

Categories of Services for 214 Applications
(Streamline/Non-streamline)

- LIMITED/GLOBAL RESALE SERVICE
- LIMITED/GLOBAL FACILITIES-BASED SERVICE
- LIMITED/GLOBAL FACILITIES-BASED/RESALE SERVICE
- INDIVIDUAL FACILITIES-BASED SERVICE
- INTERCONNECTED PRIVATE LINE RESALE SERVICE
- INMARSAT AND MOBILE SATELLITE SERVICE
- INTERNATIONAL SPECIAL PROJECT
- SWITCHED RESALE SERVICE
- TRANSFER OF CONTROL
- ASSIGNMENT OF LICENSE
- PRO FORMA TRANSFER/ASSIGNMENT
- SPECIAL TEMPORARY AUTHORITY
- SUBMARINE CABLE LANDING LICENSE

Description of Application: _____

KELLEY DRYE & WARREN LLP

A LIMITED LIABILITY PARTNERSHIP INCLUDING PROFESSIONAL ASSOCIATIONS

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December 17, 1999

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MANILA, THE PHILIPPINES

MUMBAI, INDIA

TOKYO, JAPAN

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

Re: **Application of Deutsche Telekom, Inc. for Authority Pursuant to Section 214
of the Communications Act of 1934, as Amended, to Operate as a Resale
Carrier Between the U.S. and Germany**

To Whom It May Concern:

Deutsche Telekom, Inc., by its attorneys, hereby submits for filing an original and five (5) copies of its above-captioned application. Enclosed is a duplicate of this filing and a return envelope. Please date-stamp the duplicate upon receipt and return it in the envelope provided. Also enclosed is a check in the amount of \$780.00 for the filing fee.

Please do not hesitate to call me at the above referenced number if you should have any questions regarding this matter.

Sincerely,


Joan M. Griffin
Its Attorney

JG:mr

Enclosures

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

In the Matter of

DEUTSCHE TELEKOM, INC.

File No. ITC - _____

Application for Authority Under
Section 214 of the Communications
Act of 1934, as Amended, to Operate
as a Resale Carrier Between the U.S.
and Germany

APPLICATION

Deutsche Telekom, Inc. ("DTI" or "Applicant"), by its attorneys and pursuant to Section 214 of the Communications Act of 1934, as amended ("the Act") and Section 63.18(e)(4) of the Commission's Rules, 47 C.F.R. § 63.18(e)(4), hereby requests authority to operate as a resale carrier for the provision of service between the U.S. and Germany.

DTI is a wholly-owned subsidiary of Deutsche Telekom AG ("DTAG"), a foreign carrier in Germany. Germany is a Member of the World Trade Organization ("WTO"), and thus grant of authority to DTI is appropriate under the rules and policies established by the Commission in its *Foreign Participation Order*.¹ DTI will accept dominant carrier treatment on the U.S.-Germany route.

¹ *Rules and Policies on Foreign Participation in the U.S. Telecommunications Market*, IB Docket Nos. 97-142 and 95-22, Report and Order on Reconsideration, 12 FCC Rcd 23, 891 (1997) ("*Foreign Participation Order*").

DTI requests that the Commission process this Application in accordance with its streamlined processing procedures. Streamlined processing is appropriate under Section 63.12(c)(1)(v) of the Commission's Rules because Germany is a member of the WTO, and DTI agrees to dominant carrier treatment.

Pursuant to Section 63.18 of the Commission's Rules, DTI sets forth the following information in support of this Application:

- (a) The name and address of the Applicant is:

Deutsche Telekom, Inc.
1020 – 19th Street, N.W., Suite 850
Washington, D.C. 20036
Phone: (202) 452-9100

- (b) DTI is a corporation organized and existing under the laws of the State of Delaware.

- (c) Correspondence concerning this Application should be sent to:

Andreas Tegge
Managing Director
Deutsche Telekom, Inc.
1020 – 19th Street, N.W., Suite 850
Washington, D.C. 20036
Phone: 202-452-9100
Fax: 202-452-9555

With copy to:

Robert J. Aarnoth
Joan M. Griffin
Kelley Drye & Warren LLP
1200 19th Street, N.W.
Suite 500
Washington, DC 20036
Phone: 202-955-9600
Fax: 202-955-9792

- (d) DTI has not previously received authority under Section 214 of the Act.

- (e) DTI is applying for authority to operate as a resale carrier for the provision of service to Germany pursuant to Section 63.18(e)(4) of the Commission's Rules. Specifically, DTI seeks authority to provide services and use facilities as generally described in Section 63.23 of the Commission's Rules. As evidenced by the certification provided in Attachment A, DTI certifies that it will comply with the terms and conditions of Sections 63.21 and 63.23 of the Commission's Rules.
- (f) No response required.
- (g) Not applicable; DTI is not seeking facilities-based authority in this Application.
- (h) As noted previously, DTI is a wholly-owned subsidiary of DTAG. DTAG is a corporation organized under the laws of Germany and the primary provider of telecommunications services in Germany.² The only 10 percent or greater shareholders of DTAG are the Federal Republic of Germany (the "Federal Republic"), which holds approximately 43.7 percent of the stock, and the Kreditanstalt für Wiederaufbau ("KfW"), which holds approximately 21.6 percent of the stock. KfW is a corporation organized under the laws of Germany whose principal business is development banking.³ The only 10 percent or greater shareholders of KfW are the Federal Republic (80 percent) and the German state governments (20 percent). The following individual is an interlocking director of DTI: Paul Grosse.
- (i) As evidenced by the certification provided in Attachment A, DTI certifies that it is affiliated with entities that may or may not be considered foreign carriers that operate in the countries listed in Attachment A.
- (j) As evidenced by certification provided in Attachment A, DTI's parent company, DTAG, is a carrier in Germany. Other subsidiaries of DTAG provide service in Germany as well.
- (k) Germany is a member of the WTO.
- (l) DTI will file the quarterly traffic reports required by Section 43.61(c) of the Commission's Rules.
- (m) DTI will accept dominant carrier treatment.
- (n) As evidenced by the certification provided in Attachment A, DTI certifies that it has not agreed to accept special concessions directly or indirectly from any

² The postal address of DTAG is Postfach 20 00, 53105 Bonn, Germany.

³ The address of KfW is Palmgartenstrasse 5-9, 60325 Frankfurt, Germany.


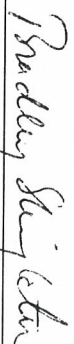
foreign carrier with respect to any U.S. international route where the foreign carrier possesses sufficient market power on the foreign end of the route to affect competition adversely in the U.S. market and will not enter into such agreements in the future.

- (o) As evidenced by the certification provided in Attachment A, DTI certifies that no party to this Application is subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988.
- (p) Streamlined processing is appropriate for this Application under Section 63.12 (c)(1)(v) of the Commission's Rules because Germany is a member of the WTO and DTI has agreed to accept dominant carrier status.

For the reasons stated herein, the Commission should grant the authority requested in this Application.

Respectfully Submitted,

DEUTSCHE TELEKOM, INC.

By:  _____
Andreas Tegge
Managing Director
 _____
Bradley Shingleton
Legal Counsel

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(202) 452-9100

Robert J. Aannoth
Joan M. Griffin
KELLEY DRYE & WARREN LLP
1200 19TH Street, N.W.
Suite 500
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(202) 955-9600

Its Attorneys

Date: 12/16/99

CERTIFICATION

The undersigned hereby certifies, on behalf of Deutsche Telekom, Inc. ("DTI") and with respect to the foregoing application of DTI, that:

1. DTI is affiliated with entities that may or may not be considered foreign carriers that operate in the countries listed in Annex 1 to this Certification.
2. DTI will comply with the terms and conditions of Sections 63.21 and 63.23 of the Commission's Rules.
3. DTI's parent company, Deutsche Telekom AG, is a carrier in Germany. Other subsidiaries of Deutsche Telekom AG provide service in Germany as well.
4. DTI 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 will not enter into such agreements in the future.
5. No party to this Application is subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988.

DEUTSCHE TELEKOM, INC.

By:  _____
Andreas Tegge
Managing Director

Robert J. Aamoth
Joan M. Griffin
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 _____
Bradley Shingleton
Legal Counsel

Its Attorneys
1020 – 19th Street, N.W., Suite 850
Washington, D.C. 20036
(202) 452-9100

Date: _____

Annex 1 to Attachment A

**COUNTRIES IN WHICH DEUTSCHE TELEKOM AG POSSESSES
25 PERCENT OR GREATER COMMON DIRECT OR INDIRECT
OWNERSHIP IN AN ENTITY THAT MAY OR
MAY NOT BE CONSIDERED A FOREIGN CARRIER**

Argentina	
Australia	
Austria	
Belgium	
Brazil	
Canada	
Chile	
Colombia	
Croatia	
Czech Republic	
Denmark	
El Salvador	
Finland	
France	
Germany	
Greece	
Guatemala	
Hong Kong	
Hungary	
India	
Indonesia	
Ireland	
	Italy
	Japan
	Korea
	Luxembourg
	Mexico
	New Zealand
	Netherlands
	Poland
	Portugal
	Russia
	Singapore
	South Africa
	Spain
	Sweden
	Switzerland
	Taiwan
	United Kingdom
	Uzbekistan
	Venezuela

MEMO

PAY TO THE ORDER OF

Federal Communications Commission

Seven Hundred Eighty And No/100

\$ 780.00

DOLLARS

Henry E. Allen

MP

FIRST UNION NATIONAL BANK
WASHINGTON, DC

68-122/540 00480

Dec. 6, 1999

005861

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