

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: \_\_\_\_\_

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FEB 03 2000

NEW YORK OFFICE  
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February 3, 2000

VIA COURIER

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

Re: Application of Delgado Communications, Inc. for Global Authority Pursuant to Section 214  
of the Communications Act of 1934, as amended, to Operate 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 Delgado Communications, Inc. ("Delgado") requesting global authority, pursuant to Section 214 of the Communications Act of 1934, as amended, to operate 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. Please contact Jennifer Schneider at (202) 424-7742 if you have any questions regarding the enclosed application.

Respectfully submitted,

  
Rachel D. Flam

Counsel for Delgado Communications, Inc.

Enclosures

cc: George Li (FCC)  
Breck Blaylock (FCC)  
Hector Delgado  
Jennifer Schneider

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

In the Matter of

**DELGADO COMMUNICATIONS, INC.**

File No. ITC - 214 - 2000 \_\_\_\_\_

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

**APPLICATION**

Delgado Communications, Inc. (“Delgado Communications” 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 facilities-based and resale telecommunications services between the United States and international points.

**I. The Applicant**

Delgado Communications is a corporation organized under the laws of the State of New York. Delgado Communications is not a foreign carrier and is not affiliated, within the meaning of Section 63.09(e) of the Commission’s Rules, 47 C.F.R. § 63.09(e), with any foreign carrier. Accordingly, Delgado Communications qualifies 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 Delgado Communications' application is eligible for streamlined processing.

## **II. Public Interest Considerations**

By granting this application, the Commission will serve the public interest, convenience and necessity by promoting competition in the international services market. Competition will benefit U.S. consumers by increasing service options and lowering prices. Thus, the public interest will be served by the grant of Section 214 authority to Delgado Communications.

## **III. Information Required by Section 63.18**

Delgado Communications 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:

Delgado Communications, Inc.  
79-08 Roosevelt Avenue  
Jackson Heights, NY 11372  
Tel: (718) 426-0500  
Fax: (718) 426-8852

(b) Applicant is a corporation organized under the laws of the State of New York.

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

Rachel D. Flann  
Jennifer A. Schneider  
SWIDLER BERLIN SHEREFF FRIEDMAN, LLP  
3000 K Street, NW, Suite 300  
Washington, DC 20007-5116  
Tel: (202) 424-7500  
Fax: (202) 424-7645

with a copy to:

Hector Delgado  
Delgado Communications, Inc.  
79-08 Roosevelt Avenue  
Jackson Heights, NY 11372  
Tel: (718) 426-0500  
Fax: (718) 426-8852

- (d) Delgado Communications has not previously received authority under Section 214 of the Act. Upon grant of this Application, Delgado Communications 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) Delgado Communications requests Section 214 authority to operate as a facilities-based carrier pursuant to Section 63.18(e)(1) of the Commission's Rules. Delgado Communications requests such authorization for all international routes authorized by the Commission. Delgado Communications certifies that it will comply with the terms and conditions of Sections 63.21 and 63.22 of the Commission's Rules.
- (g) (2) Delgado Communications 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. Delgado Communications requests such authorization for all international routes authorized by the Commission. Delgado Communications certifies that it will comply with the terms and conditions contained in Section 63.21 and 63.23 of the Commission's Rules.
- (f) Delgado Communications seeks the authority to provide only the services referenced under paragraph (e) of Section 63.18 of the Commission's Rules.
- (g) Given that Delgado Communications is not seeking facilities-based authority pursuant to Section 63.18(e)(4) of the Commission's Rules, this Section is not applicable.
- (h) In support of this certification, the name, address, citizenship, and principal business of the shareholder that controls 10 percent or more of Delgado Communications are as follows:

Name: Hector Delgado  
Address: 79-08 Roosevelt Avenue  
Jackson Heights, NY 11372  
Percentage Held: 100%  
Citizenship: United States

Principal Business: Telecommunications

Delgado Communications currently has no interlocking directorates.

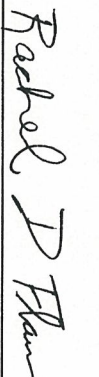

- (i) Delgado Communications certifies that it is neither a foreign carrier nor affiliated with any foreign carrier.
- (j) Delgado Communications seeks to provide international telecommunications services to all global points, except those points on the Commission's Exclusion List. Delgado Communications is not a foreign carrier or affiliated with a foreign carrier.
- (k) Given that Delgado Communications is not affiliated with any foreign carriers, this Section is not applicable.
- (l) Given that Delgado Communications is not affiliated with any foreign carriers, this Section is not applicable.
- (m) As described above, Delgado Communications presumptively qualifies for nondominant treatment for the provision of all international telecommunications services.
- (n) Delgado Communications certifies that it has not agreed, and will not agree in the future, 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 it will not enter into such agreements in the future.
- (o) Delgado Communications 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) Delgado Communications qualifies for streamlined processing pursuant to Section 63.12(a-b) of the Commission's Rules because, as set forth above in Section (1), Delgado Communications qualifies for a presumption of nondominance under Section 63.10(a)(1) of the Commission's Rules.

IV. CONCLUSION

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

Respectfully submitted,

By:

 / 

Rachel D. Flam

SWIDLER BERLIN SHEREFF FRIEDMAN, LLP  
3000 K Street, NW, Suite 300  
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Counsel for  
Delgado Communications, Inc.

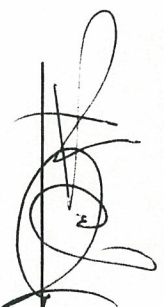
Dated: February 3, 2000

**CERTIFICATION OF APPLICANT**

On behalf of Delgado Communications, Inc., 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.

**Delgado Communications, Inc.**

By:



Name:

Hector Delgado

Title:

President

Date:

1/23/00