

Categories of Services for 214 Applications

(Streamlined)

ITC
Streamlined
NEXTLINK TEXAS, INC.

ITC-214-19990120-00053

- ASSIGNMENT OF LICENSES
- 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: _____

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

In re Application of)
)
NEXTLINK Texas, Inc.)
NEXTLINK Oregon, Inc.)
NEXTLINK Minnesota, L.L.C.) File No. _____
NEXTLINK Kentucky, Inc.)
NEXTLINK Louisiana, Inc.)
NEXTLINK North Carolina, Inc.)
)
for Authorization Pursuant)
to Section 214 of the Communications Act)
of 1934, As Amended, to Operate as)
International Resale Carrier)

APPLICATION

NEXTLINK Texas, Inc.; NEXTLINK Oregon, Inc.; NEXTLINK Minnesota,
L.L.C.; NEXTLINK Kentucky, Inc.; NEXTLINK Louisiana, Inc.; and NEXTLINK North
Carolina, Inc. ("Applicants") hereby apply 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, Applicants seek 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, Applicants seek 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. Applicants request streamlined processing under the Commission's international Section 214 rules.¹

Grant of this Application will promote competition in international telecommunications services that will provide additional consumer choices and likely decrease consumer prices. Authorizing Applicants to resell international switched services is consistent with the Commission's goals of promoting competition in international telecommunications.² 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.³ The Commission's approval of this Application will thus serve public convenience, necessity and interest.

SECTION 63.18 STATEMENT

In support of this request for authorization, the Applicants provide 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 Applicants seeking Section 214 authorization are:

NEXTLINK Texas, Inc.
12790 Merit Drive, Suite 105
Dallas, TX 75251

NEXTLINK Oregon, Inc.
500-108th Avenue NE, Suite 2200
Bellevue, WA 98004

¹ *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.

² *Regulation of International Accounting Rates*, Report and Order, 7 FCC Rcd. 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 para. 8.

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

NEXTLINK Minnesota, L.L.C.
500-108th Avenue NE, Suite 2200
Bellevue, WA 98004

NEXTLINK Kentucky, Inc.
500-108th Avenue NE, Suite 2200
Bellevue, WA 98004

NEXTLINK Louisiana, Inc.
500-108th Avenue NE, Suite 2200
Bellevue, WA 98004

NEXTLINK North Carolina, Inc.
500-108th Avenue NE, Suite 2200
Bellevue, WA 98004

- b) NEXTLINK Texas, Inc.; NEXTLINK Oregon, Inc.; NEXTLINK Kentucky, Inc.; NEXTLINK Louisiana, Inc.; and NEXTLINK North Carolina, Inc. are corporations organized in the United States of America under the laws of the State of Washington. NEXTLINK Minnesota, L.L.C. is a limited liability company organized in the United States under the laws of the State of Washington.

- c) Correspondence regarding this Application should be directed to:

Jason Williams, Manager – Regulatory Affairs
NEXTLINK Communications, Inc.
500-108th Avenue NE, Suite 2200
Bellevue, WA 98004
(425) 519-8969
(425) 519-8911 (fax)

and

Dan Gonzalez, Director – Regulatory Affairs
NEXTLINK Communications, Inc.
1730 Rhode Island Avenue, NW, Suite 1000
Washington, DC 20036
(202) 721-0999
(202) 721-0995 (fax)

- d) The Applicants do not currently have nor have they ever received international Section 214 authority from the Commission.

- e) Applicants are applying for authority to resell the international services of authorized U.S. common carriers pursuant to the terms and conditions of 47 C.F.R. § 63.18 (e)(2).
- f) Not Applicable.
- g) Not Applicable. This requirement is not applicable because Applicants are not seeking facilities-based authority under 47 C.F.R. § 63.18(e)(6).
- h) 1) Applicants are not affiliated with a foreign carrier, as that term is defined in 47 C.F.R § 63.18 (h)(1)(B)(ii).
2) Applicants are wholly owned by NEXTLINK Communications, Inc. Eagle River Investments, L.L.C. owns an approximate 36% equity interest in NEXTLINK Communications, Inc. Eagle River Investments, L.L.C. is majority owned and controlled by Craig O. McCaw. Wendy P. McCaw owns an approximate 18% equity interest in NEXTLINK Communications, Inc. No other party owns 10% or greater interest in NEXTLINK Communications, Inc. or in Eagle River Investments, L.L.C. 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 Applicants are:

NEXTLINK Communications, Inc.
500 – 108th Avenue NE, Suite 2200
Bellevue, WA 98004
Citizenship: USA
Principal Business: Telecommunications

Eagle River Investments, L.L.C.
2320 Carillon Point
Kirkland, WA 98033
Citizenship: USA
Principal Business: Telecommunications

Craig O. McCaw
2320 Carillon Point
Kirkland, WA 98033
Citizenship: USA
Principal Business: Telecommunications

Amperсанд Telecom Trust
c/o Gregory Canova Parker
1301 Santa Barbara Street
Post Office Box 939
Santa Barbara, CA 93102
Citizenship: USA
Principal Business: Investment Company

There are no interlocking directorates as contemplated by 47 CFR 63.18 (h)(2).

- 3) Applicants are not affiliated with the carriers whose facilities-based services they propose to resell.
- 4) Not applicable. This requirement is not applicable because the Applicants are not affiliated with a foreign carrier.
- 5) Applicants will notify the Commission as required, pursuant to 47 C.F.R. § 63.18 (h)(5), as to changes in their 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 Applicants do not seek to operate as a facilities-based international carrier.

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

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


i) Applicants certify that they have 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 Applicants may serve under the authority granted under this part and will not enter into such agreements in the future.

j) Applicants certify that, to the best of their knowledge, information and belief, they are 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 Applicants. Applicants therefore respectfully request that the Commission grant its Application for authority to resell international telecommunications services between the United States and international locations.

Respectfully submitted,

By: 



R. Gerard Salemm
Senior Vice President
NEXTLINK Communications, Inc.
500 - 108th Avenue NE, Suite 2200
Bellevue, WA 98004
(425) 519-8900

Dated: January 18, 1999

CERTIFICATION OF APPLICANT

(1) I hereby certify that I am Senior Vice President of NEXTLINK Texas, Inc.; NEXTLINK Oregon, Inc.; NEXTLINK Minnesota, L.L.C.; NEXTLINK Kentucky, Inc.; NEXTLINK Louisiana, Inc.; and NEXTLINK Minnesota, L.L.C., and that the statements in the foregoing Application 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.

By:  

Name: R. Gerard Salemme

Title: Senior Vice President

Date: 1/18/99