

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

In the Matter of

IMPSAT USA, INC.

File No. I-T-C-95-434

Application for authority to acquire and operate facilities for service to various overseas points.

**ORDER, AUTHORIZATION AND CERTIFICATE**

**Adopted: September 8, 1995; Released: September 19, 1995**

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 a partial grant thereof.

2. Accordingly, IT IS ORDERED that application File No. I-T-C-95-434 IS GRANTED IN PART, and IMPSAT USA, Inc. (IMPSAT) is authorized to:

- a. establish channels of communication between appropriately licensed U.S. earth stations and INTELSAT satellites, for provision of Intelsat Business Services (IBS), International Television Service and Datanet Service between the United States and the international points listed in Comsat's tariffs for the space segment of these services;
- b. lease from Comsat and operate the satellite circuits specified in Appendix A, between appropriately licensed U.S. earth stations and INTELSAT Atlantic and Pacific Ocean Region satellites, connecting with similar facilities between the satellites and the overseas points listed in Appendix A, furnished by its correspondents;
- c. lease from PanAmerican Satellite Corp. (PAS) and operate the satellite circuits specified in Appendix B, between appropriately licensed U.S. earth stations and the PAS-1 satellite, connecting with similar circuits between the satellite and the overseas points listed in Appendix B, furnished by its correspondents;
- d. lease from the Columbia/TDRSS International Satellite System (TDRSS) and operate the satellite circuits specified in Appendix C, between appropriately licensed U.S. earth stations and the TDRS-41 and TDRS-174 satellites, connecting with similar circuits between the satellites and the overseas points listed in Appendix C, furnished by its correspondents;
- e. establish channels of communication between appropriately licensed U.S. earth stations and U.S. domestic satellites (also Anik satellites for service to

Canada, and Mexican domestic satellites for service to Mexico), for provision of authorized transborder services between the United States and the points listed in Appendix D;

f. lease and operate any necessary domestic connecting facilities;

h. lease a one-half interest in and operate any necessary overseas connecting facilities; and

i. use the facilities in b, c, and d, above, to provide regularly authorized services, including switched voice and data and private line services, between the United States and the points listed in the Appendices.

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

4. IT IS FURTHER ORDERED that our authorization of IMPSAT 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 the countries listed in the Appendices -- that is, private lines which originate in the United States and terminate in one of the countries listed in the Appendices or which originate in one of the countries listed in the Appendices and terminate in the United States. In addition, IMPSAT may not -- and IMPSAT'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 FCC Rcd 559 (1991), *Order on Reconsideration and Third Further Notice of Proposed Rulemaking*, 7 FCC Rcd 7927 (1994), *petition for reconsideration pending*.

5. IT IS FURTHER ORDERED that the applicant shall file copies of any operating agreements entered 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 services 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), for the common carrier facilities authorized herein.

9. The Commission retains jurisdiction over this matter to reallocate circuits in the satellite system among the various international common carriers and other authorized users as required to ensure nondiscriminatory use of, and equitable access to, the communications satellite system.

10. IT IS FURTHER ORDERED that the applicant shall file a separate Section 214 application for any additional circuits it seeks to operate via the PAS-1, TDRS-41, or TDRS-174 satellites.

11. IT IS FURTHER ORDERED that the number of circuits authorized herein for the provision of services via separate satellite systems is subject to limitations on the number of circuits specified under the separate systems policy and applicable consultations under Article XIV(d) of the INTELSAT Agreement.

12. IT IS FURTHER ORDERED that action on the applicants' requests to acquire Morelos and Solidaridad circuits to countries in addition to Mexico is hereby DEFERRED pending the outcome of the Notice of Proposed Rulemaking in *Amendment to the Commission's Regulatory Policies Governing Domestic Fixed Satellites and Separate International Satellite Systems*, IB Docket No. 95-41, FCC 95-146, released April 25, 1995.

13. 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 AINTELSAT SATELLITE CIRCUITS

Up to ten 64-kbps voice-grade circuits to each of the countries listed below:

Atlantic Ocean RegionLatin America

Antigua	Curacao	Mexico
Argentina	Dominican Republic	Netherlands Ant.
Aruba	Ecuador	Nicaragua
Bahamas	El Salvador	Panama
Barbados	French Guiana	Paraguay
Belize	Grenada	Peru
Bermuda	Guantanamo Bay	St. Lucia
Bolivia	Guatemala	St. Vincent
Brazil	Guyana	Suriname
Cayman Islands	Haiti	Trinidad & Tobago
Chile	Honduras	Turks & Caicos Isles
Colombia	Jamaica	Uruguay
Costa Rica	Martinique	Venezuela

Europe

Austria	Ireland	San Marino
Belgium	Italy	Slovenia
Croatia	Liechtenstein	Spain
Cyprus	Luxembourg	Sweden
Denmark	Malta	Switzerland
Finland	Monaco	Turkey
France	Netherlands	United Kingdom
Germany	Norway	Vatican
Greece	Portugal	Serbia & Montenegro
Iceland	Macedonia, FYRO	Slovenia
Bosnia-Herzegovina		

Middle/Near East and Africa and Other Europe

Algeria	Belarus	Canary Islands
Angola	Benin	Cape Verde
Armenia	Botswana	Central African Rep.
Ascension Island	Bulgaria	Chad
Azerbaijan	Burkina Faso	Congo
Azores	Burma	Czech Republic
Bahrain	Cameroon	Diego Garcia
Egypt	Lesotho	Senegal
Estonia	Liberia	Sierra Leone
Ethiopia	Libya	South Africa
Gabon	Lithuania	Sri Lanka
Gambia	Madagascar	Sudan
Georgia	Malagasy Rep.	Swaziland
Ghana	Malawi	Syria
Gibraltar	Mali	Tajikistan
Guinea	Mauritania	Tanzania
Hungary	Moldova	Togo
Iran	Morocco	Tunisia
Iraq	Mozambique	Turkmenistan
Israel	Niger	Uganda
Ivory Coast	Nigeria	Ukraine
Jordan	Oman	United Arab Emirates
Kazakhstan	Pakistan	Uzbekistan
Kenya	Poland	Yemen
Kuwait	Qatar	Zaire
Kyrgyzstan	Romania	Zambia
Latvia	Russian Federation	Zimbabwe
Lebanon	Saudi Arabia	

**Pacific Ocean Region**

American Samoa	Japan	Philippines
Australia	Kiribati	Ponape
Brunei	Korea	Saipan
China (PRC)	Kosrae	Singapore
Christmas Island	Majuro	Solomon Is.
Cook Island	Malaysia	Sri Lanka
Ebeye	Mariana Is.	Taiwan
Fiji Islands	Nauru	Thailand
French Polynesia	New Caledonia	Tonga
Guam	New Guinea	Truk
Hong Kong	New Zealand	Vanuatu
India	Palau	Western Somoa
Indonesia	Papua New Guinea	Yap

APPENDIX BPAS SATELLITE CIRCUITS

Up to six 64-Kbp voice-grade circuit to each of the countries shown below, for service not interconnected with the public switched network:

PAS-1

Albania	Ecuador	Peru
France	Estonia	Poland
Anguilla	Georgia	Portugal
Antigua	Germany	Romania
Argentina	Greece	Russia
Armenia	Grenada	Slovakia
Aruba	Guatemala	Spain
Austria	Guyana	St. Christopher & Nevis
Azerbaijan	Haiti	St. Lucia
Bahamas	Honduras	St. Vincent & Grenadines
Barbados	Hungary	Suriname
Barbuda	Ireland	Sweden
Belarus	Italy	Switzerland
Belgium	Jamaica	Tajikistan
Belize	Kazakhstan	Turkmenistan
Bermuda	Kyrgyzstan	Trinidad & Tobago
Bolivia	Latvia	Turk & Caicos Is.
Brazil	Lithuania	Ukraine
Bulgaria	Luxembourg	United Kingdom
British Virgin Is.	Mexico	Uruguay
Cayman Islands	Moldova	Uzbekistan
Chile	Monaco	Venezuela
Colombia	Montserrat	Yugoslavia
Costa Rica	Netherlands Ant.	
Czech Republic	Netherlands	
Denmark	Panama	
Dominica	Paraguay	
Dominican Republic		

PAS-2

United Kingdom

Up to six 64-Kbps voice-grade circuits to each of the countries shown below, for service interconnected with the public switched network:

PAS-1

Albania	Georgia	Portugal
Armenia	Hungary	Romania
Azerbaijan	Kazakhstan	Russia
Bahamas	Kyrgyzstan	Serbia
Belarus	Latvia	Tajikistan
Bosnia	Lithuania	Turkmenistan
Bulgaria	Moldova	Ukraine
Costa Rica	Netherlands Ant.	United Kingdom
Czech Republic	Panama	Uzbekistan
Dominican Republic	Peru	
Estonia	Poland	

PAS-2

United Kingdom

APPENDIX CTDRS SATELLITE CIRCUITS

Up to ten 64-Kbps voice-grade circuits to each of the following points, for service NOT INTERCONNECTED with the Public Switched Network:

Via TDRS-41:

Austria	Finland	Liechtenstein	Serbia
Bahamas	France	Luxembourg	Sweden
Bosnia	Germany	Mexico	Switzerland
Canada	Ireland	Montserrat	Turkey
Denmark	Israel	Netherlands	United Kingdom
	Jamaica	Portugal	

Via TDRS-174:

Hong Kong	Mexico	Republic of Korea
Japan	Philippines	

Up to six 64-Kbps voice-grade circuits to each of the following points, for service INTERCONNECTED with the Public Switched Network:

Via TDRS-41:

Bosnia	Germany	Montserrat	Suriname
Dominica	Grenada	Serbia	United Kingdom

Via TDRS-174:

Hong Kong



APPENDIX DCOUNTRIES TO BE SERVED VIA AUTHORIZED  
U.S. DOMESTIC SATELLITES, MEXICAN MORELOS (AND SOLIDARIDAD)  
SATELLITES, AND ANIK SATELLITES

Anguilla	Domestic Satellites
Antigua and Barbuda	Domestic Satellites
Bahamas	Domestic Satellites
Barbados	Domestic Satellites
Belize	Domestic Satellites
Bermuda	Domestic Satellites
British Virgin Islands	Domestic Satellites
Canada	Domestic Satellites, ANIK
Cayman Islands	Domestic Satellites
Dominica	Domestic Satellites
Grenada	Domestic Satellites
Grenadines	Domestic Satellites
Mexico	DomSats, Morelos and Solidaridad
Montserrat	Domestic Satellites
Netherlands Antilles	Domestic Satellites
St. Kitts & Nevis	Domestic Satellites
St. Lucia	Domestic Satellites
St. Vincent	Domestic Satellites
Turks & Caicos	Domestic Satellites
Venezuela	Domestic Satellites