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1996 WL 77851 (F.C.C.), 11 F.C.C.R. 2394, 11 FCC Rcd. 2394
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Federal Communications Commission (F.C.C.)
Order, Authorization and Certificate
IN THE MATTER OF MCI TELECOMMUNICATIONS CORPORATION
File No. **I-T-C-95-581**

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

DA 96-186

Adopted: February 8, 1996

Released: February 26, 1996

***2394** 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-95-581** IS GRANTED IN PART, and MCI Telecommunications Corporation (MCI) 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, PAS-2 and PAS-4 satellites, connecting with similar circuits between the satellites 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. lease from Orion Satellite Corporation (Orion) and operate the satellite circuits specified in Appendix D, between appropriately licensed U.S. earth stations and the Orion F1 satellite, connecting with similar circuits between the satellite and the overseas points listed in Appendix D, furnished by its correspondents;

f. lease and operate any necessary domestic connecting facilities;

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

h. use the facilities in b, c, d, e, f, and g, above, to provide regularly

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authorized services, including switched voice and data and private line services, between the United States and the points listed in the Appendices;

i. establish channels of communications 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 E; and

j. establish up to 60 non-interconnected voice-grade private line circuits between appropriately licensed U.S. earth stations and the Russian satellites listed in Appendix F, for provision of authorized services between the United States and the points listed in Appendix F.

3. IT IS FURTHER ORDERED that our authorization of MCI 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, MCI may not -- and MCI'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 (1992), petition for reconsideration pending. The limitations in this paragraph are subject to the exceptions contained in Sections 63.01(k)(6)(1) and 63.16 of the Commission's Rules, 47 C.F.R. §§63.01 and 63.16. See also Cable & Wireless et al., DA 96-17, released January 16, 1996, para. 36.

4. 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.

*2395 5. 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.

6. 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.

7. IT IS FURTHER ORDERED that the applicant shall file annual circuit status reports 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).

8. 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

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equitable access to, the communications satellite system.

9. 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, PAS-2, PAS-4, TDRS-41, TDRS-174, Orion F1 or Russian satellites or the CANUS-1, NPC OR PTAT-1 Cable Systems.

10. 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.

11. 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 a forthcoming Notice of Proposed Rulemaking.

[FN1]

12. 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

FN1. See Amendment to the Commission's Regulatory Policies Governing Domestic Fixed Satellites and Separate International Satellite Systems, IB Docket No. 95-41, FCC 96-14, released January 22, 1996, paragraph 5.

***2396 APPENDIX A**

COUNTRIES TO BE SERVED VIA INTELSAT

(600 64-KBPS VOICE-GRADE CIRCUITS TO EACH POINT)

- Afghanistan
- Argentina
- Albania
- Algeria
- American Samoa
- Andorra
- Angola
- Antigua/Barbuda
- Argentina
- Armenia
- Ascension Island
- Australia
- Austria
- Azerbaijan
- Bahamas
- Bahrain
- Balearic Island
- Bangladesh
- Barbados

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Belarus
Belgium
Belize
Benin
Bhutan
Bolivia
Bosnia-Herzegovina
Botswana
Brazil
Brunei
Bulgaria
Burkina Faso
Burundi
Cambodia
Cameroon
Canada
Canary Islands
Cape Verde Isls.
Central African Rep.
Chad
Chile
China, People's Rep.
Christmas Island
Cocoa Island
Comoros
Congo
Cook Island
Croatia
Cueta
Cyprus
Czech Republic
Denmark
Diego Garcia
Djibouti
Dominica
Dominican Rep.
Ecuador
Egypt
El Salvador
Equatorial Guinea
Eritria
Estonia
Ethiopia
Faeroe Islands
Falkland Islands
Fiji Islands
Finland
France
French Guyana

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French Polynesia
Gabon
Gambia
Georgia
Germany
Ghana
Gibraltar
Greece
Greenland
Grenada
Guadeloupe
Guam
Guantanamo Bay
Guatemala
Guinea
Guinea-Bissau
Guyana
Haiti
Honduras
Hungary
Iceland
India
Indonesia
Iran
Iraq
Ireland
Israel
Italy
Ivory Coast
Jamaica
Japan
Jordan
Kazakhstan
Kanya
Kirghizstan
Kiribati
Korea, North
Korea, Republic of
Kuwait
Kyrgyzstan
Laos
Latvia
Lebanon
Lesotho
Liberia
Libya
Liechtenstein
Lithuania
Luxembourg

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Macao
Macedonia, FYRO
Madagascar
Malawi
Malaysia
Maldives
***2397** Mali
Malta
Mariana Islands
Marshall Islands
Martinique
Mauritania
Mauritius
Mayotte Island
Melilla
Mexico
Micronesia
Mongolia
Moldova
Morocco
Mozambique
Mustique
Myanmar
Nakhodka
Namibia
Nauru
Negara Brunei
Nepal
Netherlands
Netherlands Antilles
New Caledonia
New Zealand
Nicaragua
Niger
Nigeria
Niue
Norfolk Island
Norway
Oman
Pakistan
Palau
Palm Island
Panama
Papua New Guinea
Peru
Philippines
Poland
Portugal
Qatar

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Reunion Island
Romania
Rota (Saipan)
Russian Federation
Rwanda
Saipan
Sakhalin (Russia)
San Marino
Sao Tome & Principe
Saudi Arabia
Senegal
Serbia & Montenegro
Seychelles
Sierra Leone
Singapore
Slovakia
Slovenia
Solomon Islands
Somalia
South Africa
Spain
Sri Lanka
St. Barthelemy
St. Helena
St. Kitts & Nevis
St. Lucia
St. Martin
St. Pierre & Miquelon
St. Vincent
Sudan
Suriname
Swaziland
Sweden
Switzerland
Syria
Tadzikistan
Tanzania
Taiwan
Thailand
Tinian
Togo
Tonga
Trinidad & Tobago
Tunisia
Turkmenistan
Tuvalu
Uganda
Ukraine
United Arab Emirates

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United Kingdom
Union Island
Uzbekistan
Uruguay
Vanuatu
Vatican City
Vietnam
Venezuela
Wallis & Futuna
Western Samoa
Yemen
Zaire
Zambia
Zimbabwe

***2398 ATTACHMENT B**
COUNTRIES TO BE SERVED VIA PAS-1
(NON-INTERCONNECTED)

Up to 120 64-Kbps voice-grade circuits between the United States and the
countries listed below:
Ku-band Countries

Anguilla
Austria
Azerbaijan
Bahamas
Belgium
Bermuda
Bosnia-Herzegovina
British Virgin Is.
Cayman Islands
Czech republic
Denmark
France
Germany
Greece
Ireland
Italy
Luxembourg
Macedonia, FYRO
Monaco
Montserrat
Netherlands
Portugal
Romania
Russian Fed.
Serbia & Montenegro
Spain
Sweden
Switzerland
Turks & Caicos Is.

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United Kingdom
C-band Countries
Anguilla
Argentina
Aruba
Bahamas
Barbados
Bermuda
Bolivia
Brazil
British Virgin Is.
Cayman Islands
Chile
Colombia
Costa Rica
Dominican Republic
Ecuador
Guatemala
Haiti
Honduras
Jamaica
Mexico
Montserrat
Netherlands Antilles
Panama
Paraguay
Peru
Trinidad and Tobago
Turks & Caicos Is.
Uruguay
Venezuela

COUNTRIES TO BE SERVED VIA PAS-1
(INTERCONNECTED)

Up to 120 64-kbps voice-grade circuits between the United States and the countries listed below:

Ku-band Countries	C-band Countries
Azerbaijan	Bahamas
Bahamas	Costa Rica
Bosnia-Herzegovina	Dominican Republic
Czech Republic	Netherlands Antilles
Portugal	Panama
Romania	Peru
Russian Fed. & Montenegro	
United Kingdom	
Macedonia, FYRO	

COUNTRIES TO BE SERVED VIA PAS-2

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(NON-INTERCONNECTED)

Up to 120 64-Kbps voice-grade circuits between the United States and the following country:
United Kingdom

COUNTRIES TO BE SERVED VIA PAS-2
(INTERCONNECTED)

Up to 120 64-Kbps voice-grade circuits between the United States and the following country:
United Kingdom

***2399** COUNTRIES TO BE SERVED VIA PAS-4
(NON-INTERCONNECTED)

Up to 120 64-Kbps voice-grade circuits between the United States and the following countries:

- Australia
- China, People's Rep.
- Hong Kong
- Indonesia
- Malaysia
- New Zealand
- Philippines
- Russia
- Singapore
- Thailand
- Vietnam

COUNTRIES TO BE SERVED VIA PAS-4
(INTERCONNECTED)

Up to 120 64-Kbps voice-grade circuits between the United States and the following countries:

- Australia
- Hong Kong
- New Zealand

APPENDIX C
COUNTRIES TO BE SERVED VIA COLUMBIASS TDRSS
(NON-INTERCONNECTED)

Up to 90 64-Kbps voice-grade circuits between the United States and the countries listed below:

- TDRSS-41
- Austria
- Bahamas
- Belgium
- Bosnia-Herzegovina
- Canada
- Denmark
- Finland
- France
- Germany
- Ireland
- Israel
- Jamaica

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Liechtenstein
Luxembourg
Mexico
Netherlands
Portugal
Serbia & Montenegro
Sweden
Switzerland
Turkey
United Kingdom
Macedonia, FYRO
TDRSS-174
Hong Kong
Japan
Mexico
Philippines
Republic of Korea

COUNTRIES TO BE SERVED VIA TDRSS
(INTERCONNECTED)

Up to 90 64-kbps voice-grade circuits between the United States and the countries listed below:

TDRSS-41
Germany
Bosnia-Herzegovina
Serbia & Montenegro
United Kingdom
Macedonia, FYRO
TDRSS-174
Hong Kong

APPENDIX D
COUNTRIES TO BE SERVED VIA ORION F1
(INTERCONNECTED)

Up to 120 64-kbps voice-grade circuits between the United States and the countries listed below:

Germany
Ireland
The Netherlands
Poland
Sweden

COUNTRIES TO BE SERVED VIA ORION F-1
(NON-INTERCONNECTED)

Up to 120 64-kbps voice-grade circuits between the United States and the countries listed below:

Austria
Belgium
Denmark
France
Germany
Ireland

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Italy
 *2400 Luxembourg
 Norway
 Poland
 Serbia & Montenegro
 Sweden
 The Netherlands
 United Kingdom
 Macedonia, FYRO

*2401 APPENDIX E

COUNTRIES 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
Argentina	Domestic Satellites
Bahamas	Domestic Satellites
Barbados	Domestic Satellites
Belize	Domestic Satellites, Morelos and Solidaridad
Bermuda	Domestic Satellites
Bolivia	Domestic Satellites
Brazil	Domestic Satellites
British Virgin Islands	Domestic Satellites, ANIK
Canada	Domestic Satellites
Cayman Island	Domestic Satellites
Chile	Domestic Satellites
Columbia	Domestic Satellites
Dominica	Domestic Satellites
Ecuador	Domestic Satellites
El Salvador	Domestic Satellites
French Guiana	Domestic Satellites
Grenada	Domestic Satellites
Grenadines	Domestic Satellites
Guyana	Domestic Satellites
Guatemala	Domestic Satellites
Honduras	Domestic Satellites, Morelos and Solidaridad
Mexico	Domestic Satellites
Montserrat	Domestic Satellites
Netherlands Antilles	Domestic Satellites
Nicaragua	Domestic Satellites
Panama	Domestic Satellites
Paraguay	Domestic Satellites
Peru	Domestic Satellites
St. Kitts & Nevis	Domestic Satellites
St. Lucia	Domestic Satellites
S. Vincent	Domestic Satellites
Suriname	Domestic Satellites
Turks & Caicos	Domestic Satellites

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Uruguay	Domestic Satellites
Venezuela	Domestic Satellites

***2402 APPENDIX F**

COUNTRIES TO BE SERVED VIA THE INTERSPUTNIK AND SOVIET DOMESTIC SATELLITE SYSTEMS AND THE GEIZER, WSDRN AMD GHORIZONT 21 SATELLITE SYSTEMS

Belarus	
Kazakhstan	
Kyrgyzstan	
Latvia	
Lithuania	
Moldova	
Russia	
Tahikistan	
Turkmenistan	
Ukraine	
Uzbekistan	
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