

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

*pd
1/28/00*

Description of Application: _____

F

READ INSTRUCTIONS CAREFULLY
BEFORE PROCEEDING

FEDERAL COMMUNICATIONS COMMISSION

APPROVED BY OMB

3060-0589

REMITTANCE ADVICE

PAGE NO. **1** OF **1**

SPECIAL USE

FCC USE ONLY

(1) LOCKBOX # 358115

SECTION A - PAYER INFORMATION

(2) PAYER NAME (if paying by credit card, enter name exactly as it appears on your card)
Infosat Communications, Inc.

(3) TOTAL AMOUNT PAID (dollars and cents)
\$ 780.00

(4) STREET ADDRESS LINE NO. 1

16 Fawcett Road, #11

(5) STREET ADDRESS LINE NO. 2

(6) CITY

Coquitlam

(7) STATE

BC

(8) ZIP CODE

V3K 6X9

(9) DAYTIME TELEPHONE NUMBER (include area code)

604 524 3038

**IF PAYER NAME AND THE APPLICANT NAME ARE DIFFERENT, COMPLETE SECTION B
IF MORE THAN ONE APPLICANT, USE CONTINUATION SHEETS (FORM 159-C)**

SECTION B - APPLICANT INFORMATION

(11) APPLICANT NAME (if paying by credit card, enter name exactly as it appears on your card)

(12) STREET ADDRESS LINE NO. 1

(13) STREET ADDRESS LINE NO. 2

(14) CITY

(15) STATE

(16) ZIP CODE

(17) DAYTIME TELEPHONE NUMBER (include area code)

(18) COUNTRY CODE (if not in U.S.A.)

COMPLETE SECTION C FOR EACH SERVICE, IF MORE BOXES ARE NEEDED, USE CONTINUATION SHEETS (FORM 159-C)

SECTION C - PAYMENT INFORMATION

(19A) FCC CALL SIGN/OTHER ID

New

(20A) PAYMENT TYPE CODE (PTC)

C U T

(21A) QUANTITY

1

(22A) FEE DUE FOR (PTC) IN BLOCK 20A

\$ 780.00

FCC USE ONLY

(23A) FCC CODE 1

(24A) FCC CODE 2

(19B) FCC CALL SIGN/OTHER ID

(20B) PAYMENT TYPE CODE (PTC)

(21B) QUANTITY

(22B) FEE DUE FOR (PTC) IN BLOCK 20B

FCC USE ONLY

(23B) FCC CODE 1

(24B) FCC CODE 2

(19C) FCC CALL SIGN/OTHER ID

(20C) PAYMENT TYPE CODE (PTC)

(21C) QUANTITY

(22C) FEE DUE FOR (PTC) IN BLOCK 20C

FCC USE ONLY

(23C) FCC CODE 1

(24C) FCC CODE 2

(19D) FCC CALL SIGN/OTHER ID

(20D) PAYMENT TYPE CODE (PTC)

(21D) QUANTITY

(22D) FEE DUE FOR (PTC) IN BLOCK 20D

FCC USE ONLY

(23D) FCC CODE 1

(24D) FCC CODE 2

SECTION D - TAXPAYER INFORMATION (REQUIRED)

(29) PAYER TIN

0 7 3 2 1 1 3 2 1 1

(29) COMPLETE THIS BLOCK ONLY IF APPLICANT NAME IN B-11 IS DIFFERENT FROM PAYER NAME IN A-3
APPLICANT TIN

SECTION E - CERTIFICATION

(27) CERTIFICATION STATEMENT

I, _____, (PRINT NAME) _____, Certify under penalty of perjury that the foregoing and supporting information are true and correct to the best of my knowledge, information and belief. SIGNATURE _____

SECTION F - CREDIT CARD PAYMENT INFORMATION

(28) MASTERCARD

MASTERCARD/VISA ACCOUNT NUMBER

EXPIRATION DATE

Grid for MASTERCARD/VISA ACCOUNT NUMBER

Grid for EXPIRATION DATE

VISA

I hereby authorize the FCC to charge my VISA or MASTERCARD for the service(s)/authorization(s) herein described.

AUTHORIZED SIGNATURE

DATE

SEE PUBLIC BURDEN ESTIMATE ON REVERSE

FCC FORM 159 JULY 1997 (REVISED)

0634

JAN 6 2000

U.S. DOLLAR ACCOUNT

NORSAT / INFOSAT
#101, 16 FAWCETT RD.
COQUITLAM, B.C. V3K 6X9
Tel: (604) 524-3038

PAY TO THE ORDER OF FEDERAL COMMUNICATION COMMISSION

780
DOLLARS / 100 \$ 780.00

U.S. FUNDS
DOLLARS

PER _____
PER _____
NORSAT / INFOSAT

Bank of Montreal
6240 - 97TH STREET TEL: (403) 441-3751
EDMONTON, ALBERTA T6E 3J6

⑆000634⑆ ⑆25449001⑆ 4500285⑆
MP THIS DOCUMENT CONTAINS SECURITY FEATURES - SEE REVERSE

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

In re Application of)
)
INFOSAT COMMUNICATIONS, INC.) FCC File No.
)
for authority pursuant to Section 214)
of the Communications Act of 1934,)
as amended, for authority to)
provide facilities-based international)
communications services)

Application

Infosat Communications, Inc. ("Infosat"), pursuant to Section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and Section 63.18 of the Commission's Rules, 47 C.F.R. § 63.18, hereby requests authority to provide mobile satellite services using the MSAT-1 satellite.¹

Infosat's provision of mobile satellite service will foster additional competition in the international telecommunications market, which will, in turn, benefit consumers by lowering prices and increasing the number of service options available in the market. The Commission recently found that the provision of services via the MSAT-1 satellite "will provide U.S. consumers and users, including various federal and state governments and agencies, businesses and individual consumers additional service options as well as other benefits of competition such as lower prices, innovation, and improved service."² Infosat submits, therefore, that grant of this application will serve the public interest, convenience and necessity.

Infosat is a wholly-owned subsidiary of BCE Media Inc. ("BCE Media").
BCE Media, through its affiliates, is a carrier in Canada, and Infosat hereby

¹ MSAT-1 is a Canadian-licensed satellite, operated by TMI Communications and Company, Limited Partnership (TMI) of Canada, which provides mobile satellite services.

² SatCom Systems, Inc., FCC 99-344 (Nov. 30, 1999).

certifies that it will comply with the Commission's dominant carrier regulations on the U.S.-Canada route

BCE Media also is affiliated with carriers in various other countries. However, these affiliates control less than 50 percent of the international transport and local access markets in their respective countries and, as such, are entitled to a presumption of non-dominance.³ Accordingly, Infosat requests streamlined processing of this application pursuant to Section 63.12 of the Commission's rules.

Pursuant to Section 63.18 of the Commission's rules, Infosat submits the following information in support of the instant application:

- (a) The name, address, and telephone number of the applicant:

Infosat Communications, Inc.
18 Fawcett Road
Coquitlam, B.C.
Canada V3K 6X9
(604) 524-3038
- (b) Infosat is incorporated under the laws of the State of Delaware.
- (c) Correspondence relating to this application should be directed to:

Mr. Brian Nixon
President
Infosat Communications, Inc.
18 Fawcett Road
Coquitlam, B.C.
Canada V3K 6X9

³ 47 C.F.R. § 63.12(c). BCE's interest in these carriers and their lack of market power in their respective countries is a matter of record with the Commission. See, e.g., Infosat Communications, Inc., File No. ITC-T/C-19990902-00602 (Oct. 8, 1999); Stratos Mobile Networks (USA), et al., File No. ITC-T/C-19990401-00214 (Apr. 9, 1999).

with a copy to:

Joseph A. Godles, Esq.
Goldberg, Godles, Wiener & Wright
1229 19th Street, N.W.
Washington, D.C. 20036
202-429-4900

- (d) Infosat holds an international Section 214 authorization to provide facilities-based and resale services on a global basis pursuant to Sections 63.18(e)(1) and (e)(2) of the Commission's rules.⁴
- (e) Infosat requests Section 214 authority pursuant to Section 63.18(e)(4) of the Commission's rules to provide mobile satellite services using the Canadian-licensed MSAT-1 satellite. Infosat hereby certifies that it will comply with Sections 63.21 and 63.22 of the Commission's rules.

AMSC currently dominates the U.S. mobile satellite service market. In order to enhance the level of competition in this market, and to offer additional service options to consumers, Infosat intends to use the MSAT-1 Canadian-licensed satellite to provide the services that are the subject of this application. The Commission has recognized that mobile satellite services provide numerous consumer benefits, including "the ability to serve areas of the country that are too remote or sparsely populated to be served by terrestrial land mobile systems ... meet rural public safety needs, and provide emergency communications to any area in times of emergencies and natural disasters."⁵
- (f) N/A.
- (g) This application does not involve any new construction and, therefore, it is categorically excluded from environmental processing pursuant to Section 1.1306 of the Commission's rules.
- (h) Infosat is a wholly-owned subsidiary of BCE Media. BCE Media is a wholly-owned subsidiary of BCE Inc., a publicly held company in which there are no ten percent or greater shareholders. BCE Media has no interlocking directorates.

⁴ See File Nos. ITC-214-19990128-00041, ITC-T/C-19990902-00602.

⁵ Satcom Systems, Inc., File No. 1217-SSA-98 (rel. July 20, 1998) ¶ 5.

In the Foreign Participation Order, 12 FCC Rcd 23891 (1997), the Commission adopted an open entry standard for applications from service suppliers in World Trade Organization (“WTO”) members, such as Canada. “The Commission adopted a strong presumption” that entry by a carrier “from a WTO Member country does not pose competitive concerns.”⁶ The Commission will grant applications subject to these new open entry policies expeditiously “in all but the exceptional case in which an application presents a very high risk to competition that cannot be addressed by imposing additional conditions on the authorizations.”⁷ These open entry standards warrant grant of this application.

- (i) BCE Media, through its affiliates, is a carrier in Canada. In addition, BCE Media is affiliated with carriers in various other countries. BCE’s interest in these carriers and their lack of market power in their respective countries, other than Canada, is a matter of record with the Commission. See, e.g., Infosat Communications, Inc., File No. ITC-T/C-19990902-00602 (Oct. 8, 1999); Stratos Mobile Networks (USA), *et al.*, File No. ITC-T/C-19990401-00214 (Apr. 9, 1999).

- (j) Infosat seeks to provide international telecommunications services to destination countries in which it is a carrier or it is affiliated with a carrier.

- (k) With respect to the countries other than Canada that are subject to subparts (i) & (j) above: Consistent with the Commission’s prior grants of Section 214 authority to BCE Media’s affiliates, Infosat’s affiliated foreign carriers lack market power in their respective countries, and they cannot affect competition adversely in the U.S. market. Accordingly, Infosat is non-dominant on all of these international routes.

With respect to Canada, which is a WTO member country: Infosat certifies that it will comply with the Commission’s dominant carrier regulations on the U.S.-Canada route.

- (l) N/A
- (m) As set forth in subpart (k) above, and consistent with the Commission’s prior grants of Section 214 authority to BCE Media’s affiliates, Infosat is

⁶ Stratos Mobile Networks (USA) LLC, ITC-98-287-TC, *et al.*, (rel. Aug. 5, 1998) ¶ 7.

⁷ Id.

presumptively non-dominant on all international routes except the U.S.-Canada route.

- (n) Infosat hereby 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 it will not enter into such agreements in the future.

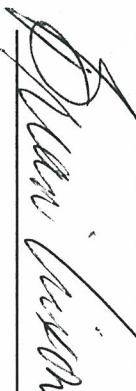
Infosat certifies that neither it nor any party to this application is subject to a denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 862.

Accordingly, and for the reasons stated above, Infosat submits that it is qualified to provide the services for which it requests authority herein, and that the public interest would be served by grant of this application.

Respectfully submitted,

INFOSAT COMMUNICATIONS, INC.

By:



Print Name:

Brian Nyrod

Title:

President

Date:

January 6, 2000

Of Counsel

Joseph A. Godles, Esq.
Goldberg, Godles, Wiener & Wright
1229 19th Street, N.W.
Washington, D.C. 20036
202-429-4900

LAW OFFICES
GOLDBERG, GODLES, WIENER & WRIGHT
1229 NINETEENTH STREET, N.W.
WASHINGTON, D.C. 20036

(202) 429-4900
TELECOPIER:
(202) 429-4912

e-mail:
general@g2w2.com

HENRY GOLDBERG
JOSEPH A. GODLES
JONATHAN WIENER
W. KENNETH FERREE
SHERYL J. LINCOLN
HENRIETTA WRIGHT
THOMAS G. GHERARDI, P.C.
MARY J. DENT
COUNSEL

January 21, 2000

Mr. George Li
Federal Communications Commission
The Portals Building
445 12th Street, SW
Washington, D.C. 20554

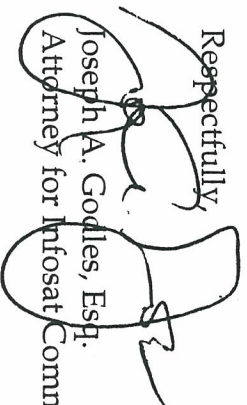
Re: Infosat Communications, Inc. Application for
Section 214 Authority to Provide Mobile
Satellite Services Via the MSAT-1 Satellite.

Dear Mr. Li:

In connection with the above-referenced application of Infosat Communications, Inc. ("Infosat"), filed January 13, 2000, please be advised that, in accordance with the Commission's "Order," FCC 99-344, and to ensure that U.S. national security, law enforcement, and public safety interests are protected, Infosat hereby agrees that international common carrier service provided via MSAT-1 will be subject to the September 10, 1999, agreement between TMI and the U.S. Government that is appended to the "Order" as Appendix A.

Please direct any questions concerning this matter to the undersigned.

Respectfully,



Joseph A. Godles, Esq.
Attorney for Infosat Communications, Inc.