

DA 93-93

*1 IN THE MATTER OF
GTE RAILPHONE INCORPORATED
APPLICATION FOR AUTHORITY PURSUANT TO SECTION 214 OF THE COMMUNICATIONS ACT OF
1934, AS AMENDED, TO OPERATE AS A RESALE CARRIER

File No. **I-T-C-92-245**

Adopted: January 25, 1993; Released: February 3, 1993

****752 ORDER AND AUTHORIZATION**

By the Chief, International Facilities Division:

1. Upon consideration of the above-captioned uncontested application filed by GTE Railfone Incorporated (GRI) pursuant to Section 214 of the Communications Act of 1934, as amended, we find that the present and future public convenience and necessity require its grant.

2. Accordingly, IT IS ORDERED that application File No. **I-T-C-92-245** IS GRANTED and GRI is authorized to provide international switched message telephone service (IMTS) between passenger trains and other locations in the U.S. and international locations through the resale of the IMTS services listed in the tariffs of various cellular carriers who, in turn, either provide to GRI on a resale basis the service of underlying facilities-based international carrier or provides service to GRI as the international carrier's billing agent. [FN1]

3. IT IS FURTHER ORDERED that the applicant shall file a tariff pursuant to Section 203 of the Communications Act, [47 U.S.C. § 203](#), and Part 61 of the Commission's Rules, 47 C.F.R. Part 61 for the services authorized in this order.

4. IT IS FURTHER ORDERED that the applicant shall file the annual reports of overseas telecommunications traffic required by Section 43.61 of the Commission's Rules, [47 C.F.R. § 43.61](#).

5. IT IS FURTHER ORDERED that neither the applicant nor any persons or companies directly or indirectly controlling it or controlled by it, or under direct or indirect common control with it, shall acquire or enjoy any right, for the purposes of handling or interchanging traffic to or from the United States, its territories or possessions, which is denied to any other United States carrier by reason of any concession, contract, understanding, or working arrangement to which the applicant or any persons or companies controlling it or controlled by it are parties.

6. This order is issued under Section 0.291 of the Commission's Rules and is ef-

fective upon adoption. Petitions for reconsideration under Section 1.106 or applications for review under Section 1.115 of the Commission's Rules may be filed within 30 days of public notice of this order (see Section 1.4(b)(2)).

FEDERAL COMMUNICATIONS COMMISSION

George S. Li

Chief, International Facilities Division

Common Carrier Bureau

FN1. GRI notes that it cannot specify the underlying facilities-based international carriers that will be used since it has no control over the cellular carrier's selection of such carriers.

FCC

1993 WL 756743 (F.C.C.), 8 F.C.C.R. 752, 8 FCC Rcd. 752

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