

**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

*Kan*

Description of Application:

*Poland*





I. The Commission's *Foreign Participation Order*<sup>1</sup>, which became effective February 9, 1998, sets forth the current requirements under which the Commission will review applications for authority to engage in ISR with a carrier from a WTO country. Specifically, the Commission's rules state:

Pursuant to the Section 214 authorization condition adopted in the *Benchmark Order*, we will authorize carriers to provide switched services over international facilities-based or resold private lines on the condition that settlement rates for at least 50 percent of the settled US Billed traffic on the route or routes in question are at or below the relevant benchmark adopted in that *Order*<sup>2</sup>.

AT&T hereby submits the following information to demonstrate that the above stated test has been met:

- 1) Poland is a WTO member country.
- 2) On October 13, 1999 AT&T filed for an International Settlements Policy Modification of the Accounting Rate for International Message Telephone Service with Poland. In that filing, AT&T notified the Commission that the accounting rate for IMTS service between AT&T and Telekomunikacja Polska S.A. (hereinafter "TPSA"), effective July 1, 1999 would decrease from USD \$.42 to USD \$.38.

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<sup>1</sup> *Rules and Policies on Foreign Participation in the US Telecommunications Market*, IB Docket No. 97-142, Report and Order and Order on Reconsideration (rel. Nov. 26, 1997) ("*Foreign Participation Order*").

<sup>2</sup> *Id.* at ¶ 79.

3) The settlement rate stated in paragraph 2 above is the prescribed \$0.19 benchmark settlement rate established for Poland in the Commission's 1997 *Benchmark Order*<sup>3</sup>.

4) Pursuant to the Commission's International Settlement Rules, the accounting rate agreed to between AT&T and TPSA must be made available to all U.S. carriers on a non-discriminatory basis. On information and belief, TPSA has offered the accounting rate, agreed to with AT&T, to all other U.S. carriers including MCIWorldcom and Sprint. TPSA is the monopoly international provider in Poland. Therefore, TPSA's offering of an accounting rate of \$.38 to all U.S. carriers will result in more than fifty percent (50%) of the U.S. billed traffic being settled at the prescribed U.S. \$0.19 benchmark settlement rate for Poland as of July 1, 1999.

II. In accordance with Section 63.18 of the Commission's Rules and Regulations, 47 CFR 63.18, and in support of this Application, AT&T states the following:

1) 63.18(a) - The name and address of the applicants are:

AT&T Corp.  
295 North Maple Avenue  
Basking Ridge, New Jersey 07920  
908 221-2000

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<sup>3</sup> *International Settlement Rates*, 12 FCC Rcd. 19806 (1997) ("*International Settlement Rate Order*").



AT&T Alascom, Inc.  
210 E. Bluff Drive  
Anchorage, Alaska 99501  
907 264-7661

AT&T of Puerto Rico, Inc.  
250 Munoz Rivera Avenue  
AIG Building, Suite 904  
Hato Rey, Puerto Rico 00918  
809 729-6201

AT&T of the U.S. Virgin Islands, Inc.  
Suite No. 211B  
Buccaneer Mall  
St. Thomas, VI 00802  
809 776-6000

- 2) 63.18(b) - AT&T Corp. is a corporation organized and existing under the laws of the State of New York. AT&T Alascom is a corporation organized and existing under the laws of the State of Alaska. AT&T-PR is a corporation organized and existing under the laws of the State of New York. AT&T-VI is a corporation organized and existing under the laws of the State of Delaware.

- 3) 63.18(c) - Correspondence concerning this Application should be addressed to:

Martha Lewis Marcus  
Attorney  
AT&T  
Room 1115L2  
295 North Maple Avenue  
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Telephone: 908 221-2134

- 4) 63.18(d) - AT&T Corp., AT&T Alascom, AT&T-PR and AT&T-VI are engaged in the business of furnishing interstate and foreign telecommunications services. Each is a common carrier

subject to the Communications Act of 1934, as amended, and each is an "authorized carrier" as defined in Section 103 (7) of the Communications Satellite Act of 1962.

- 5) 63.18(e)(3) - As indicated above, as from July 1, 1999, the accounting rate for more than 50 percent of the U.S. billed traffic to Poland via TPSA will be settled at \$.19. This rate is the prescribed benchmark settlement rate for Poland as of January 1, 2000.

- 6) 63.18(h)(1) - AT&T hereby certifies that it is affiliated with the following foreign carriers which are authorized to engage in the provision of international telecommunications services offered to the public in their respective countries:

Canada:	AT&T Canada Corp.
Canada	AT&T Canada Telecom Services Company
Chile:	AT&T Servicios de Comunicaciones Chile
Germany:	ACC Telekommunikations GMBH
Guatemala:	AT&T Servicios de Comunicacion de Guatemala, S.A.
Mexico:	Alestra, S. de R.L. de C.V.
Netherlands:	AT&T Communications Services Netherlands B.V.
Philippines:	Subic Telecommunications Company, Inc.
United Kingdom:	AT&T Communications(UK) Ltd.
United Kingdom:	ACC Long Distance UK Ltd.

- 7) 63.18(h)(2) - AT&T hereby certifies that it does not have a ten percent (10%) or greater shareholder or other equity holder. John Zeglis, a director of AT&T, is a director of AT&T Canada Corp. and AT&T Canada Telecom Services Company.

- 8) 63.18(h)(8) - AT&T hereby certifies that it has been found to be non-dominant on all of its international routes and requests non-dominant treatment for purposes of this application<sup>4</sup>.
- 9) 63.18(i) - Consistent with the Commission's *Foreign Participation Order* concerning special concessions<sup>5</sup>, AT&T further 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 to affect competition adversely in the U.S. market and AT&T has not agreed to enter into such agreements in the future.
- 10) 63.18(j) - AT&T hereby certifies that it is not subject to a denial of Federal benefits that include FCC benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988.

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<sup>4</sup> See, *AT&T Corp. Declared Non-Dominant for International Service*, CC Docket No. 79-252, FCC 98-253, FCC 96-209 (rel. May 14, 1996), reaff'd CC Docket No. 79-252, (rel. Oct. 5, 1998)

<sup>5</sup> *Foreign Participation Order* at ¶¶ 156-157.

CONCLUSION

Based on the foregoing, AT&T respectfully submits that pursuant to the requirements of the *Foreign Participation Order*, TPSA satisfies the Commission's criteria for approving ISR to Poland. Accordingly, AT&T respectfully requests the Commission's approval to provide switched services over international private lines between the U.S. and Poland interconnected to the public switched network at one or both ends.

Respectfully submitted,

AT&T CORP.

By: /s/ Martha Lewis Marcus  
Martha Lewis Marcus

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295 N. Maple Ave.  
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Dated: October 19<sup>th</sup>, 1999



CERTIFICATE OF SERVICE

I, Tracy Rudnicki, do hereby certify that on this 19th day of October, 1999 a copy of the foregoing "Application for Section 214 Authorization" was mailed by U.S. First Class Mail, postage prepaid, upon the parties on the attached service list:

/s/Tracy Rudnicki  
Tracy Rudnicki

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