

From

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: _____

FRB /

READ INSTRUCTIONS CAREFULLY

BEFORE PROCEEDING

FEDERAL COMMUNICATIONS COMMISSION
REMITTANCE ADVICE

APPROVED BY OMB

3090-0599

(1) LOCKBOX # 358-115

PAGE NO. 1 of 1
FCC/REMITTANCE ADVISE 141998

SPECIAL USE
FCC USE ONLY

SECTION A - PAYER INFORMATION

(2) PAYER NAME (if paying by credit card, enter name exactly as it appears on your card)

Kelley Dye & Warren LLP

(3) TOTAL AMOUNT PAID (dollars and cents)

\$ 780.00

(4) STREET ADDRESS LINE NO. 1

1200 19th Street, NW

(5) STREET ADDRESS LINE NO. 2

Suite 500

(6) CITY

Washington

(7) STATE

D.C.

(8) ZIP CODE

20036

(9) DAYTIME TELEPHONE NUMBER (include area code)

202-955-9600

(10) COUNTRY CODE (if not in U.S.A.)

USA

IF PAYER NAME AND THE APPLICANT NAME ARE DIFFERENT, COMPLETE SECTION B
IF MORE THAN ONE APPLICANT, USE CONTINUATION SHEETS (FORM 159-C)

SECTION B - APPLICANT INFORMATION

(11) APPLICANT NAME (if paying by credit card, enter name exactly as it appears on your card)

Fujitsu Systems Business of America, Inc.

(12) STREET ADDRESS LINE NO. 1

5200 Patrick Henry Drive

(13) STREET ADDRESS LINE NO. 2

(14) CITY

Santa Clara

(15) STATE

CA

(16) ZIP CODE

95054

(17) DAYTIME TELEPHONE NUMBER (include area code)

(408) 988-8012

(18) COUNTRY CODE (if not in U.S.A.)

USA

COMPLETE SECTION C FOR EACH SERVICE, IF MORE BOXES ARE NEEDED, USE CONTINUATION SHEETS (FORM 159-C)

SECTION C - PAYMENT INFORMATION

(19A) FCC CALL SIGN/OTHER ID

(20A) PAYMENT TYPE CODE (PTC)

(21A) QUANTITY

(22A) FEE DUE FOR (PTC) IN BLOCK 20A

FCC USE ONLY

(23A) FCC CODE 1

C U T

1

\$ 780.00

FCC USE ONLY

(19B) FCC CALL SIGN/OTHER ID

(20B) PAYMENT TYPE CODE (PTC)

(21B) QUANTITY

(22B) FEE DUE FOR (PTC) IN BLOCK 20B

FCC USE ONLY

(23B) FCC CODE 1

(20C) PAYMENT TYPE CODE (PTC)

(21C) QUANTITY

(22C) FEE DUE FOR (PTC) IN BLOCK 20C

FCC USE ONLY

(23C) FCC CODE 1

(20D) PAYMENT TYPE CODE (PTC)

(21D) QUANTITY

(22D) FEE DUE FOR (PTC) IN BLOCK 20D

FCC USE ONLY

(23D) FCC CODE 1

(20E) PAYMENT TYPE CODE (PTC)

(21E) QUANTITY

(22E) FEE DUE FOR (PTC) IN BLOCK 20E

FCC USE ONLY

(23E) FCC CODE 1

(20F) PAYMENT TYPE CODE (PTC)

(21F) QUANTITY

(22F) FEE DUE FOR (PTC) IN BLOCK 20F

FCC USE ONLY

(23F) FCC CODE 1

(20G) PAYMENT TYPE CODE (PTC)

(21G) QUANTITY

(22G) FEE DUE FOR (PTC) IN BLOCK 20G

FCC USE ONLY

SECTION D - TAXPAYER INFORMATION (REQUIRED)

(25) PAYER TIN

0 1 3 5 3 3 5 1 0 7

(26) COMPLETE THIS BLOCK ONLY IF APPLICANT NAME IN B-11 IS DIFFERENT FROM PAYER NAME IN A-2

APPLICANT TIN

SECTION E - CERTIFICATION

(27) CERTIFICATION STATEMENT
I, Joan M. Griffin

(PRINT NAME)

Certify under penalty of perjury that the foregoing and supporting information

are true and correct to the best of my knowledge, information and belief. SIGNATURE Joan M. Griffin

SECTION F - CREDIT CARD PAYMENT INFORMATION

(28)

MASTERCARD/VISA ACCOUNT NUMBER:

EXPIRATION DATE:

MASTERCARD

Grid for account number and expiration date

MONTH YEAR

VISA

I hereby authorize the FCC to charge my VISA or MASTERCARD for the services (authorizations) herein described.

AUTHORIZED SIGNATURE

DATE

SEE PUBLIC BURDEN ESTIMATE ON REVERSE

FCC FORM 159 JULY 1997 (REVISED)

KELLEY DRYE & WARREN LLP
A LIMITED LIABILITY PARTNERSHIP INCLUDING PROFESSIONAL ASSOCIATIONS

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WRITER'S E-MAIL
jgriffin@kelleydrye.com

BRUSSELS, BELGIUM

HONG KONG

December 14, 1998

AFFILIATE OFFICES
BANGKOK, THAILAND
JAKARTA, INDONESIA
MANILA, THE PHILIPPINES
MUMBAI, INDIA
TOKYO, JAPAN

Via Hand Delivery

Federal Communications Commission
International Bureau
Telecommunications Division
P.O. Box 358115
Pittsburgh, PA 15251-5115

Attn: Diane J. Cornell, Chief

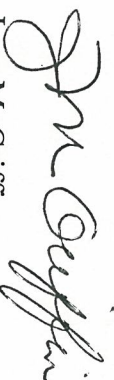
Re: Application of Fujitsu Systems Business of America, Inc. for Authority Under Section 214 of the Communications Act of 1934, as Amended, to Operate As a Facilities-Based Carrier and as a Resale Carrier for the Provision of International Switched and Private Line Services to Various Points

Dear Sir or Madam:

Fujitsu Systems Business of America, Inc., by its attorneys, hereby submits for filing an original and five (5) copies of its above-captioned application. Enclosed is a duplicate of this filing and a return envelope. Please date-stamp the duplicate upon receipt and return it in the envelope provided. Also enclosed is a check in the amount of \$780.00 for the filing fee.

Please do not hesitate to call me at the above-referenced number if you should have any questions regarding this matter.

Sincerely,



Joan M. Griffin
Senior Counsel

Enclosures

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

In the Matter of
)
)
)
FUJITSU SYSTEMS BUSINESS
)
OF AMERICA, INC.
)
)

Application for Authority Under
)
Section 214 of the Communications
)
Act of 1934, as Amended, to Operate
)
As a Facilities-Based Carrier and as a
)
Resale Carrier for the Provision of
)
International Switched and Private
)
Line Services to Various Points
)

Docket No. _____

APPLICATION

Fujitsu Systems Business of America, Inc. ("FSBA" or "Applicant"), by its attorneys and pursuant to Section 214 of the Communications Act of 1934, as amended ("the Act"), 47 U.S.C. § 214, hereby requests authority to (1) operate as a facilities-based carrier pursuant to the terms and conditions of Section 63.18(e)(1) of the Commission's Rules, and (2) operate as a resale carrier pursuant to the terms and conditions of Section 63.18(e)(2) of the Commission's Rules.¹ FSBA has no affiliation with any foreign carrier in any of the destination countries for which authority is requested, nor is FSBA affiliated with any U.S. facilities-based carrier. Thus, pursuant to Section 63.10(a)(1) of the Commission's Rules, FSBA should be classified as a nondominant carrier in its provision of international service. Furthermore, this Application is entitled to streamlined processing under Section 63.12 of the Commission's Rules.

¹ With respect to the provision of switched services over private lines, FSBA seeks authority in this Application to provide such services only to those particular locations specifically approved by the Commission for the provision of such services.

Pursuant to Section 63.18 of the Commission's Rules, FSBA sets forth the following information in support of this Application:

(a) The name, address, and telephone number of the Applicant is:

Fujitsu Systems Business of America, Inc.
5200 Patrick Henry Drive
Santa Clara, CA 95054
(408) 988-8012

(b) FSBA is a corporation organized under the laws of the State of California.

(c) Correspondence concerning this Application should be sent to:

Bill Buettner
Director, Administration
Fujitsu Systems Business of America, Inc.
5200 Patrick Henry Drive
Santa Clara, CA 95054
(404) 654-2006

with copies to:

J. Paul Thorin
General Counsel
Fujitsu America, Inc.
3055 Orchard Drive
San Jose, CA 95134
(408) 456-7674

and:

Judith St. Ledger-Roty
Joan M. Griffin
Kelley Drye & Warren, LLP
1200 19th Street, NW
Washington, DC 20036
(202) 955-9600

- (d) FSBA has not previously received Section 214 authority from the Commission.
- (e) FSBA is applying for authority to operate as a facilities-based carrier pursuant to the terms and conditions of Section 63.18(e)(1) of the Commission's Rules and as a resale carrier pursuant to the terms and conditions of Section 63.18(e)(2) of the Commission's Rules.
- (f) No response required.
- (g) FSBA will use previously authorized facilities to provide its facilities-based services and thus this Application is categorically excluded from environmental assessment pursuant to Section 1.1306 of the Commission's Rules.
- (h) (1) As evidenced by the certification provided in Attachment A, FSBA is not affiliated with any foreign carrier.
 - (2) FSBA is a wholly-owned subsidiary of Fujitsu Limited, a publicly held corporation organized and existing under the laws of Japan. Fujitsu Limited is a manufacturer of computers and peripheral equipment, telecommunications equipment, and micro-electronic devices. The address of Fujitsu Limited is 1-1 Kamikodanaka 4-Chome, Nakahara-Ku, Kawasaki, Japan 211-8588.
- (3) As evidenced by the certification provided in Attachment A, FSBA has no affiliation with any U.S. carrier whose facilities-based services FSBA may resell.
- (4) No response required.
- (5), (6), (7), (8) Not applicable; FSBA is not affiliated or otherwise related to any foreign carrier on any of the routes FSBA proposes to serve in this Application.
- (i) As evidenced by the certification provided in Attachment A, FSBA has not agreed to accept special concessions directly or indirectly from any foreign carrier 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) As evidenced by the certification provided in Attachment A, no party to this Application is subject to a denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988.

(k) FSBA requests streamlined processing pursuant to Section 63.12 of the Commission's Rules. This Application is eligible for streamlined processing because FSBA is not affiliated with foreign carriers on any route for which authority is sought nor is FSBA requesting authority to provide switched services over private lines to countries not previously authorized for this service.

For these reasons, FSBA requests that the Commission grant this Application.

Respectfully Submitted,

FUJITSU SYSTEMS BUSINESS OF
AMERICA, INC.

By: 

Takashi Matsutani
President & CEO
FUJITSU SYSTEMS BUSINESS OF
AMERICA, INC.
5200 Patrick Henry Drive
Santa Clara, CA 95054
(408) 988-8012

Judith St. Ledger-Roty
Joan M. Griffin
KELLEY DRYE & WARREN LLP
1200-19th Street, N.W.
Suite 500
Washington, D.C. 20036
(202) 955-9600

Its Attorneys

Date: 12/11/58

CERTIFICATE

The undersigned hereby certifies, on behalf of Fujitsu Systems Business of America,

Inc. ("FSBA") with respect to the foregoing application for authority to provide international

service, that:

1. FSBA is not affiliated (as that term is defined in Section 63.18(h)(1) of the Commission's Rules) with any U.S. carrier whose facilities-based service FSBA may resell.
2. FSBA is not affiliated with any foreign carrier (as those terms are defined in Section 63.18(h)(1) of the Commission's Rules) in any of the countries to which FSBA proposes to provide service in the foregoing application.
3. FSBA has not agreed to accept special concessions directly or indirectly from any foreign carrier 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.
4. No party to this application is subject to a denial for Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 853(a).

By: _____

Title: President & CEO

Date: 12/11/88

KELLEY DRYE

FACSIMILE TRANSMISSION

TO Fran Eisenstein
FIRM FCC/International Bureau
CITY Washington, DC
FAX 202-418-2824
PHONE 202-418-1464
NO. OF PAGES 1 (including this page)
DATE December 23, 1998

KELLEY DRYE & WARREN LLP
 1200 19TH STREET, N.W.
 SUITE 500
 WASHINGTON, D.C. 20036
 (202) 965-8600
 FAX (202) 965-8792

MESSAGE

Re: Fujitsu Systems Business of America/File No. ITC-214-19981214-00864.

As discussed, the only 10% or greater shareholder of Fujitsu Ltd. is Fuji Electric Ltd. which holds 13.3%. Please let me know if you have any other questions.

FROM Joan M. Griffin
PHONE (202) 955-9786
E-MAIL jgriffin@kelleydrye.com
CLIENT NO. 024355-0001

NEW YORK
 LOS ANGELES
 WASHINGTON, DC
 CHICAGO
 MIAMI
 STAMFORD, CT
 PARLISSIPPANY, NJ

HONG KONG
 BRUSSELS
 AFFILIATED OFFICES
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 MUMBAI
 TOKYO

IF PROBLEMS OCCUR DURING TRANSMISSION PLEASE CALL (202) 955-9800.

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