

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: \_\_\_\_\_

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December 11, 1998

**VIA COURIER**

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

Attention: Diane Cornell, Division Chief

Re: Application of Level 3 International, Inc. for Global Authority Pursuant to Section 214 of the Communications Act of 1934, as amended, to Operate as an International Facilities-based Carrier and as an International Resale Carrier

Dear Sir or Madam:

Enclosed for filing with the Commission are an original and six (6) copies of the application of Level 3 International, Inc., requesting global authority, pursuant to Section 214 of the Communications Act of 1934, as amended, to operate as an international facilities-based carrier and as an international resale carrier between the United States and various international points.

As required by the Commission's Rules, a check in the amount of \$780.00 is enclosed. Please date-stamp the extra copy of this application and return it in the enclosed self-addressed, stamped envelope. Any questions regarding the enclosed application should be addressed to the undersigned.

Respectfully submitted,

/s/ Linda Russell  
Linda Russell  
Level 3 International, Inc.  
1755 Old Meadow Road  
McLean, Virginia 22102

Enclosures

cc: Troy Tanner

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

\_\_\_\_\_  
In the Matter of

**Level 3 International, Inc.**

Application Pursuant to Section 214  
of the Communications Act, as amended,  
for Global Authority To Operate as  
an International Facilities-Based and  
Resale Carrier

File No. ITC-214-1998 \_\_\_\_

TO: **The Commission**

**APPLICATION**

Level 3 International, Inc. by its undersigned counsel, hereby requests "global" authority, pursuant to Section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214 (1982), and Section 63.18 of the Commission's Rules, 47 C.F.R. § 63.18 (1996), to provide international telecommunications services between the United States and various international points. Level 3 International, Inc. requests that the Commission allow all current and future wholly-owned subsidiaries of Level 3 International, Inc. to operate under its authorization, once granted. Level 3 International, Inc. qualifies for streamlined processing because it is not affiliated with any foreign carriers with 50% or greater share of any relevant market, and it will not be a dominant carrier as defined in Section 63.10(a)(1).

Grant of Level 3 International, Inc.'s request for resale and facilities-based authority to provide international services will further the Commission's policies of bringing increased competition to the U.S. international telecommunications services market and, therefore, is in the public interest.

**IV. Information Required Under Section 63.18**

As required by Section 63.18 of the Commission's Rules, Level 3 International, Inc. submits the following information:

- (a) Name, address and telephone number of the applicant:
- Level 3 International, Inc.  
1755 Old Meadow Road  
McLean, VA 22102  
703/762-0117
- (b) Level 3 International, Inc. is a privately-owned corporation organized under the laws of Delaware.
- (c) Correspondence concerning this application should be sent to:
- Jami delorimier  
Level 3 International, Inc.  
1755 Old Meadow Road  
McLean, VA 22102  
703/762-0117
- (d) Level 3 International, Inc. has not previously received authority under Section 214 of the Act. Upon grant of this application, Level 3 International, Inc. will become an authorized non-dominant facilities-based carrier and reseller with global authority, subject to Section 214 of the Communications Act of 1934, as amended, and the Commission's Rules. Level 3 International, Inc. lacks the market power that would allow it to control prices to the detriment of market competition.<sup>1/</sup>

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<sup>1/</sup> Level 3 International, Inc. is affiliated, through its parent corporation, Level 3 (continued...)



(e) Level 3 International, Inc. requests Section 214 authority to operate as a facilities-based carrier pursuant to the terms and conditions of Section 63.18(e)(1) and to operate as a resale carrier pursuant to the terms and conditions of Section 63.18(e)(2). Specifically, Level 3 International, Inc. seeks to (1) obtain global facilities-based authority to acquire interests in whole and half-circuits in submarine cables, establish channels of communication with satellite systems, and utilize necessary connecting facilities, other than facilities listed on the Exclusion List, to provide international telecommunications services between the United States and all international points except those points excluded by the Exclusion List; (2) obtain global authority to resell international switched services of all unaffiliated U.S.-authorized carriers to provide international switched services between the United States and all international points served by those carriers; (3) obtain global authority to resell international non-interconnected private lines to provide international private line services between the United States and all permitted international points; (4) obtain global authority to resell international private lines interconnected to the PSN at one or both ends to provide international switched services between the United States and all countries approved by the FCC for such services.

(f) At this time, Level 3 International, Inc. does not seek authority to provide services not referenced under paragraph (e) of Section 63.18 of the Commission's Rules.

(g) The authority requested in this application is categorically excluded from environmental processing as defined by Section 1.1306 of the Commission's Rules, 47 C.F.R. § 1.1306. As such, an environmental assessment is not required for purposes of this application and, therefore, is not attached.

(h) Level 3 International, Inc. certifies that it is not affiliated with any U.S. carriers with market power whose facilities-based services it proposes to resell. Under Section 63.18(h)(1)(i) of the Commission's Rules, 47 C.F.R. § 63.18(h)(1)(i), Level 3 International, Inc. is not affiliated with any foreign carriers that have 50% or greater share of any relevant market in a destination country.<sup>2/</sup> Level 3 International, Inc.'s interlocking directorate report is attached at Attachment C.

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<sup>1/</sup>(...continued)  
Communications, Inc., with other entities that have received, or have pending requests for, 214 authority. Attached as Attachment A is a list of affiliated entities with 214 (or pending 214) authority.

<sup>2/</sup> Attached as Attachment B is a list of foreign affiliations.

The following entity holds a ten percent (10%) or greater ownership or management interest in Level 3 International, Inc.:

<u>Name/Address</u>	<u>Citizenship</u>	<u>%</u>	<u>Principal Business</u>
Level 3 Communications, LLC 1450 Infinitive Drive, Louisville, Colorado 80027 Telephone: 303/926-000 Facsimile: 303/926-3400	U.S.	100%	Telecommunications

The following entity holds a ten percent (10%) or greater ownership or management interest in Level 3 Communications, LLC:

<u>Name/Address</u>	<u>Citizenship</u>	<u>%</u>	<u>Principal Business</u>
PKS Information Services, Inc. 3555 Farnam Street Omaha, NE 68131 Telephone: 402/536-3624 Facsimile: 402/536-3645	U.S.	100%	Telecommunications

The following entity holds a ten percent (10%) or greater ownership or management interest in PKS Information Services, Inc.:

<u>Name/Address</u>	<u>Citizenship</u>	<u>%</u>	<u>Principal Business</u>
Level 3 Communications, Inc. 3555 Farnam Street Omaha, NE 68131 Telephone: 402/536-3624 Facsimile: 402/536-3645	U.S.	100%	Telecommunications

The following entity holds a ten percent (10%) or greater ownership or management interest in Level 3 Communications, Inc.:

<u>Name/Address</u>	<u>Citizenship</u>	<u>%</u>	<u>Principal Business</u>
Walter Scott 1000 Kiewit Plaza Omaha, NE 68131 Telephone: 402/342-2052	U.S.	12%	Investment

- (i) As required by Section 63.18 (i) of the Commission's Rules, 47 C.F.R. § 63.18(i), Level 3 International, Inc. certifies that it has not agreed to accept nor shall it accept in the future any special concessions, as defined by the Commission's Rules, directly or indirectly, from any foreign carrier or administration with respect to traffic or revenue flows on 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.
- (j) Level 3 International, Inc. is not subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988. Level 3 International, Inc.'s certification pursuant to Section 1.2002 of the Commission's Rules (implementing the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 3301) is attached.
- (k) Level 3 International, Inc. requests streamlined processing of this application because none of its foreign affiliates have 50% or greater share of any relevant foreign market.



**CONCLUSION**

For the reasons stated above, Level 3 International, Inc. respectfully submits that the public interest, convenience and necessity would be furthered by a grant of this Section 214 application.

Respectfully submitted,

**LEVEL 3 INTERNATIONAL, INC.**

By: \_\_\_\_\_



Colin Williams  
President and Chief Executive Officer

Dated: November 23, 1998



CERTIFICATION OF APPLICANT

On behalf of Level 3 International, Inc., and in accordance with Section 1.2001-1.2003 of the Commission's Rules, 47 C.F.R. §§ 1.2001-1.2003, I hereby certify that no party to this application is subject to a denial of Federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988. See 21 U.S.C. § 853a. I also hereby certify that the statements in the foregoing application for Section 214 authority are true, complete, and correct to the best of my knowledge and are made in good faith.

Level 3 International, Inc. has not agreed to accept nor shall it accept in the future any special concessions, as defined by the Commission's Rules, directly or indirectly, from any foreign carrier or administration with respect to traffic or revenue flows on 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.

LEVEL 3 INTERNATIONAL, INC.



By:

Position:

Date:

PRESIDENT & CEO

19 November, 1998

**ATTACHMENT A**  
**Response to § 63.18(d)**  
*Level 3 International, Inc. -- Affiliates with 214 (or pending 214) Authority*

COMPANY NAME	SERVICE
Commonwealth Long Distance Company	Section 214 (global) ITC-97-424
Commonwealth Telecom Services, Inc.	Section 214 (global) ITC-97-690-AL
RCN-BecoCom, L.L.C.	Section 214 (global) ITC-97-661
RCN Telecom Services, Inc.	Section 214 (global) ITC-97-425
RCN Telecom Services of Delaware, Inc.	Section 214 (global) ITC-97-425
RCN Telecom Services of Maryland, Inc. d/b/a RCN of Maryland	Section 214 (global) ITC-97-425
RCN Telecom Services of New Jersey, Inc. d/b/a RCN of New Jersey	Section 214 (global) ITC-97-425
RCN Telecom Services of Washington, D. C., Inc.	Section 214 (global) ITC-97-425
RCN Telecom Services of Pennsylvania, Inc. d/b/a RCN of Pennsylvania	Section 214 (global) ITC-97-368
RCN Telecom Services of Philadelphia, Inc. d/b/a/ RCN of Philadelphia	Section 214 (global) ITC-97-367
RCN Telecom Services of New York, Inc. d/b/a RCN of New York	Section 214 (global) ITC-96-546; Section 214 (switched and private line resale) ITC-94-418
RCN Telecom Services of Massachusetts, Inc. d/b/a RCN of New England	Section 214 (global) ITC-96-547
RCN Telecom Services of Virginia, Inc.	Section 214 (global) ITC-97-425
RCN Long Distance Company (formerly Commonwealth Long Distance Company)	Section 214 (resale of public switched service) ITC-93-265
Level 3 Communications, LLC	Section 214 (global) ITC-98-016
Starpower Communications, LLC	Section 214 (global) ITC-98-065
Ultraline (Bermuda) Limited	Section 214 (global) ITC-214-19980904-00622



**ATTACHMENT B**  
*Foreign Affiliations*

**Netherlands:** Level 3 Communications B. V. is authorized to provide resold and facilities-based public telecommunications services.

**Sweden:** Level 3 Communications, S.A. is authorized to provide public telecommunications services.

**Switzerland:** Level 3 Communications AG is authorized to construct and own local and long-distance facilities as well as to offer public switched voice telephony services.

**United Kingdom:** Level 3 Communications Limited (UK) is authorized to provide telecommunications services pursuant to an International Simple Voice Resale license, an International Facilities License and a Public Telecommunications Operator license.

**ATTACHMENT C**  
**Interlocking Directorates**

<u>COMPANY</u>	Colin Williams	Doug Bradbury	Tom Storz	Terry Ferguson	Matt Johnson	Neil Eckstein	Eric Mortensen	Brian Hedlund
Level 3 Communications, LLC	EVP	Mgr/EVP	Mgr/VP		VP	VP	VP	Asst Sec
Level 3 International, Inc.	Dir/Pres	Dir/VP	Dir/VP	VP	VP	VP	VP	Asst Sec
Level 3 International Services, Inc.	Dir/Pres	Dir/VP	Dir/VP	VP	VP	VP	VP	Asst Sec
Level 3 (Bermuda) Limited	Dir/Pres	Dir/VP			VP	VP	VP	Asst Sec
GeoNet Communications, Inc.		Dir/VP	Dir/VP		VP	VP	VP	Asst Sec
XCOM Technologies, Inc.		Dir/VP	Dir/VP		VP	VP	VP	Asst Sec
<b>OTHER UNAFFILIATED COMPANIES:</b>			None	None	None	None	None	None
Cable Michigan, Inc.		Dir						
Bermuda Telephone Company	Dir							
Logic Limited (Bermuda)	Dir							