

Categories of Services for 214 Applications
(Streamline/Non-streamline)

- ASSIGNMENT OF LICENSE
- GLOBAL FACILITIES-BASED SERVICE
- GLOBAL FACILITIES-BASED/GLOBAL RESALE SERVICE
- GLOBAL RESALE SERVICE
- INDIVIDUAL FACILITIES-BASED SERVICE
- INTERCONNECTED PRIVATE LINE RESALE SERVICE
- LIMITED GLOBAL FACILITIES-BASED SERVICE/LIMITED GLOBAL RESALE SERVICE
- LIMITED GLOBAL FACILITIES-BASED SERVICE
- LIMITED GLOBAL RESALE SERVICE
- INMARSAT AND MOBILE SATELLITE SERVICE
- SWITCHED RESALE SERVICE
- TRANSFER OF CONTROL
- SUBMARINE CABLE LANDING LICENSE
- INTERNATIONAL SPECIAL PROJECT

Description of Application: _____

Copy to FBI

STEPTOE & JOHNSON LLP

FCC/MELLON

AUG 28 1998

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Matthew S. Yeo
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August 28, 1998

Via Hand Delivery

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
International Bureau, Telecommunications
P.O. Box 358115
Pittsburgh, PA 15251-5115

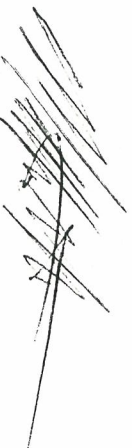
**Re: Marine Satellite Services, Inc.: Application Pursuant to Section 214
for Global Authority to Provide International Services.**

Dear Ms. Salas:

Enclosed please find for filing on behalf of Marine Satellite Services, Inc., an original and five copies of an Application Pursuant to Section 214 for Global Authority to Provide Facilities-Based and Resale Services to All Allowed International Points. Please note that the enclosed Application is accompanied by a facsimile signature page pursuant to 47 C.F.R. § 1.52.

Also enclosed is a check in the amount of \$745.00 for the applicable filing fee; a completed FCC form 159, and an additional copy of the Application which we request that you date stamp and return with our messenger.

Respectfully submitted,



Alfred M. Mamlet
Matthew S. Yeo

cc: Troy Tanner
Joanna Lowry

WASHINGTON

PHOENIX

LOS ANGELES

MOSCOW

ALMATY

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of

Marine Satellite Services, Inc.,
Applicant

ITC-98-_____

Application Pursuant to Section 214 of the
Communications Act of 1934, as Amended,
for Global Authority to Provide Facilities-
Based and Resale Services to All Allowed
International Points

APPLICATION FOR SECTION 214 AUTHORITY

Pursuant to Section 214 of the Communications Act of 1934, as amended, and Section 63.18 of the Commission's Rules, 47 C.F.R. § 63.18, Marine Satellite Services, Inc. ("MSSI") hereby applies for global authority to provide facilities-based and resale telecommunications services to all allowed international points.

This Application qualifies for streamlined approval pursuant to 47 C.F.R. § 63.12 because the dominant foreign affiliates of MSSI are carriers of Canada, which is a member of the World Trade Organization, and because MSSI hereby certifies by its signature to this Application that it will comply with the Commission's dominant carrier regulations on the U.S. - Canada route.¹ Additionally, MSSI has affiliates in other foreign countries, as identified in Attachment A. These affiliates, however, control less than 50 percent of the international

¹ See Rules and Policies on Foreign Participation in the U.S. Telecommunications Market, *Report and Order on Reconsideration*, FCC 97-398 (rel. Nov. 28, 1997) at ¶ 322; 47 C.F.R. § 63.12(c)(1)(iii).

transport and local access markets in the relevant countries and, as such, are entitled to a presumption of non-dominance.²

The following information is provided pursuant to 47 C.F.R. § 63.18:

a. The name, address and telephone number of the applicant is:

Marine Satellite Services, Inc.
6903 Rockledge Drive, Suite 500
West Bethesda, Maryland 20817
(301) 214-8700

b. MSSSI is a Delaware corporation.

c. Correspondence concerning this application should be directed to:

Derrick Rowe,
Chairman
Marine Satellite Services, Inc.
6903 Rockledge Drive, Suite 500
West Bethesda, Maryland 20817
(301) 214-8700

with copies to:

Alfred M. Mamlet
Matthew S. Yeo
Steptoe & Johnson, LLP
1330 Connecticut Avenue, N.W.
Washington, D.C. 20036-1795
(202) 429-3000

d. MSSSI has not previously received authorization under Section 214 of the Communications Act.

e. MSSSI requests Section 214 authority to operate as a facilities-based and resale carrier pursuant to the terms and conditions of 47 C.F.R. § 63.18(e)(1)-(2), for the provision of international voice and data services to all allowed international points.

² 47 C.F.R. § 63.12(c)(1)(i).

- f. MSSSI seeks streamlined processing for all categories of service to all destinations.
- g. Not applicable.
- h. MSSSI certifies that it is affiliated with foreign carriers within the meaning of 47 C.F.R. § 63.18(h), as follows:

(1) MSSSI is a wholly-owned subsidiary of Stratos Holdings, Inc. (“Stratos Holdings”), a Delaware corporation, which is in turn a wholly-owned subsidiary of Stratos Global Corp. (“Stratos Global”), a Canadian corporation. Stratos Global is a widely-held corporation and is publicly traded on the Toronto Stock Exchange. NewTel Enterprises Limited (“NewTel”), a Canadian corporation and the incumbent supplier of telecommunications services in Newfoundland and Labrador, holds a greater than 50% interest in Stratos Global.³ BCE, Inc. (“BCE”), a Canadian holding company with extensive telecommunications interests, holds an approximately 55.5% interest in NewTel. MSSSI’s affiliations through BCE are listed in Appendix A.

MSSSI is affiliated with another foreign carrier through Stratos Wireless, Inc. (“Stratos Wireless”), a subsidiary of Stratos Global. Stratos Wireless is a Canadian corporation that provides satellite services in Canada. One of its wholly-owned subsidiaries, Stratos Mobile Networks, Inc. (“Stratos Mobile”), is authorized within Canada to provide international telecommunications services to the public.

³ By order dated August 5, 1998, the Commission approved the transfer of control to NewTel of Section 214 authorizations held by Stratos Global’s U.S. carrier subsidiaries, Stratos Mobile Networks (USA) LLC (“Stratos USA”) and IDB Mobile Communications Inc. (“IDB Mobile”). See Stratos Mobile Networks (USA) LLC, IDB Mobile Communications, Inc., Stratos Global Corporation, and NewTel Enterprises Limited, ITC-98-287-TC, Order and Authorization (rel. August 5, 1998).

In addition to these affiliations with foreign carriers, MSSSI is affiliated with two

U.S. carriers, Stratos USA and IDB Mobile, both of which are indirect wholly-owned subsidiaries of Stratos Global. Stratos USA and IDB Mobile both hold a variety of Title II authorizations from the Commission.

(2) The following are the principal places of business of entities that have a direct or indirect interest of 10% or more in MSSSI:

Stratos Global Corp.
Suite 5200 – Scotia Plaza
40 King Street West
Toronto, Ontario M5H3Y2
Canada
(416) 777-2832

NewTel Enterprises Limited
P.O. Box 2110
Fort William Building
10 Factory Lane
St. John's, Newfoundland A1C5H6
Canada
(709) 753-6802

BCE, Inc.
1000, de la Gauchetière Street West
Suite 3600
Montreal, Quebec H3B4Y7
Canada
(514) 397-7076

(3) Not applicable.

(4) MSSSI recognizes that pursuant to 47 C.F.R. § 63.18(h)(4), it is responsible for the continuing accuracy of the certifications made above pursuant to 47 C.F.R. § 63.18(h)(1)-

(3), and certifies that it will promptly file a corrected certification regarding the above information if there are any changes.

(5/6) MSSSI is applying to provide voice and data services that could terminate in countries where MSSSI has affiliates within the meaning of the Commission's Rules.

(7) In compliance with 47 C.F.R. § 63.18(h)(7), MSSSI states that it will file any quarterly traffic reports required by 47 C.F.R. § 43.61(c) on the U.S.-Canada route.

(8) MSSSI agrees to accept dominant carrier regulation on the U.S.-Canada route.

Additionally, MSSSI qualifies for non-dominant classification on all other

routes where it has affiliates. As noted in the attached Appendix A, MSSSI is affiliated with cellular carriers in India and Colombia. In Brazil, MSSSI is affiliated with a carrier that offers switching and computerized management services to private condominiums, commercial complexes, and adjacent neighborhoods. It does not offer any wireline services. In Mexico, MSSSI is affiliated with a newly-authorized competing carrier of local and long-distance services. Each of these affiliates clearly controls less than 50% of the local access and international transport markets.

(i) MSSSI certifies pursuant to 47 C.F.R. § 63.18(i) that it has not agreed to accept special concessions directly or indirectly from any foreign carrier or administration with respect to any U.S. international route where the foreign carrier possesses sufficient market power on the foreign end of the route to affect competition adversely in the U.S. market and will not enter into such agreements in the future.

(j) By its signature to this application, MSSSI certifies pursuant to 47 C.F.R. § 1.2002 that it is not subject to a denial of any federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988.

(k) This application qualifies for streamlined processing for the reasons stated above.

AUG-27-98 12:32 709 748 4315 P.02 R-818 Job-466
AUG. -27' 98 (THU) 13:56 EXECUTIVE OFFICE TEL: 709 748 4315 P. 002
AUG-27-98 12:22 From: STEPTOE & JOHNSON 2024283802 T-604 P 07/07 Job-562

For the foregoing reasons, MSSSI requests that the Commission grant this Section 214 Application for authority to provide facilities-based and resale services to all allowed international points.

Respectfully submitted,

Marine Satellite Services, Inc.

BY: *Neil Phillips*
Neil Phillips, Secretary
DATE: August 27, 1998

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1330 Connecticut Avenue, N.W.
Washington, D.C. 20036
(202) 429-3000

Counsel for Marine Satellite Services, Inc.