	0.88496
AT & T	72.06790	0.00000	72.06790	0.00000	23.45133	23.45133
BET	0.23148	0.00000	0.23148	0.00000	4.86726	4.86726
C & W	2.39198	1.57658	2.39198	1.57658	36.28319	36.28319
CANTV	1.00309	0.67568	1.00309	0.67568	0.00000	0.00000
CODETEL	2.54630	1.35135	2.54630	1.35135	0.44248	0.44248
EMBRATEL	0.23148	0.22523	0.23148	0.22523	0.88496	0.88496
FT	0.07716	0.00000	0.07716	0.00000	3.98230	3.98230

HAWTEL	0.00000	0.45045	0.00000	0.45045	0.00000	0.00000
ITALCABLE	0.84877	0.22523	0.84877	0.22523	0.00000	0.00000
KDD	0.07716	0.00000	0.07716	0.00000	0.00000	0.00000
MCII	9.33642	9.45946	9.33642	9.45946	4.42478	4.42478
STJS	0.92593	0.00000	0.92593	0.00000	0.00000	0.00000
TDH	0.30864	0.00000	0.30864	0.00000	0.44248	0.44248
TELECOM	4.86111	0.00000	4.86111	0.00000	0.00000	0.00000
TELINTAR	0.07716	0.00000	0.07716	0.00000	0.00000	0.00000
TELMEX	0.30864	0.45045	0.30864	0.45045	0.00000	0.00000
TLD	0.00000	53.60360	0.00000	53.60360	11.94690	11.94690
TLFN	1.15741	1.35135	1.15741	1.35135	0.00000	0.00000
TLGB	0.84877	1.57658	0.84877	1.57658	6.63717	6.63717
TRT/FTC	0.30864	0.45045	0.30864	0.45045	0.00000	0.00000
TSTT	0.23148	0.22523	0.23148	0.22523	5.30973	5.30973
USSP	0.77160	28.37838	0.77160	28.37838	0.44248	0.44248
WCOM	1.08025	0.00000	1.08025	0.00000	0.00000	0.00000

TOTALS	100.00000	100.00000	100.00000	100.00000	100.00000	100.00000

SCHEDULE C-2

*4 27-Apr-92

ALLOCATION OF CAPITAL, OPERATING, AND MAINTENANCE COSTS OF
SUBSEGMENTS E-1, E-2, E-3, AND E-4 OF THE
TAINO--CARIB CABLE SYSTEM

PARTIES	SUBSEGMENT E1 (PERCENT)	SUBSEGMENT E2 (PERCENT)	SUBSEGMENT E3 (PERCENT)	SUBSEGMENT E4 (PERCENT)
-----	-----	-----	-----	-----
AACR-DR	0.30864	0.00000	0.22989	0.88496
AT & T	72.06790	0.00000	53.67816	23.45133
BET	0.23148	0.00000	0.17241	4.86726
C & W	2.39198	1.57658	2.18391	36.28319
CANTV	1.00309	0.67568	0.91954	0.00000
CODETEL	2.54630	1.35135	2.24138	0.44248
EMBRATEL	0.23148	0.22523	0.22989	0.88496
FT	0.07716	0.00000	0.05747	3.98230
HAWTEL	0.00000	0.45045	0.11494	0.00000
ITALCABLE	0.84877	0.22523	0.68966	0.00000
KDD	0.07716	0.00000	0.05747	0.00000
MCII	9.33642	9.45946	9.36782	4.42478
STJS	0.92593	0.00000	0.68966	0.00000
TDH	0.30864	0.00000	0.22989	0.44248

TELECOM	4.86111	0.00000	3.62069	0.00000
TELINTAR	0.07716	0.00000	0.05747	0.00000
TELMEX	0.30864	0.45045	0.34483	0.00000
TLD	0.00000	53.60360	13.67816	11.94690
TLFN	1.15741	1.35135	1.20690	0.00000
TLGB	0.84877	1.57658	1.03448	6.63717
TRT/FTC	0.30864	0.45045	0.34483	0.00000
TSTT	0.23148	0.22523	0.22989	5.30973
USSP	0.77160	28.37838	7.81609	0.44248
WCOM	1.08025	0.00000	0.80460	0.00000
-----	-----	-----	-----	-----
TOTALS	100.00000	100.00000	100.00000	100.00000

SCHEDULE D

[Note: The following TABLE/FORM is too wide to be displayed on one screen. You must print it for a meaningful review of its contents. The table has been divided into multiple pieces with each piece containing information to help you assemble a printout of the table. The information for each piece includes: (1) a three line message preceding the tabular data showing by line # and character # the position of the upper left-hand corner of the piece and the position of the piece within the entire table; and (2) a numeric scale following the tabular data displaying the character positions.]

 ***** This is piece 1. -- It begins at character 1 of table line 1. *****

TAINO--CARIB CABLE SYSTEM
 MIUS ASSIGNED FOR USE BY THE PARTIES TO THIS AGREEMENT
 BETWEEN MIRAMAR, P.R. AND THE BRANCHING UNIT

JOINTLY
 ASSIGNED
 MIUS

PARTIES	AACR-DR	AT	& BET	CODETEL	EMBRATEL	TDH	TELECOM	TELINTAR	TSTT	TOTAL
AT & T	0	0	3	7	2	0	16	1	3	32
C & W	0	30	0	1	0	0	0	0	0	31
CANTV	0	0	0	3	0	0	6	0	0	9
CODETEL	0	0	0	0	1	0	0	0	0	1
FT	0	0	0	0	0	1	0	0	0	1
ITALCABLE	0	3	0	1	0	0	5	0	0	9
KDD	0	0	0	0	0	0	1	0	0	1
MCII	0	0	0	6	0	2	17	0	0	25
TELMEX	0	0	0	1	0	0	3	0	0	4
TLFN	0	3	0	3	0	0	5	0	0	11
TLGB	2	2	0	0	0	1	2	0	0	7
TRT/FTC	0	0	0	0	0	0	2	0	0	2
USSP	0	0		4	0	0	6	0	0	10
TOTALS	2	38	3	26	3	4	63	1	3	143

WHOLLY
 ASSIGNED
 MIUS

PARTIES

AACR-DR	1	
AT & T	432	
CANTV	2	
CODETEL	3	TOTAL
		648
ITALCABLE	1	

MCII	48	(# OF WHOLE MIUS)
STSJ	6	
TLFN	2	
TLGB	2	
TRT/FTC	1	
WCOM	7	

SUBTOTAL	505	
1...+...10...+...20...+...30...+...40...+...50...+...60...+...70...+....		

 ***** This is piece 2. -- It begins at character 80 of table line 1. *****

SUMMARY

PARTIES	JOINTLY ASSIGNED	SOLELY ASSIGNED	MIU 1/2	INTERESTS
AACR-DR	2		1	4
AT & T	70		432	934
BET	3		0	3
C & W	31		0	31
CANTV	9		2	13
CODETEL	27		3	33
EMBRATEL	3		0	3
FT	1		0	1
ITALCABLE	9		1	11
KDD	1		0	1
MCII	25		48	121
STSJ	0		6	12
TDH	4		0	4
TELINTAR	1		0	1
TELMEX	4		0	4
TLFN	11		2	15
TLGB	7		2	11
TRT/FTC	2		1	4
TSTT	3		0	3
USSP	10		0	10
WCOM	0		7	14
TOTAL	266		505	1296

80...+...90.....+.....0.....+...10.....+...20.....+...30.....+...40..

[Note: The following TABLE/FORM is too wide to be displayed on one screen. You must print it for a meaningful review of its contents. The table has been divided into multiple pieces with each piece containing information to help you assemble a printout of the table. The information for each piece includes: (1) a three line message preceding the tabular data showing by line # and character # the position of the upper left-hand corner of the piece and the position of the piece within the entire table; and (2) a numeric scale following the tabular data displaying the character positions.]

***** This is piece 1. -- It begins at character 1 of table line 1. *****

TAINO--CARIB CABLE SYSTEM
MIUS ASSIGNED FOR USE BY THE PARTIES TO THIS AGREEMENT
BETWEEN ISLA VERDE PR. AND THE BRANCHING UNIT

JOINTLY
ASSIGNED
MIUS

PARTIES	CANTV	EMBRATEL	TLD	TSTT	TOTAL	SUMMARY
C & W	0	0	7	0	7	
1...+...10...+...20...+...30...+...40...+...50...+...60...+...70...+.						

 ***** This is piece 2. -- It begins at character 1 of table line 10. *****

HAWTEL	0	0	2	0	2	PARTIES	JOINTLY ASSIGNED
ITALCABLE	0	0	1	0	1	-----	
TELMEX	0	0	2	0	2	C & W	7
TLD	3	1	0	1	5	CANTV	3
TLFN	0	0	6	0	6	CODETEL	0
TLGB	0	0	3	0	3	EMBRATEL	1
USSP	0	0	0	0	0	HAWTEL	2
-----						ITALCABLE	1
TOTALS	3	1	21	1	26	MCII	0
						TELMEX	2
WHOLLY ASSIGNED						TLD	26
MUIS							
PARTIES						TLFN	6
-----						TLGB	3
CODETEL	3					TRT/FTC	0
MCII	21					TSTT	1
TLD	106					USSP	0
TLGB	2					-----	
TRT	1					TOTAL	52
						222	
USSP63						-----	
-----						(# OF WHOLE MIUS)	
TOTAL	196						
1...+...10...+...20...+...30...+...40...+...50...+...60...+...70...							

***** This is piece 3. -- It begins at character 75 of table line 10. *****

SOLELY ASSIGNED	MIU 1/2 INTERESTS
0	7
0	3
3	6
0	1
0	2
0	1
21	42
0	2
106	238

0	6
2	7
1	2
0	1
63	126

196	444

75..80....+...90....+

[Note: The following TABLE/FORM is too wide to be displayed on one screen. You must print it for a meaningful review of its contents. The table has been divided into multiple pieces with each piece containing information to help you assemble a printout of the table. The information for each piece includes: (1) a three line message preceding the tabular data showing by line # and character # the position of the upper left-hand corner of the piece and the position of the piece within the entire table; and (2) a numeric scale following the tabular data displaying the character positions.]

***** This is piece 1. -- It begins at character 1 of table line 1. *****

JOINTLY
ASSIGNED
MIUS

PARTIES	BET	C & W	CANTV

AACR-DR	0	0	0
AT & T	3	30	0
CODETEL	0	1	3
FT	0	0	0
HAWTEL	0	0	0
KDD	0	0	0
MCII	0	0	0
TELECOM	0	0	8
TELMEX	0	0	0
TLD	0	7	3
TLGB	0	0	0
TRT/FTC	0	0	0
USSP	0	0	0

TOTALS	3	36	12

WHOLLY
ASSIGNED
MIUS

PARTIES	

AACR-DR	1
AT & T	432
CANTV	2
CODETEL	6
ITALCABLE	1

MCII 89
STSJ 6

TLD 106
TLFN 2
TLGB 4
TRT/FTC 2
USSP 63
WCOM 7

SUBTOTAL 701
1...+...10...+...20...+...30

 ***** This is piece 2. -- It begins at character 31 of table line 1. *****

TAINO-CARIB CABLE SYSTEM
 MIUS ASSIGNED FOR USE BY THE PARTIES TO THIS AGREEMENT
 BETWEEN THE BRANCHING UNIT AND ST. THOMAS

CODETEL	EMBRATEL	ITALCABLE	TDHTELECOM	TELINTAR	TLFN	TLGB	TSTT	TLD
0	0	0	0	0	0	0	2	0
7	2	3	0	18	1	0	2	3
0	1	1	0	0	0	0	0	0
0	0	0	1	0	0	0	0	0
0	0	0	0	0	0	2	0	0
0	0	0	0	1	0	0	0	0
6	0	0	2	17	0	0	0	0
0	0	5	0	0	0	0	0	0
1	0	0	0	3	0	2	0	0
0	1	1	0	0	0	0	3	1
0	0	0	1	2	0	0	0	0
0	0	0	0	2	0	0	0	0
4	0	0	0	6	0	0	0	0
18	4	10	4	47	1	4	7	4

31...+...40...+...50...+...60...+...70...+...80...+...90...+...0...+...

 ***** This is piece 3. -- It begins at character 110 of table line 1. *****

SUMMARY

TOTAL	PARTIES	JOINTLY ASSIGNED	SOLELY ASSIGNED	MIU 1/2 INTERESTS
2	AACR-DR	2	1	4
70	AT & T	70	432	934
9	BET	3	0	3
1	C & W	38	0	38
2	CANTV	12	2	16
1	CODETEL	27	6	39
25	EMBRATEL	4	0	4
16	FT	1	0	1
6	HAWTEL	2	0	2
22	ITALCABLE	10	1	12
3	KDD	1	0	1
2	MCII	25	69	163
10	STSJ	0	6	12
-----	TDH	4	0	4
169	TELECOM	63	0	63
	TELINTAR	1	0	1
	TELMEX	6	0	6
	TLD	26	106	236
	TLFN	17	2	21
	TLGB	10	4	16
	TRT/FTC	2	2	6
	TSTT	4	0	4
	USSP	10	63	136
	WCOM	0	7	14
-----	TOTAL	338	701	1740

870

(# OF
WHOLE
MIUS)

110.....20.....+...30.....+...40.....+...50.....+...60.....+...70.....+...80..

TAINO--CARIB CABLE SYSTEM
 MIUS ASSIGNED FOR USE BY THE PARTIES TO THIS AGREEMENT
 BETWEEN ST. THOMAS VI. AND TORTOLA

JOINTLY
 ASSIGNED
 MIUS

PARTIES BET C & W FT TSTT TOTAL

 AT & T 7 41 3 2 53
 CODETEL 0 1 0 0 1

SUMMARY

 MCII 2 8 0 0 10
 TDH 0 0 1 0 1

 JOINTLY SOLELY MIU
 1/2
 PARTIES ASSIGNED ASSIGNED INTE-
 RE-
 STS

TLD 0 7 0 0 7

 TLGB 2 4 1 0 7
 USSP 0 1 0 0 1

 AACR-DR 0 1 2
 AT & T 53 0 53
 BET 11 0 11
 C & W 62 10 82
 CODETEL 1 0 1

 TOTALS 11 62 5 2 80

WHOLLY
 ASSIGNED
 MIUS

PARTIES

 AACR-DR 1
 C & W 10
 EMBRATEL 1
 FT 2
 TLD 10
 TLGB 4
 TSTT 5

 EMBRATEL 0 1 2
 FT 5 2 9
 MCII 10 0 10
 TDH 1 0 1
 TLD 7 10 27
 TLGB 7 4 15
 TSTT 2 5 12
 USSP 1 0 1

 TOTAL TOTAL 160 33 226
 113

 SUBTOTAL 33

(# OF
 WHOLE
 MIUS)

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