

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: _____

Commission regulation. For the reasons set forth below, BSWD respectfully seeks streamlined processing of the instant application and treatment as a non-dominant carrier.

THE APPLICANT

BSWD² is a limited partnership organized under the law of the State of Delaware. RAM Communications Group, Inc. ("RCG"), a Delaware corporation, is the sole general partner of BSWD and it holds a 0.6% general partnership interest. RCG is wholly owned by RAM Broadcasting Corporation, a Delaware corporation, which, in turn, is wholly owned by BellSouth Corporation ("BellSouth"), a Georgia corporation.

² BSWD holds 900 MHz Specialized Mobile Radio Service licenses issued by the Commission. It uses these licenses to provide its two-way messaging services. These services are interconnected with the public switched telephone network at various points throughout the United States. Accordingly, BSWD is a provider of a commercial mobile service as such term is defined in section 332(d)(1) of the Act, 47 U.S.C. § 332(d)(1).

BSWD, by virtue of BellSouth's indirect majority equity interest and control, is affiliated with BellSouth Telecommunications, Inc. ("BST"), a Georgia corporation, which is a wholly owned subsidiary of BellSouth. BST is a Bell operating company, as such term is defined in section 3(4) of the Act, 47 U.S.C. § 153(4). BST provides local exchange telecommunications services in portions of nine southeastern states: Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina and Tennessee ("BST in-region states"). At first glance, such an affiliation likely would preclude BSWD from providing interLATA services in the BST in-region states. See section 271(b)(1) of the Act, 47 U.S.C. § 271(b)(1). International service is interLATA in nature because it is a telecommunications service between a point in a LATA and a point outside the LATA. See section 153(21) of the Act, 47 U.S.C. § 153(21); see also *In the Matter of 1998 Biennial Regulatory Review--Review of International Common Carrier Regulations, Report and Order*, IB Docket No. 98-118, FCC 99-51 (rel. Mar. 23, 1999), 64 Fed. Reg. 19057 (Apr. 19, 1999), at ¶ 36. However, because BSWD is providing a commercial mobile service, BSWD may provide interLATA services incidental to its provision of commercial mobile service. See section 271(b)(3) and (g)(3) of the Act, 47 U.S.C. § 271(b)(3) and (g)(3). Other affiliates of BST that are commercial mobile service providers previously have been granted international section 214 authorizations that permit the origination of traffic in the BST in-region states and elsewhere in the United States. See BellSouth Cellular Corp., File No. ITC-96-270; BellSouth Carolinas PCS, L.P., File No. ITC-96-279; and BellSouth Personal Communications, Inc., File No. ITC-96-280.

There are three limited partners in BSWD: RAM/BSE Communications L.P. ("RAM/BSE") (93.2% limited partnership interest), Ericsson Inc., a Delaware corporation (4.9% limited partnership interest) and Nordbanken AB (publ) (1.3% limited partnership interest). RAM/BSE is wholly owned by BellSouth Enterprises, Inc. ("Enterprises"), a Georgia corporation, which, in turn, is wholly owned by BellSouth. BellSouth is a widely held, publicly traded corporation in which no person (foreign or domestic) is known to hold five percent or more of the issued and outstanding stock.

STREAMLINED PROCESSING IS WARRANTED

Section 63.12(c) of the Commission's rules permits the streamlined processing of an application unless the applicant meets certain enumerated criteria set forth therein. BSWD does not meet any of the applicable criteria: (i) it is not affiliated with a foreign carrier in Canada;³ (ii) it does not have an affiliation with a dominant U.S. carrier whose international switched or private line services it seeks authority to resell;⁴ and (iii) it does not seek authority to provide switched basic services over private lines to a country for which the Commission has not previously authorized the provision of switched services over private lines.⁵ Therefore, it is respectfully submitted that the instant application should be accorded streamlined processing pursuant to section 63.12 of the Commission's rules.

³ See section 63.12(c)(1) of the Commission's rules.

⁴ See section 63.12(c)(2) of the Commission's rules.

⁵ See section 63.12(c)(3) of the Commission's rules; see also *In the Matter of FONOROLA Corporation, Application for Authorization Under Section 214 of the Communications Act to Resell Facilities of Other Common Carriers to Provide Domestic Carriers Interconnections with Canadian Carriers*, File No. I-T-C-91-103, Order on Reconsideration, 9 F.C.C.R. 4066 (1994) (authorizing International Simple Resale between the United States and Canada); and <<<http://www.fcc.gov/ib/isr.html>>>.

SECTION 63.18 SHOWING

As required by section 63.18 of the Commission's rules, 47 C.F.R. § 63.18, BSWD submits the following information.

(a) BellSouth Wireless Data, L.P.'s address and telephone numbers are:

10 Woodbridge Center Drive
Woodbridge, NJ 07095
(732) 602-5500
(732) 636-0750 (facsimile)

(b) BSWD is a limited partnership organized under the law of the State of Delaware.

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

Michael W. White
Vice President and General Counsel
BellSouth Wireless Data, L.P.
10 Woodbridge Center Drive
Woodbridge, NJ 07095
(732) 602-5453
(732) 602-0750 (facsimile)

(d) BSWD does not hold any section 214 authorization from the Commission.

(e)(1)-(3) Not applicable.

(e)(4) BSWD seeks section 214 authority to obtain international common carrier and non-common carrier facilities, not appearing on the Exclusion List,⁶ to provide its international switched, private line, data and business services between the United States and Canada. BSWD certifies that it will comply with the terms and conditions contained in sections 63.21, 63.22 and 63.23 of the Commission's rules, as appropriate.

(f) Not applicable.

⁶ See, n.1, *supra*.

(g) BSWD is seeking facilities-based authority under section 63.18(e)(4) of the Commission's rules. However, Commission authorization of such facilities is categorically excluded as defined by section 1.1306 of the Commission's rules.

(h) BSWD is a limited partnership organized under the law of the State of Delaware. RCG is the sole general partner of BSWD and it holds a 0.6% general partnership interest. RCG is wholly owned by RAM Broadcasting Corporation, a Delaware corporation, which, in turn, is wholly owned by BellSouth. RAM/BSE holds a 93.2% limited partnership interest in BSWD. RAM/BSE is wholly owned by Enterprises, which, in turn, is wholly owned by BellSouth. BellSouth is a holding company providing telecommunications services and products primarily through BST and Enterprises. BellSouth is a widely held, publicly traded corporation in which no person (foreign or domestic) is known to hold five percent or more of the issued and outstanding stock.

RCG, RAM Broadcasting Corporation, RAM/BSE and Enterprises are headquartered at 1100 Peachtree Street, N.E., Atlanta, GA 30309-4599. BellSouth is headquartered at 1155 Peachtree Street, N.E., Atlanta, Georgia 30309-3610. BSWD does not have any interlocking directorates with foreign carriers.

(i) BSWD certifies that it has affiliations with foreign carriers in Argentina, Brazil, Chile, Denmark, Ecuador, Israel, Nicaragua, Panama, Peru, Uruguay, and Venezuela as those terms are defined in section 63.09 of the Commission's rules. The identity of the specific foreign carriers, the country in which each operates, and the direct or indirect equity interest BellSouth has in each is set forth in Exhibit A.

(j) BSWD, by the instant application, only seeks to provide international telecommunications services between the United States and Canada. None of the certifications otherwise required by section 63.18(j) of the Commission's rules are applicable to BSWD in context of the instant application.

(k) Canada is a Member of the World Trade Organization and an ISR-approved country.⁷

(l) Not applicable.

(m) As provided in section 63.10(a)(1) of the Commission's rules, BSWD presumptively is considered non-dominant in the provision of international communications services between the United States and Canada because BSWD has no affiliation with, and itself is not, a foreign carrier in Canada.

(n) BSWD certifies that it 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 and will not enter into such agreements in the future.

DENIAL OF FEDERAL BENEFITS CERTIFICATION

BSWD certifies pursuant to sections 1.2001 through 1.2003 of the Commission's rules that no party to the application is subject to a denial of Federal benefits pursuant to section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 853a.

⁷ See <http://www.fcc.gov/ib/isr.html>.

ACCEPTANCE OF CONDITION APPLICABLE TO BOC AFFILIATES

Additionally, as required by the Commission for international carriers affiliated with Bell operating companies, BSWD agrees to accept the following condition on the grant of the instant application:

IT IS ORDERED that any agreements that BellSouth Wireless Data, L.P. negotiates with foreign carriers to route U.S. inbound switched traffic to the BellSouth Telecommunications, Inc., in-region states via BellSouth Wireless Data, L.P.'s authorized private lines are subject to our section 43.51(e) requirements.

CONCLUSION

For the reasons stated above, and the fact that grant of this application will enhance consumer choice and competition in international services, BSWD respectfully submits that the instant application qualifies for streamlined processing pursuant to section 63.12 of the Commission's rules, BSWD should be accorded non-dominant treatment, and grant of the instant application for global facilities-based and resale authority will serve the public interest, convenience and necessity.

Respectfully submitted,

BELLSOUTH WIRELESS DATA, L.P.



William F. Lenahan
President and Chief Executive Officer
BellSouth Wireless Data, L.P.
10 Woodbridge Center Drive
Woodbridge, NJ 07095
(732) 602-5500

May 21, 1999

EXHIBIT A

<u>LICENSED CARRIER</u>	<u>COUNTRY</u>	<u>BELLSOUTH EQUITY (%)</u>
Abiatar S.A.	Uruguay	46.0
BCP S.A.	Brazil	44.467
BellSouth Chile S. A.	Chile	100.0
BellSouth Comunicaciones S.A.	Chile	100.0
BSC de Panama S.A.	Panama	42.025
BSE S.A.	Brazil	45.999
CellCom Israel Ltd.	Israel	34.75
Compañía de Radiocomunicaciones Moviles S.A.	Argentina	65.0
Dansk Mobiltelefon I/S d/b/a/ SONOFON	Denmark	46.5
Otecel S.A.	Ecuador	89.4
Telcel Celular C.A.	Venezuela	78.1565
Telefonia Celular de Nicaragua, S.A.	Nicaragua	49.0
Tele 2000, S.A.	Peru	73.677