

10 FCC Rcd. 6084 (F.C.C.), 10 F.C.C.R. 6084, 1995 WL 347392

Federal Communications Commission (F.C.C.)  
Order, Authorization and Certificate

IN THE MATTER OF ST. THOMAS AND SAN JUAN TELEPHONE CO.

File No.

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Application for authority to acquire and operate facilities for service between  
the U.S. and Belgium, Australia, Mexico, Portugal and the Philippines.

DA 95-1197

Adopted: May 23, 1995

Released: June 8, 1995

**\*\*1 \*6084** By the Chief, Telecommunications 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 the provision of direct service between the United States and Belgium, Australia, Mexico, Portugal and the Philippines by the St. Thomas and San Juan Telephone Co. (STSJ).
2. Accordingly, IT IS ORDERED that application File No. **I-T-C-95-217** IS GRANTED and STSJ is authorized to:
  - a. acquire on an Indefeasible Right of User basis a one-half interest in and operate the numbers of 64-kbps voice-grade circuits set forth in the Appendix;
  - b. lease and operate any necessary domestic connecting facilities;
  - c. lease a one-half interest in and operate any necessary overseas connecting facilities; and
  - d. use said facilities to provide STSJ's regularly authorized services between the United States and the points listed in the Appendix.
3. IT IS FURTHER ORDERED that our authorization of STSJ 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 one of the countries listed in the Appendix—that is, private lines which originate in the United States and terminate in one of the countries listed in the Appendix or which originate in one of the countries listed in the Appendix and terminate in the United States. In addition, STSJ may not—and STSJ'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

switched basic services, unless authorized to do so by the Commission upon a finding that the destination country 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 FCCRcd 559 \(1991\)](#), Order on Reconsideration and Third Further Notice of Proposed Rulemaking, [7 FCCRcd 7927 \(1992\)](#), petition for reconsideration pending.

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

**\*\*2** 5. IT IS FURTHER ORDERED that the applicant shall file copies of any operating agreements it enters into with its foreign correspondents with the Commission within 30 days of their 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 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 service authorized in this Order.

7. 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](#).

8. 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\(b\)](#).

9. This order is issued under Section 0.261 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

Diane J. Cornell  
Chief  
Telecommunications Division  
International Bureau

#### APPENDIX

Country	No. of Circuits	Facility
Belgium	15	COLUMBUS II/EurAfrica/TAT-11/Rioja
Australia	15	HAW-5/PacRimEast/Tasman II
Mexico	30	COLUMBUS II
Portugal	5	COLUMBUS II
Philippines	24	HAW-5/TPC-3/GPT

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