

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

(e)(1) & (2)

Description of Application:

Out of-region to Ohio, South Africa
and Switzerland,

Dominant air route to South Africa

READ INSTRUCTIONS CAREFULLY
BEFORE PROCEEDING

FEDERAL COMMUNICATIONS COMMISSION

APPROVED BY OMB 3060-0589

REMITTANCE ADVICE

PAGE NO. 1 OF 1
FCC/MELTON MAR 0 1 2000

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)
Wiley, Rein & Fielding

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

(4) STREET ADDRESS LINE NO. 1
1776 K Street, N.W.

COPY

(5) STREET ADDRESS LINE NO. 2

(6) CITY
Washington

(7) STATE
DC

(8) ZIP CODE
20006

(9) DAYTIME TELEPHONE NUMBER (include area code)
(202) 719-7000

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

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)
Southwestern Bell Communications Services, Inc.

(12) STREET ADDRESS LINE NO. 1
5850 West Las Positas Blvd.

(13) STREET ADDRESS LINE NO. 2

(14) CITY
Pleasanton

(15) STATE
CA

(16) ZIP CODE
94588

(17) DAYTIME TELEPHONE NUMBER (include area code)
(925) 468-5275

(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
C U T

(20A) PAYMENT TYPE CODE (PTC)

(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)

(25) PAYER TIN
0 5 2 1 2 8 9 9 8 8

(26) COMPLETE THIS BLOCK ONLY IF APPLICANT NAME IN B-11 IS DIFFERENT FROM PAYER NAME IN A-2
APPLICANT TIN 0 7 4 2 7 4 6 9 0 7

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/VISA ACCOUNT NUMBER:

MasterCard account number grid

EXPIRATION DATE:

Expiration date grid

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)

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

In the Matter of)
)
Southwestern Bell Communications Services, Inc.)
) File No.
Application for Authority Pursuant to Section 214)
Of the Communications Act of 1934, as amended,)
For Authority to Operate as an International)
Facilities-Based and Resale Carrier)

**APPLICATION FOR AUTHORITY UNDER SECTION 214
OF THE COMMUNICATIONS ACT OF 1934, AS AMENDED**

Southwestern Bell Communications Services, Inc. d/b/a Southwestern Bell Long Distance, (“SBCS” or “Applicant”) hereby requests authority, pursuant to section 214 of the Communications Act of 1934, as amended (“Communications Act”), 47 U.S.C. § 214, and section 63.18 of the Commission’s Rules, 47 C.F.R. § 63.18, to operate as an international facilities-based and resale carrier between all out-of-region points and Chile, South Africa, and Switzerland.¹

As discussed below, SBCS is entitled to a presumption of non-dominance with respect to the U.S.-Chile and U.S.-Switzerland routes, pursuant to sections 63.10(a)(1), (3) of the Commission’s Rules, 47 C.F.R. §§ 63.10(a)(1), (3). SBCS has no affiliation

¹ By this request, SBCS seeks authority to provide facilities-based switched, facilities-based non-interconnected and interconnected private line, resold switched, and resold non-interconnected and interconnected private line services. SBCS will restrict its provision of interconnected private line services on either a facilities or resold basis, to foreign destinations previously approved by the Commission for international simple resale (“ISR”) or to foreign carriers that lack market power in the country at the foreign end of the private line. See 47 C.F.R. §§ 63.22(e)(1)-(e)(2), 63.23 (d)(1)-(d)(2). SBCS will not provide services to countries on the Commission’s exclusion list and will not use facilities listed on the Commission’s exclusion list.

with a foreign carrier in Chile.² SBCS is affiliated with diAx (a full service telecommunications carrier), which is a foreign carrier in Switzerland (a WTO-member country), under the Commission's definitions of "foreign carrier" and "affiliation." See 47 C.F.R. §§ 63.09(d),(e). However, diAx has far less than a 50 percent market share in the international transport and local access markets in Switzerland, and the Commission has already determined that diAx lacks sufficient market power on the foreign end of the route to affect competition adversely in the U.S. market.³

SBCS is also affiliated with Telekom South Africa Ltd., a foreign carrier in South Africa (a WTO-member country), under the Commission's definitions of "foreign carrier" and "affiliation." See 47 C.F.R. §§ 63.09(d),(e). Telekom South Africa Ltd. has not yet been declared non-dominant by the Commission. In the *SBC/Ameritech Merger Order*, the Commission found that the public interest would be served by continuing to permit affiliates of SBCS (that is, Ameritech's international carrier subsidiaries) to provide international services between the United States and South Africa on a dominant carrier basis.⁴ SBCS certifies that it too will comply with the Commission's dominant carrier regulations on the U.S.-South Africa route.

Accordingly, given that SBCS is entitled to a presumption of non-dominant treatment on the U.S.-Chile and U.S.-Switzerland routes and will comply with the

² SBCS is no longer affiliated with VTR SA, a foreign carrier in Chile.

³ *SBC/Ameritech Merger Order*, FCC 99-279 at para. 533.

⁴ *In re Applications of Ameritech Corp. and SBC Communications Inc. for Consent to Transfer Control of Corporations Holding Commission Licenses and Lines Pursuant to Sections 214 and 310(d) of the Communications Act and Parts 5, 22, 24, 25, 63, 90, 95 and 101 of the Commission's Rules*, CC Docket No. 98-141, Memorandum Opinion and Order, FCC 99-279 at paras. 528-33 (rel. Oct. 8, 1999) ("*SBC/Ameritech Merger Order*").

Commission's dominant carrier regulations on the U.S.-South Africa route, this application is entitled to streamlined treatment, under sections 63.12(a),(c)(1)(i),(ii),(v) of the Commission's Rules, 47 C.F.R. §§ 63.12(a),(c)(1)(i),(ii),(v).

Description of Applicant

SBCS is a corporation organized under the laws of the States of Delaware and Virginia, and is a wholly-owned subsidiary of SBC Communications Inc. ("SBC"). SBCS is currently authorized to provide global resale services originating outside of the in-region states served by SBC's local telephone operating companies.⁵ SBCS also has been granted limited global facilities-based and global resale authority to provide services in accordance with the provisions of sections 63.18(e)(1)-(e)(2) of the Commission's Rules, 47 C.F.R. §§ 63.18(e)(1)-(e)(2), for communications originating out-of-region and terminating at all international points, except Chile, South Africa, Switzerland, and countries listed on the Commission's exclusion list.⁶ Additionally, SBCS currently is seeking authority to provide international facilities-based and resold services between all points in Texas and all international points.⁷

Several wholly-owned subsidiaries of SBCS also hold section 214 authorizations to provide international services that originate out-of-region. On October 25, 1996,

⁵ *Overs eas Common Carrier Section 214 Applications Action Taken*, 11 FCC Rcd 13980 (Oct. 31, 1996); FCC File No. ITC-96-497.

⁶ *International Authorizations Granted*, DA No. 99-1613 (Aug. 13, 1999); FCC File No. ITC-214-19971108-00689.

⁷ *Non-Streamlined International Applications Accepted For Filing*, DA No. 00-190 (Feb. 3, 2000); FCC File No. ITC-214-20000127-00027.

Southwestern Bell Communications Services Massachusetts (“SBCS Massachusetts”),⁸ Southwestern Bell Communications Services Maryland (“SBCS Maryland”),⁹ Southwestern Bell Communications Services New York (“SBCS New York”),¹⁰ and Southwestern Bell Communications Services Illinois (“SBCS Illinois”)¹¹ each was granted limited global resale authority to provide international services between out-of-region points and all international points, except Chile, Switzerland, and South Africa.

Public Interest

Applicant’s request for authorization to provide international services as a facilities-based and resale carrier between all out-of-region points and Chile, Switzerland, and South Africa will further the public interest. SBCS’ entrance into the international services market out-of-region will benefit customers by increasing competition, lowering prices, and increasing the service options available to the public. Consequently, the public interest will be served by grant of this application.

Section 63.18 Information

In support of this application, SBCS submits the following information in accordance with section 63.18 of the Commission’s Rules:

- (a) The name, address and telephone number of the Applicant:
Southwestern Bell Communications Services, Inc.
5850 West Las Positas Blvd.
Pleasanton, CA 94588

⁸ *Overseas Common Carrier Section 214 Applications Action Taken*, 11 FCC Rcd 13980 (Oct. 31, 1996); FCC File No. ITC-96-496.

⁹ *Id.*; FCC File No. ITC-96-498.

¹⁰ *Id.*; FCC File No. ITC-96-499.

¹¹ *Id.*; FCC File No. ITC-96-500.

(925) 468-5275

(b) SBCS is organized under the laws of the states of Delaware and Virginia.

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

Bruce A. Ramsey
VP Law and Regulation
Southwestern Bell Communications Services
5850 West Las Positas Blvd.
Pleasanton, CA 94588
(925) 468-5275

Please send copies of any correspondence to:

Christopher M. Heimann
Senior Attorney
SBC Communications Inc.
1401 I Street, N.W., Suite 400
Washington, D.C. 20005
(202) 326-8909

And to:

Carl R. Frank, Esq.
Wiley, Rein & Fielding
1776 K Street, N.W.
Washington, D.C. 20006
(202) 719-7269

(d) SBCS has received authority to provide global resale services originating outside of the in-region states served by SBC's local telephone operating companies.¹² SBCS also has received limited global facilities-based and global resale authority to provide services in accordance with the provisions of sections 63.18(e)(1)-(2) of the Commission's Rules, 47 C.F.R. §§ 63.18(e)(1)-(2), for communications originating between out-of-region points and terminating at all international points, except Chile,

¹² *Overseas Common Carrier Section 214 Applications Action Taken*, 11 FCC Red 13980 (Oct. 31, 1996); FCC File No. ITC-96-497.

South Africa, Switzerland and countries listed on the Commission's exclusion list.¹³ In addition, four wholly-owned subsidiaries of SBCS (SBCS Massachusetts, SBCS Maryland, SBCS New York, and SBCS Illinois) have been granted limited global resale authority to provide international services between out-of-region points and all international points, except Chile, Switzerland, and South Africa.¹⁴ SBCS also is currently seeking authority to provide international facilities-based and resold services between all points in Texas and all international points.¹⁵

(e)(1), (2),(4), (f) Pursuant to the terms and conditions of sections 63.18(e)(1) and 63.18(e)(2) of the Commission's Rules, 47 C.F.R. §§ 63.18(e)(1)-(e)(2), SBCS requests Section 214 authority to operate as a facilities-based and resale carrier between all out-of-region points and Chile and Switzerland. SBCS 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, 47 C.F.R. §§ 63.21, 63.22, 63.23.

Pursuant to the terms and conditions of section 63.18(e)(4) of the Commission's Rules, 47 C.F.R. § 63.18(e)(4), SBCS also requests specific authority to provide facilities-based and resale services between all out-of-region points and South Africa. SBCS 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, 47 C.F.R. §§ 63.21, 63.22, 63.23.

¹³ *International Authorizations Granted*, DA No. 99-1613 (Aug. 13, 1999); FCC File No. ITC-214-19971108-00689.

¹⁴ *Overseas Common Carrier Section 214 Applications Action Taken*, 11 FCC Rcd 13980 (Oct. 31, 1996); FCC File Nos. ITC-96-496, ITC-96-498, ITC-96-499, ITC-96-500.

¹⁵ *Non Streamlined International Applications Accepted For Filing*, DA No. 00-190 (Feb. 3, 2000); FCC File No. ITC-214-20000127-00027.

(g) Not applicable.

(h) The name, address, citizenship and principal businesses of SBSCS's ten percent or greater shareholders, partners, and/or owners are listed below:

SBC Communications Inc.

175 East Houston

San Antonio, Texas 78205

Citizenship: United States

Principal Business: Telecommunications

Ownership Interest: 100 percent; no entity beneficially owns 10 percent or more of SBC.

(i) SBSCS certifies that it is not a foreign carrier. SBSCS further certifies that it is affiliated with foreign carriers in Switzerland and South Africa, as "foreign carrier" and "affiliation" are defined in sections 63.09(d),(e) of the Commission's Rules, 47 C.F.R. §§ 63.09(d),(e):

(1) diAx (Switzerland). SBSCS's parent, SBC, through a joint venture, owns an indirect 40 percent interest in diAx, a new, full-service Swiss telecommunications carrier, with far less than 50 percent market share in the international transport and local access markets in Switzerland. In the *SBC/Ameritech Merger Order*, the Commission determined that diAx lacks market power in Switzerland, and that SBC and its subsidiaries are entitled to non-dominant carrier treatment on the U.S.-Switzerland route.¹⁶

(2) Telkom South Africa Ltd. ("Telkom S.A.") (South Africa). A consortium formed between Telekom Malaysia Berhad and SBC International South Africa L.C.C. ("SBCISA") (of which SBCISA owns 60 percent) owns 30 percent of Telkom S.A. Prior to the acquisition by this consortium, Telkom was completely state-owned. Telkom is the incumbent telecommunications carrier in South Africa. In the *SBC/Ameritech Merger Order*, the Commission found that the public interest would be served by continuing to permit affiliates of SBSCS (that is, Ameritech's international carrier subsidiaries) to provide international

¹⁶ *SBC/Ameritech Merger Order*, FCC 99-279 at para. 533.

services between the United States and South Africa on a dominant carrier basis.¹⁷

(j) Pursuant to section 63.18(j) of the Commission's Rules, 47 C.F.R. § 63.18(j), SBCS certifies that: (1) it does not seek to provide international telecommunications services to any destination country in which SBCS is a foreign carrier or controls a foreign carrier; and (2) no foreign carriers own more than 25 percent of SBCS. For purposes of this application, SBCS further certifies that it does not seek to serve destination countries in which SBC, its parent corporation, controls a foreign carrier.

(k) Not applicable.

(l) & (m) SBCS is not affiliated with a foreign carrier in Chile. SBCS' affiliated foreign carrier in Switzerland (diAx) has far less than 50 percent market share in the international transport and local access markets in Switzerland, and the Commission has already determined that diAx lacks market power in Switzerland. Accordingly, pursuant to sections 63.10(a)(1),(3) of the Commission's Rules, 47 C.F.R. §§ 63.10(a)(1)-(3),

SBCS is entitled to a presumption of non-dominant treatment on the U.S.-Chile and U.S.-Switzerland routes.

SBCS' affiliated foreign carrier in South Africa (Telkom S.A.) has not yet been declared non-dominant by the Commission. Accordingly, SBCS certifies that it will comply with the Commission's dominant carrier regulations (including the requirements

¹⁷ *In re Applications of Ameritech Corp. and SBC Communications Inc. for Consent to Transfer Control of Corporations Holding Commission Licenses and Lines Pursuant to Sections 214 and 310(d) of the Communications Act and Parts 5, 22, 24, 25, 63, 90, 95 and 101 of the Commission's Rules*, CC Docket No. 98-141, Memorandum Opinion and Order, FCC 99-279 at paras. 528-33 (rel. Oct. 8, 1999) ("*SBC/Ameritech Merger Order*").

of sections 63.10 and 43.61(c) of the Commission's Rules, 47 C.F.R. §§ 63.10, 43.61(c)), with respect to its provision of services on the U.S.-South Africa route.

(n) SBCS certifies that it has not agreed to accept special concessions, as defined in section 63.14(b) of the Commission's Rules, 47 C.F.R. § 63.14(b), directly or indirectly from any foreign carrier with respect to any U.S. international route where the foreign carrier possesses market power on the foreign end of the route and will not enter into such agreements in the future, except as permitted by section 63.14.

(o) SBCS certifies pursuant to sections 1.2001 through 1.2003 of the Commission's Rules, 47 C.F.R. §§ 1.2001–1.2003, 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, 21 U.S.C. § 853(a).

(p) This application qualifies for streamlined processing under sections

63.12(a),(c)(1)(i),(ii),(v) of the Commission's Rules, 47 C.F.R. §§

63.12(a),(c)(1)(i),(ii),(v). SBCS is entitled to a presumption of non-dominance under section 63.10(a)(1) of the Commission's Rules, 47 C.F.R. § 63.10(a)(1), on the U.S.-

Chile route because it is not affiliated with a foreign carrier in Chile. SBCS is entitled to a presumption of non-dominance under section 63.10(a)(3) of the Commission's Rules,

47 C.F.R. § 63.10(a)(3), on the U.S.-Switzerland route because diAx has less than 50 percent market share in the international transport and local access market in Switzerland, and the Commission has previously determined that diAx lacks market power in

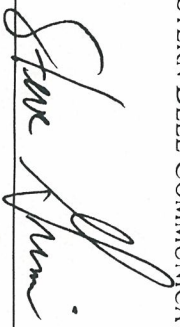
Switzerland. SBCS certifies that it accepts dominant carrier regulation with respect to its provision of services on the U.S.-South Africa route.

Conclusion

For the foregoing reasons, SBSCS respectfully requests that the Commission grant it Section 214 authorization to offer facilities-based and resale services between all out-of-region points and Chile, Switzerland, and South Africa.

Respectfully submitted,

SOUTHWESTERN BELL COMMUNICATIONS SERVICES, INC.

By:  _____

Steve Grimm
President
5850 West Las Positas Blvd.
Pleasanton, CA 94588

This check is GREEN

WILEY, REIN & FIELDING
1776 K Street, N.W.
Washington, DC 20006
Operating Account

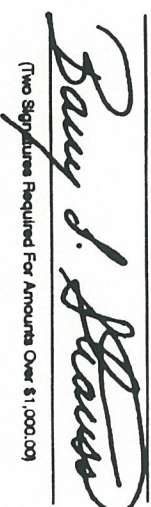
No. 124023

Date	Amount
03/01/2000	*****780.00

Pay Seven Hundred Eighty and No/100 Dollars ONLY

To the
Order of **FCC**

NationBank of DC, N.A.
Washington, DC 20006
15-120/540


(Two Signatures Required For Amounts Over \$1,000.00)

⑆ 1 24023⑆ ⑆ 054001204⑆ ⑆ 000003702987⑆

Attached is our check in full settlement of items shown hereon. If not correct, please return with explanation or call us at (202)828-7512.

No. 124023

Check Date 03/01/2000

Description	Date	Invoice No.	Amount of Invoice	Discount	Net
FILING FEE	03/01/2000		780.00	.00	780.00
Total					780.00

FCC

Remittance Advice
Detach before depositing

WILEY, REIN & FIELDING
Operating Account