

FOCUS - 5 of 6 DOCUMENTS

OVERSEAS COMMON CARRIER SECTION 214 APPLICATION ACTIONS TAKEN
(Formal Section 63.01)

Report No. 8138

FEDERAL COMMUNICATIONS COMMISSION

1996 FCC LEXIS 291

January 25, 1996

ACTION: [*1] PUBLIC NOTICE (61271)

OPINION:

The following applications for international section 214 certification have been granted effective **December 29, 1995** pursuant to the Commission's streamlined processing procedures set forth in Section 63.12 of the Commission's Rules, 47 C.F.R. (All are resale of public switched service).

ITC-95-601 (TC) DeltaCom, Inc. ("DeltaCom") and ITC Holding Company, Inc. has been granted authority to transfer control to ITC.

The applicant listed above is authorized to provide international switched services by reselling the international switched services of other carriers as listed in their application, and only in accordance with all rules, regulations and policies of the Commission.

The following applications for international section 214 certification have been granted effective **January 12, 1996** pursuant to the Commission's streamlined processing procedures set forth in Section 63.12 of the Commission's Rules, 47 C.F.R. (All are resale of public switched service).

ITC-95-606 USTLD, Inc. d/b/a U.S. TeleServices

ITC-95-607 Coin Phones, Inc. d/b/a Indicom

ITC-95-608 AMERINET International, Inc.

ITC-95-609 West River Long Distance

ITC-95-611 Wright Businesses, [*2] Inc. d/b/a Long Distance Management

ITC-95-612 (TC) Fairfield County Telephone Corp d/b/a Fairfield Telephone Company to MIDCOM Communications Inc.

ITC-95-613 MCI Telecommunications Corporation

The applicants listed above are authorized to provide international switched services by reselling the international switched services of other carriers as listed in their application, and only in accordance with all rules, regulations and policies of the Commission.

The following applications for international section 214 certification have been granted effective **January 15, 1996** pursuant to the Commission's streamlined processing procedures set forth in Section 63.12 of the Commission's Rules, 47 C.F.R. (All are resale of public switched service).

ITC File No. Applicant

ITC-95-615 CEI Communications, Inc.

ITC File No.	Applicant
ITC-95-616	Diversified Solutions, Inc.
ITC-95-617	Intercontinental Communications Corp.
ITC-95-618	Cougar Communications Corp.
ITC-95-619	ICI University
ITC-95-620	Navadacom
ITC-95-621(TC)	St. Joe Industries, Inc., (Transferor), and TPG Communications, Inc. (Transferee) hereby apply for the transfer of control to St. Joe Communications, Inc.

The applicants listed [*3] above are authorized to provide international switched services by reselling the international switched services of other carriers as listed in their application and only in accordance with all rules, regulations and policies of the Commission.

Other Resale Services

ITC-95-622	BNI Telecommunications, Inc. To resell (1) International private line and switched services of other carriers between the U.S. and Canada, inter-connected at both ends of the public switched network; (2) International private lines interconnected at both ends, and at one end only, to the public switched network and to provide switched to United Kingdom; and (3) to provide private line service between the U.S. and various international private line service NOT interconnected with the public switched network; and finally, (4) to resell international message telecommunications services between the U.S. and international points.
------------	--

The following applications for international section 214 certification have been granted effective **January 19, 1996** pursuant to the Commission's streamlined processing procedures set forth in Section 63.12 of the Commission's Rules, 47 C.F.R. (All are resale of public [*4] switched service).

ITC File No.	Applicant
ITC-95-627	United World Communications, Inc.
ITC-95-628	Bell U.S.A., Inc.
ITC-95-629	International Communications Group, Inc.
ITC-95-630	Worldquest Holding Company, Inc.
ITC-95-623	Altline Communications Corp.
ITC-95-633	Pacific Partners Telecommunications, LTD.

The applicants listed above are authorized to provide international switched and/or private line services by reselling the international switched and/or private line services of other carriers as listed in their application, and only in

accordance with all rules, regulations and policies of the Commission.

Other Resale Services

ITC-95-631

Primus Telecommunications, Inc.

To resell (1) the international message telecommunications services ("IMTS") of other carriers to provide switched voice, data and video services to various foreign points; (2) resell dedicated private line circuits leased from authorized carriers for the purpose of providing international private line service NOT international with the public switched network between the U.S. and the various international points; and (3) resell the international private lines of other carriers interconnected at both ends, and at one end only, to the public switched, between the U.S. and Canada and the U.S. and the United Kingdom.

ITC-95-634 (TC)

International Exchange Networks, Inc. ("iXnet"). iXnet to resell switched services and international private lines NO interconnected to the public switched network for the provision of international private line services between U.S. and sixteen enumerated international locations.

[*5]

The following applications for international section 214 certification have been granted effective **January 22, 1996** pursuant to the Commission's streamlined procedures set forth in Section 63.12 of the Commission's rules, regulations and policies.

ITC-95-635 Trinet, Inc. d/b/a STC Long Distance

ITC-95-636 CIGNAL Communications Corporation

The applicants listed above are authorized to provide international switched and/or private line services by reselling

the international switched and/or private line services of other carriers as listed in their application, and only in accordance with all rules, regulations and policies of the Commission.

Applicants shall file annual reports of circuit additions in accordance with the requirements set forth in Rules for Filing of International Circuit Status Reports, CC Docket No. 93-157, Report and Order, 10 FCC Rcd 8605 (1995). Applicants also shall file with the Commission a copy of any operating agreement entered into with its foreign correspondents within thirty (30) days of its execution, and shall otherwise comply with the filing requirements contained in Section 43.51 of the Commission's Rules. In [*6] addition, those applicants reselling international interconnected private lines to Canada and the United Kingdom shall file all arrangements for private line interconnection to the United States public switched network pursuant to this section.

Those applicants reselling international private lines for the provision of non-interconnected private line service are limited to the provision of such private line service only between the United States and those points listed in their application -- that is, private lines which originate in the United States and terminate in one of the points listed in their application, or which originate in one of the points listed in their application and terminate in the United States. In addition, applicants may not -- and the applicants' tariffs must state that the applicants' 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 the foreign administration affords resale opportunities equivalent [*7] 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.

In addition, applicants authorized to resell international private lines for the provision of switched services between the United States and Canada or the United Kingdom are limited to the provision of such services between the United States and Canada or the United Kingdom -- that is, private lines which carry traffic that originates in the United States, and terminates in Canada or the United Kingdom, or traffic that originates in Canada or the United Kingdom, that terminates in the United States.

Grant of applications to resell international private lines for the provision of switched services and interconnected private line services between the United States and Canada, and/or the United Kingdom is conditioned upon Canada and/or the United Kingdom continuing to afford resale opportunities equivalent to those available under U.S. law. [*8] In addition, all such non-dominant private line resellers are required to file with the Commission on a semi-annual basis the information contained in the annual traffic reports required by Section 43.61 of the Commission's Rules. This reporting requirement applies to traffic carried through December 1995 for Canada, and December 1997 for the United Kingdom. See fONOROLA/EMI, Order on Reconsideration, 9 FCC Rcd 4066, 4070 (1994); ACC Global Corp., 9 FCC Rcd 6240 (1994). These semi-annual reports shall be filed with the Commission not later than September 30 for the first six-month calendar period, and March 31 for the second six-month calendar period. This policy does not affect the requirement that dominant international private line resellers are required to file with the Commission quarterly traffic reports.

Further, applicants nor any persons or companies directly or indirectly controlling them or controlled by them, or under direct or indirect common control with them, 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 [*9] is denied to any other United States carrier by reason of any concession, contract, understanding, or working arrangement to which the applicants or any such persons or companies controlling or controlled by the applicants are parties.

All of the applicants listed in this public notice shall file a tariff pursuant to Section 203 of the Communications Act of 1934, as amended, 47 U.S.C. Section 203, and Part 61 of the Commission's Rules, 47 C.F.R. Part 61, for the services requested in their application. The applicants shall file the annual reports of overseas telecommunications traffic

required by Section 43.61. Further, the grant of these applications shall not be construed to include authorization for the transmission of money in connection with the services the applicants have been given authority to provide. The transmission of money is not considered to be a common carrier service.

If any applicant is reselling service obtained pursuant to a contract, the applicant shall file publicly any contracts entered into with other carriers or a contract summary in accordance with Section 203 of the Communications Act, 47 U.S.C. § 203, [*10] and Competition in the Interstate Interexchange Marketplace, 6 FCC Rcd 5880, 5902 (1991). In addition, the services obtained by contract shall be made generally available to similarly situated customers at the same terms, conditions and rates.

To the extent that any of the above-listed U.S. carriers intend to provide international call-back services through the use of uncompleted call signaling, their authorization to resell international switched voice and/or data services to provide these services is expressly subject to the conditions listed in VIA USA Ltd., et. al., 9 FCC Rcd 2288 (1994), affirmed in Order on Reconsideration, 10 FCC Rcd 9540 (1995).

Petitions for reconsideration under Section 1.106 or applications for review under Section 1.115 of the Commission's Rules in regard to the grant of any of these applications may be filed within 30 days of this public notice (see Section 1.4(b)(2)).

For additional information concerning this matter, please contact (202) 418-1492.