

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: _____

FR I

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May 20, 1999

VIA COURIER

Ms. Magalie Roman Salas, Esq.
Secretary

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

FCC/MELLON

MAY 20 1999

Re: *Application of TCC2 International Ltd., 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 Ms. Salas:

Enclosed for filing with the Commission are an original and six (6) copies of the application of TCC2 International, Ltd. 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,



Priscilla A. Whitehead
Maria L. Cattafesta

Counsel for TCC2 International Ltd.

Enclosures

cc: Bill Ransom
José A. Palma

283308.1

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

In the Matter of

TC2 INTERNATIONAL LTD.

File No. ITC-214-1999-_____

Application for Global Authority Pursuant to
Section 214 of the Communications Act
of 1934, as amended, to Operate as an
International Facilities-Based and Resale Carrier
Between the United States and Various
International Points

APPLICATION

TC2 International Ltd. ("TC2" or "Applicant"), by its undersigned counsel, hereby requests global facilities-based authority and global resale authority, under Section 214 of the Communications Act of 1934, as amended (the "Act"), 47 U.S.C. § 214, and Section 63.18 of the Commission's Rules, 47 C.F.R. § 63.18, to provide international telecommunications services between the United States and international points.

I. The Applicant

TC2 is a corporation organized under the laws of the State of Washington. TC2 is a foreign carrier and is affiliated, within the meaning of Section 63.09(e) of the Commission's Rules, 47 C.F.R. § 63.09(e), with TC2 Communications Ltd.^{1/} Both are licensed to provide international

^{1/} TC2 Communications Ltd. is also authorized to provide U.S. international services pursuant to File No. ITC-214-19980803-00536, Public Notice Report No. TEL-00009 (rel. Sept. (continued...))

telecommunications services in Canada. As described in greater detail below, given that TC2 and TC2 Communications Ltd. are not monopoly providers of telecommunications services in a relevant market in a destination country, they lack sufficient market power on the foreign end of the route to affect competition adversely in the U.S. telecommunications market. Accordingly, they qualify for the presumption of non-dominance under Section 63.10(a)(3) of the Commission's Rules, 47 C.F.R. § 63.10(a)(3), and therefore TC2's application is eligible for streamlined processing.

II. Public Interest Considerations

TC2 believes that the added competition its entry will bring to the market will benefit the consumers of United States-overseas services. These benefits include competitive pricing and increased availability of a variety of service options. Therefore, a grant of this Application will further the public interest.

III. Information Required by Section 63.18

TC2 submits the following information, as required by Section 63.18 of the Commission's Rules, in support of its request for Section 214 authorization:

- (a) Name, address and telephone number of Applicant:
- TC2 International Ltd.
Broderick Building, Suite 500
615 Second Avenue
Seattle, Washington 98104
Tel: (206) 652-9799
Fax: (206) 652-9798

^{1/}(...continued)
17, 1998).

(b) Applicant is incorporated under the laws of the State of Washington.

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

Priscilla A. Whitehead, Esq.
Maria L. Cattafesta, Esq.
SWIDLER BERLIN SHEREFF FRIEDMAN, LLP
3000 K Street, N.W., Suite 300
Washington, D.C. 20007
Tel: (202) 424-7500
Fax: (202) 424-7645

with a copy to:

J.B. Ransom
TC2 International Ltd.
Broderick Building, Suite 500
615 Second Avenue
Seattle, Washington 98104
Tel: (206) 652-9799
Fax: (206) 652-9798

(d) TC2 has not previously received authority under Section 214 of Act. Upon grant of this Application, TC2 will become an authorized non-dominant facilities-based carrier and reseller with global authority, pursuant to Section 214 of the Act and the Commission's Rules.

(e) (1) TC2 requests Section 214 authority to operate as a facilities-based carrier pursuant to Section 63.18(e)(1) of the Commission's Rules. TC2 requests such authorization for all international routes authorized by the Commission. TC2 certifies that it will comply with the terms and conditions of Sections 63.21 and 63.22 of the Commission's Rules.

(2) TC2 also requests Section 214 authority to resell the international services of authorized U.S. common carriers pursuant to Section 63.18(e)(2) of the Commission's Rules. TC2 requests such authorization for all international routes authorized by the Commission. TC2 certifies that it will comply with the terms and conditions contained in Section 63.21 and 63.23 of the Commission's Rules.

(f) TC2 seeks the authority to provide only the services referenced under paragraph (e) of Section 63.18 of the Commission's Rules.

(g) Given that TC2 is not seeking facilities-based authority pursuant to Section 63.18(e)(4) of the Commission's Rules, this Section is not applicable.

(h) Information regarding TC2's 10% or greater direct or indirect shareholders is as follows:

Raymond Mol

Name: Raymond Mol
Address: TC2 International Ltd.
545-220 Cambie Street
Vancouver, BC V6B 2M6
Canada
Percentage Held: 15%
Citizenship: Canada
Principal Business: Telecommunications

J.B. Ransom

Name: J.B. Ransom
Address: TC2 International Ltd.
Broderick Building, Suite 500
615 Second Avenue
Seattle, Washington 98104
Percentage Held: 25%
Citizenship: United States of America
Principal Business: Telecommunications

Ghassan R. Saade

Name: Ghassan R. Saade
Address: TC2 International Ltd.
545-220 Cambie Street
Vancouver, BC V6B 2M6
Canada
Percentage Held: 30%
Citizenship: United States of America
Principal Business: Telecommunications

Jieres R. Saade

Name: Jieres R. Saade
Address: TC2 International Ltd.
545-220 Cambie Street
Vancouver, BC V6B 2M6
Canada
Percentage Held: 30%
Citizenship: United States of America
Principal Business: Telecommunications

(2) TC2's interlocking officers or directors are as follows:

Name of Officer/Director	Company	Position
J.B. Ransom	TC2 International Ltd.	President, Secretary, Treasurer and Director
	TC2 Communications Ltd.	President and Director

(i) TC2 certifies that it is licensed to provide international telecommunications services in Canada, and therefore is a foreign carrier. In addition, TC2 certifies that it is affiliated with TC2 Communications Ltd., also licensed to provide international telecommunications services in Canada.

(j) TC2 seeks to provide international telecommunications services to Canada, a country in which the Applicant is a foreign carrier and in which the Applicant has an affiliation with a foreign carrier as described in Section 63.18(j) of the Commission's Rules. TC2 certifies that it is a foreign carrier licensed in Canada to provide facilities-based international services. In addition, TC2 certifies that it is affiliated with TC2 Communications Ltd., also a foreign carrier licensed in Canada to provide facilities-based international telecommunications services.

(k) Canada is a Member of the World Trade Organization.

(l) TC2 proposes to resell the international switched services of an unaffiliated U.S. carrier for the purpose of providing international telecommunications services to Canada, a country in which it is a foreign carrier and in which it is affiliated with a foreign carrier.

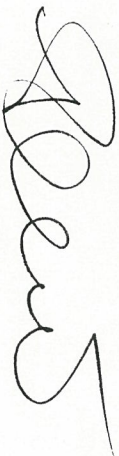
TC2 should be classified as nondominant pursuant to Section 63.10(a)(3) of the Commission's Rules, because TC2 and its affiliate are small companies that are new market entrants offering services in competition with dominant foreign carriers and others. At this time, TC2 and its foreign affiliate each hold significantly less than a 50 percent market share in the international transport and local access markets in Canada. Moreover, neither carrier has the ability to discriminate against unaffiliated U.S. international carriers through the control of bottleneck services or facilities to exercise market power in Canada. Accordingly, TC2 and its foreign affiliate lack sufficient market power on the foreign end of the U.S.-Canada route to affect competition adversely in the U.S. market. Therefore, TC2 and its foreign affiliate should be presumptively classified as a nondominant carrier on all international routes, including Canada.

- (m) As described in Section (l) above, TC2 qualifies for nondominant treatment for the provision of all international telecommunications services on the U.S. - Canada route pursuant to Section 63.10 of the Commission's Rules.
- (n) TC2 certifies that it has not agreed to accept special concessions directly or indirectly from any foreign carrier where the foreign carrier possesses market power on the foreign end of the route and will not enter into such agreements in the future.
- (o) TC2 certifies, pursuant to Sections 1.2001 through 1.2003 of the Commission's Rules (implementing the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 3301), that no party to its application is subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988.
- (p) TC2 qualifies for streamlined processing pursuant to Section 63.12(c)(1)(ii) of the Commission's Rules because, as set forth above in Section (l), TC2 qualifies for a presumption of nondominance under Section 63.10(a)(3) of the Commission's Rules.

III. CONCLUSION

For the reasons stated above, TC2 International Ltd. respectfully submits that the public interest, convenience, and necessity would be furthered by a grant of this Section 214 Application.

Respectfully submitted,



By:

Priscilla A. Whitehead
Maria L. Cattafesta
SWIDLER BERLIN SHEREFF FRIEDMAN, LLP
3000 K Street, N.W., Suite 300
Washington, DC 20007
(202) 424-7867 (tel)
(202) 424-7645 (fax)

Counsel for TC2 International Ltd.

Dated: May 20, 1999

CERTIFICATION OF APPLICANT

On behalf of TC2 International Ltd, I 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.

TC2 INTERNATIONAL LTD.

By:



Name:

T. B. RANSOM

Title:

PRESIDENT

Date:

MAY 7, 1999

