

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

In the Matter of

LCI
INTERNATIONAL
TELECOM CORP.

File No. I-T-C-94-380

Application for authority to acquire
and operate facilities for service
between the U.S. and various
overseas points.

ORDER AND AUTHORIZATION

Adopted: September 13, 1994; Released: September 26, 1994

By the Chief, International Facilities Division:

1. Upon consideration of the above-captioned uncontested application, filed pursuant to Section 214 of the Communications Act of 1934, as amended, IT IS HEREBY CERTIFIED that the present and future public convenience and necessity require a grant thereof.

2. Accordingly, IT IS ORDERED that application File No. I-T-C-94-380 IS GRANTED and LCI International Telecom Corp. (LCI) is authorized to:

- a. acquire on an Indefeasible Right of User (IRU) basis a one-half interest in and operate circuits in the PTAT-1, TPC-4, TAT-9, TAT-10, TAT-11, Haw-5, Pacrim East, SAT-2 and Americas 1 cable systems, as specified in the Appendix hereto;
- b. lease and operate 530 64-kbps circuits between LCI's U.S. operating office and the border of Canada, for provision of direct service to Canada, and 80 64-kbps circuits between LCI's U.S. operating office and the border of Mexico for provision of direct service to Mexico;
- c. lease and operate any necessary domestic connecting facilities;
- d. lease a one-half interest in and operate any necessary overseas connecting facilities; and
- e. use said facilities to provide international communications services, including switched and private line services, between the United States, on the one hand, and Canada, Mexico and the points specified in the Appendix hereto, on the other hand.

3. IT IS FURTHER ORDERED that our authorization of LCI to provide private lines as part of its authorized services is limited to the provision of such private lines only between the United States and any one of the points authorized herein -- that is, private lines which originate in the United States and terminate in one of the points authorized or which originate in any of the points authorized and terminate in the United States. In addition, LCI may

not -- and LCI's tariff must state that its customers may not -- connect private lines provided over these facilities to the public switched network at either the U.S. or foreign end, or both, for the provision of international basic telecommunications services, including switched voice services, unless authorized to do so by the Commission upon a finding that one of the countries authorized herein affords 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 FCC Rcd 559 (1991), Order on Reconsideration and Third Further Notice of Proposed Rulemaking, 7 FCC Rcd 7927 (1992). *petition for reconsideration pending.*

4. IT IS FURTHER ORDERED that neither LCI nor any persons or companies directly or indirectly controlling or controlled by LCI, 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 LCI or any persons or companies controlling or controlled by LCI are parties.

5. IT IS FURTHER ORDERED that the applicant shall file copies of any operating agreement it enters into with its foreign correspondent with the Commission within 30 days of its execution, and shall otherwise comply with the filing requirements contained in Section 43.51 of the Commission's Rules, 47 C.F.R. §43.51.

6. IT IS FURTHER ORDERED that this authorization is subject to the terms and conditions of any order for the PTAT-1 cable, issued under the act entitled "An Act relating to the landing and operation of submarine cables in the United States" (47 U.S.C. §§34-39).

7. IT IS FURTHER ORDERED that the applicant shall file an application pursuant to Section 214 of the Communications Act of 1934, as amended, before adding any circuits or channels of communication for the provision of service via the PTAT-1 cable system.

8. IT IS FURTHER ORDERED that the applicant shall file a tariff pursuant to §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 service authorized in this Order.

9. 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.

10. IT IS FURTHER ORDERED that the applicant shall file semi-annual circuit reports pursuant to Section 63.15(b) of the Commission's Rules, 47 C.F.R. §63.15(b) for all common carrier facilities authorized herein.

11. This order is issued under Section 0.291 of the Commission's Rules and is effective 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 the date of public notice of this order (*see* Section 1.4(b)(2)).

FEDERAL COMMUNICATIONS COMMISSION

George S. Li
Chief, International Facilities Division

APPENDIX

COUNTRY	FACILITY	NO. OF CIRCUITS (64- (KBPS)
Argentina	Americas 1	7
Australia	Haw-5/PACRIM EAST	25
Austria	PTAT-1	8
Belgium	PTAT-1	12
Brazil	Americas 1	10
Chile	Americas 1	7
China (PRC)	Haw-5/TPC-4	40
Colombia	Americas 1	7
Denmark	TAT-10	8
Egypt	TAT-9	10
Finland	TAT-10	8
France	TAT-11	62
Germany	TAT-10	75
Greece	TAT-9	11
Guam	Haw-5/PACRIM EAST	2
Guyana	Americas 1	13
Hong Kong	Haw-5/TPC-4	160
India	Haw-5/PACRIM EAST/ Sea-Me-We	25
Indonesia	Haw-5/PACRIM EAST	6
Ireland	PTAT-1	8
Israel	TAT-9	25
Italy	TAT-10	38
Japan	TPC-4	80
Korea	TPC-4	15
Malaysia	Haw-5/PACRIM EAST	12
Netherlands	TAT-10 PTAT-1	25 25
New Zealand	Haw-5/PACRIM EAST	5
Norway	PTAT-1	6
Peru	Americas 1	4
Philippines	Haw-5/PACRIM EAST	32

Poland	TAT-10	20
Portugal	TAT-9	12
Russia	TAT-10	20
Singapore	Haw-5/PACRIM EAST	22
South Africa	TAT-9/South Africa cable	20
Spain	TAT-9	9
Sweden	TAT-11	10
Switzerland	TAT-10	25
Taiwan	TPC-4	40
Thailand	TPC-4	6
Venezuela	Americas 1	10
United Kingdom	TAT-11 PTAT-1	105 105