

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

In re Application of )  
 )  
RIO Communications, Inc. )  
for Authorization Pursuant ) File No. \_\_\_\_\_  
to Section 214 of the Communications Act )  
of 1934, As Amended, to Operate as )  
International Resale Carrier )

APPLICATION

RIO Communications, Inc., (“Applicant”) hereby applies for authority pursuant to Section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and Section 63.18 of the Federal Communications Commission’s (“Commission”) Rules, 47 C.F.R. § 63.18, to provide international communications services in the United States by reselling services of Commission-authorized carriers to all international points served by those carriers. Specifically, Applicant seeks global Section 214 authority to resell all forms of international communications services permitted under and pursuant to the terms and conditions of 47 C.F.R. § 63.18 (e)(2). Additionally, Applicant seeks Section 214 authority to resell private line services to all countries that are subsequently determined by the International Bureau of the Commission to provide equivalent resale opportunities. Applicant requests streamlined processing under the Commission’s new international Section 214 rules.<sup>1</sup>

Grant of this Application will promote competition in international telecommunications services that will provide additional consumer choices and likely

<sup>1</sup> *Streamlining the International Section 214 Authorization Process and Tariff Requirements*, Report and Order, FCC 96-79, IB Docket No. 95-118 (released March 13, 1996), codified at 47 C.F.R. § 63.12.

decrease consumer prices. Authorizing Applicant to resell international switched services is consistent with the Commission's goals of promoting competition in international telecommunications.<sup>2</sup> The Commission's recent Policy Statement on international accounting rate reform which confirms that international resale is in the public interest supports approval of this application.<sup>3</sup> The Commission's approval of this Application will thus serve the public convenience, necessity and interest.

#### SECTION 63.18 STATEMENT

In support of this request for authorization, the Applicant provides the following information as required by 47 C.F.R. § 63.18. The identifying letters and numerals here correspond to the subsections of 47 C.F.R. § 63.18.

- a) The Applicant seeking Section 214 authorization is:

RIO Communications, Inc.  
151 West 7<sup>th</sup>, Suite 440  
Eugene, OR 97401  
(541) 485-7601

- b) Applicant is a limited liability company organized in the United States of America under the laws of the State of Oregon.

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<sup>2</sup> *Regulation of International Accounting Rates*, Report and Order 7 FCC 559 (1991). The Commission recognized that resale of international telecommunications services would provide public benefits by increasing competition, reducing prices for telecommunications services and eliminating the possibility of price discrimination. *Id.* at ¶ 8.

<sup>3</sup> Policy Statement on International Accounting Rate Reform, FCC 96-37 (released January 31, 1996).

c) Correspondence regarding this Application should be directed to:

Edwin R. Marcotte  
President  
RIO Communications, Inc.  
151 West 7<sup>th</sup> Suite 440  
Eugene, OR 97401  
(541) 485-7601

AND

Mark Trincherro  
Davis Wright Tremaine LLP  
1300 S.W. Fifth Avenue  
Suite 2300  
Portland, Oregon 97201  
(503) 778-5318

- d) The Applicant does not currently have nor has it ever received international Section 214 authority from the Commission. RIO Communications, Inc. is currently authorized to provide local switched and toll services in Oregon.
- e) Applicant requests global international resale Section 214 authority pursuant to the terms and conditions of Section 63.18(e)(2) of the Commission's Rules.
- f) Not Applicable. Applicant seeks no other authorization available under Section 63.18(e).
- g) Not Applicable. This requirement is not applicable because Applicant is not seeking facilities-based authority under 47 C.F.R. § 63.18(e)(6).
- h) (1) Applicant certifies that it is not affiliated with any foreign carrier, as that term is defined in 47 C.F.R § 63.18 (h)(1)(A) and (B).
- (2) RIO Communications, Inc. is 85% owned by Edwin R. Marcotte and 10% owned by David B. Markey. No other party owns 10% or greater interest in RIO Communications, Inc. The name, address, citizenship and principal business of

each of the ten percent or greater direct and indirect shareholders or other equity holders in the Applicant are:

1  
Edwin R. Marcotte  
1501 Jeppesen Avenue  
Eugene, OR 97401  
Principal Business: Telecommunications

2  
Citizenship: U.S.A.  
David B. Markey  
858 Fox Glenn  
Eugene, OR 97405  
Principal Business: Telecommunications

3  
Citizenship: U.S.A.

With regard to interlocking directorates, there are no other interlocking directorates among the entities which directly or indirectly own 10% or more of the Applicant.

- (3) Applicant is not affiliated with the carriers whose facilities-based services it proposes to resell.
- (4) Not applicable. This requirement is not applicable because the Applicant is not affiliated with a foreign carrier.
- (5) Applicant will notify the Commission as required, pursuant to 47 C.F.R. § 63.18 (h)(5), as to changes in its business, should they occur, that is regulated under 47 C.F.R. §§ 63.18(h)(3)-(4).
- (6) Not applicable. This requirement is not applicable because Applicant does not seek to operate as a facilities-based international carrier.

(7) Not applicable. This requirement is not applicable because the Applicant is not affiliated with a foreign carrier.

(8) Not applicable. This requirement is not applicable because the Applicant is not affiliated with a foreign carrier.


i) Applicant certifies that it has not agreed to accept special concessions, as defined in 47 C.F.R. § 63.18 (i), directly or indirectly from any foreign carriers or administration with respect to traffic or revenue flows between the U.S. and any foreign country which the Applicant may serve under the authority granted under this part and will not enter into such agreements in the future.

j) Applicant certifies that, to the best of its knowledge, information and belief, it is not subject to a denial of Federal Benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988.

**CONCLUSION**

As demonstrated in this Application, the public interest, convenience and necessity would be furthered by grant of the Section 214 authorization requested by the Applicant. RIO Communications, Inc. therefore respectfully requests that the Commission grant this Application.

Respectfully submitted,

By:   
Mark Trinchero  
Davis Wright Tremaine LLP  
1300 S.W. Fifth Avenue  
Suite 2300  
Portland, Oregon 97201  
(503) 778-5318

Attorney for  
RIO Communications, Inc.

Dated: ~~November~~ *December* 21, 1998

CERTIFICATION OF APPLICANT

(1) I hereby certify that I am Edwin R. Marcotte of RIO Communications, Inc., and that the statements in the foregoing application of RIO Communications, Inc., for Section 214 authority to provide international telecommunications services are true, complete and correct to the best of my knowledge and are made in good faith.

(2) No party to this application, as defined in 47 C.F.R. § 1.202(b), is subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 862.

RIO Communications, Inc.

By: 

Name: Edwin R. Marcotte

Title: President

Date: 11-25-1998