

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: _____

FBI

KELLEY DRYE & WARREN LLP

A LIMITED LIABILITY PARTNERSHIP

1200 19TH STREET, N.W.

SUITE 500

WASHINGTON, D.C. 20036

FACSIMILE

(202) 955-9792

(202) 955-9600

FCC/MELLON

MAR 30 2000

DIRECT LINE (202) 955-1771

E-MAIL:
Apisciotta@kelleydrye.com

NEW YORK, NY
LOS ANGELES, CA
CHICAGO, IL
STAMFORD, CT
PARSIPPANY, NJ
BRUSSELS, BELGIUM
HONG KONG
AFFILIATE OFFICES
BANGKOK, THAILAND
JAKARTA, INDONESIA
MANILA, THE PHILIPPINES
MUMBAI, INDIA
TOKYO, JAPAN

March 30, 2000

VIA COURIER

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

Re: Application of WCI Cable, Inc. for Global Authority Pursuant
to Section 214 of the Communications Act of 1934, As Amended, To
Operate as an International Facilities-Based and Resale Carrier.

Dear Sir or Madam:

Enclosed for filing with the Commission are original and six (6) copies of the application of WCI Cable, Inc. requesting global authority to operate as an international facilities-based and resale carrier between the United States and various international points pursuant to Section 214 of the Communications Act of 1934, as amended.

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. Any questions regarding the enclosed application should be addressed to the undersigned.

Respectfully Submitted,

Aileen Pisciotta by vws

Aileen A. Pisciotta
Counsel for WCI Cable, Inc.

AAP:rfj

Enclosures

READ INSTRUCTIONS CAREFULLY

BEFORE PROCEEDING

FEDERAL COMMUNICATIONS COMMISSION
REMITTANCE ADVICE

APPROVED BY OMIB

3060-0589

(1) LOCKBOX # 358115

PAGE NO. 1 OF 1

SPECIAL USE
FCC USE ONLY

SECTION A - PAYER INFORMATION

(2) PAYER NAME (if paying by credit card, enter name exactly as it appears on your card)
Kelley Dye & Warren, LLP

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

(4) STREET ADDRESS LINE NO. 1
1200 19th Street, NW

(5) STREET ADDRESS LINE NO. 2
Suite 500

(6) CITY
Washington

(7) STATE
DC

(8) ZIP CODE
20036-2423

(9) DAYTIME TELEPHONE NUMBER (include area code)
(202) 955-9600

(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)
WCI Cable, Inc.

(12) STREET ADDRESS LINE NO. 1
5289 NE Elam Young Parkway

(13) STREET ADDRESS LINE NO. 2
Suite D 100

(14) CITY
Hillsboro

(15) STATE
Oregon

(16) ZIP CODE
97124

(17) DAYTIME TELEPHONE NUMBER (include area code)
(503) 844-2774

(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
(20A) PAYMENT TYPE CODE (PTC)
C U T
(21A) QUANTITY
1
(22A) FEE DUE FOR (PTC) IN BLOCK 20A
\$ 780.00
(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
(24B) FCC CODE 2
FCC USE ONLY

(19C) FCC CALL SIGN/OTHER ID
(20C) PAYMENT TYPE CODE (PTC)
(21C) QUANTITY
(22C) FEE DUE FOR (PTC) IN BLOCK 20C
(24C) FCC CODE 2
FCC USE ONLY

(19D) FCC CALL SIGN/OTHER ID
(20D) PAYMENT TYPE CODE (PTC)
(21D) QUANTITY
(22D) FEE DUE FOR (PTC) IN BLOCK 20D
(24D) FCC CODE 2
FCC USE ONLY

SECTION D - TAXPAYER INFORMATION (REQUIRED)

(23) PAYER TIN
1 3 5 3 3 5 1 0 7
APPLICANT TIN
9 8 0 1 7 7 9 3

SECTION E - CERTIFICATION

(27) CERTIFICATION STATEMENT
I, Leila Baheri, certify under penalty of perjury that the foregoing and supporting information
(PRINT NAME)

are true and correct to the best of my knowledge, information and belief. SIGNATURE Leila Baheri

SECTION F - CREDIT CARD PAYMENT INFORMATION

(28) MASTERCARD/VISA ACCOUNT NUMBER

MasterCard/VISA account number grid

EXPIRATION DATE
MONTH YEAR

(29) AUTHORIZED SIGNATURE
DATE

I hereby authorize the FCC to charge my VISA or MASTERCARD
for the service(s) authorized in (4) herein described.

AUTHORIZED SIGNATURE

DATE

SEE PUBLIC BURDEN ESTIMATE ON REVERSE

KELLEY DRYE & WARREN LLP

1200 19TH STREET, N.W.
WASHINGTON, DC 20036

FIRST UNION NATIONAL BANK
WASHINGTON, DC

68-122/540 00480

006018

March 29, 2000

PAY TO THE ORDER OF Federal Communications Commission

\$ 780.00

Seven Hundred Eighty And No/100-----DOLLARS

Flavore K. Lambert MP

MEMO Chg. 066625.0001

SECURITY FEATURES INCLUDED. DETAILS ON THE BACK

⑈006018⑈ ⑆054001220⑆ 2000034690853⑈

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

In the Matter of

WCI CABLE, INC.

Application Under Section 214)	File No. ITC _____
of the Communications Act of 1934,)	
as Amended, for Global Authority)	
for the Provision of Resold and Facilities-Based)	
International Switched and Private Line)	
Services Between the U.S. and Various)	
International Points)	

APPLICATION

WCI Cable, Inc. (“WCIC” or “Applicant”), by its attorneys and pursuant to Section 214 of the Communications Act of 1934, as amended (“the Act”), 47 U.S.C. § 214, hereby requests global authority to (1) operate as a facilities-based carrier pursuant to the terms and conditions of Section 63.18(e)(1) of the Commission’s Rules, 47 C.F.R § 63.18(e)(1), to all foreign points as authorized by the Commission and (2) operate as a resale carrier pursuant to the terms and conditions of Section 63.18(e)(2) of the Commission’s Rules to all foreign points as authorized by the Commission.¹ 47 C.F.R. § 63.18(e)(2). WCIC has no affiliation with any foreign carrier in any of the destination countries for which authority is requested nor is WCIC

¹ With respect to the provision of switched services over private lines, WCIC seeks authority in this Application to provide such services only to (1) those locations specifically approved by the Commission for the provision of such services, or (2) as specified in Section 63.22(e)(2) and 63.23(d)(2) of the Commission’s Rules, 47 C.F.R. §§ 63.22(e)(2), 63.23(d)(2), which permit the use of future lines to provide switched access services where the carrier is exchanging traffic with a foreign carrier that lacks market power at the foreign end.

affiliated with any dominant U.S. carrier whose services WCIC may resell. Thus, pursuant to Section 63.10(a)(1) of the Commission's Rules, 47 C.F.R. § 63.10(a)(1), WCIC should be classified as a non-dominant carrier in its provision of international service on all routes. Furthermore, as explained herein, this Application is entitled to streamlined processing under Section 63.12 of the Commission's Rules. 47 C.F.R. § 63.12. According to the FCC's fee schedule, Fee Code CUT, a check in the amount of \$780.00 is attached hereto.

In support of its request for authority, WCIC submits the following information pursuant to Section 63.18 of the Commission's Rules, 47 C.F.R. 63.18:

- (a) The name, address and telephone number of the Applicant is:
WCICable, Inc.
5289 NE Elam Young Parkway
Suite D 100
Hillsboro, Oregon 97124
(503) 844-2774
- (b) WCIC is a corporation organized under the laws of the State of Delaware.
- (c) Correspondence concerning this Application should be addressed to:
Aileen Pisciotta
KELLEY DRYE & WARREN LLP
1200 19th Street, N.W.
Suite 500
Washington, D.C. 20036
(202) 955-9600

with copies to:

Patrick T. Estenes
Vice President, Marketing and Sales
WCI CABLE, INC.
5289 NE Elam Young Parkway
Suite D 100
Hillsboro, Oregon 97124
(503) 439-1581

- (d) WCIC has not previously received Section 214 authority from the Commission.
- (e) WCIC is applying for authority to operate as a facilities-based carrier pursuant to the terms and conditions of Section 63.18(e)(1), of the Commission's Rules 47 C.F.R. § 63.18(e)(1) and as a resale carrier pursuant to the term and conditions of Section 63.18(e)(2) of the Commission's Rules. 47 C.F.R. § 63.18(e)(2). WCIC requests authority to serve all countries permitted under a grant of global authority. As evidenced by the certification provided in Attachment A, WCIC 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-.23.
- (f) At this time, Applicant does not seek authority to provide service not referenced under paragraph (e) of Section 63.18 of the Commission's Rules. 47 C.F.R. § 63.18(e).
- (g) WCIC will use previously authorized facilities to provide the services requested by this Application. Consequently, WCIC is categorically excluded from environmental assessment pursuant to Section 1.1306 of the Commission's Rules. 47 C.F.R. § 1.1306.
- (h) WCIC is 90 percent owned by AMP Life Limited ("AMP"), a large Australian financial institution, and two other non-telecommunications Australian-based entities and individuals. No entity or individual other than AMP has 10 percent or more ownership interest in WCIC. The address of AMP Life Limited is Level 20, 33 Alfred Street, Sydney, NSW, 2000 AUSTRALIA, or P.O. Box R227, Royal Exchange NSW 1225 AUSTRALIA.
- (i) As evidenced by the certification attached hereto as Attachment A, WCIC is not affiliated with a foreign carrier.
- (j) As evidenced by the certification attached hereto as Attachment A, WCIC does not seek to provide international telecommunications service to any destination where: (1) WCIC is a foreign carrier in that country; (2) WCIC controls a foreign carrier in that country; (3) any entity that owns more than a 25% interest in WCIC, or controls WCIC, controls a foreign carrier in that country; or (4) two or more parties own, in the aggregate, more than 25% of WCIC and are parties to, or the beneficiaries of, a contractual relationship that affects the provision or marketing of international basic telecommunications services in the United States.
- (k) Not applicable; WCIC is not affiliated or otherwise related to any foreign carrier on any of the routes which WCIC proposes to provide service in this Application.
- (l) Not applicable; WCIC is not a foreign carrier and is not affiliated with a foreign carrier on any of the routes it proposes to resell international telecommunications service.

- (m) Not applicable; WCIC is not affiliated with any foreign carrier on any of the routes it proposes to provide service.
- (n) As evidenced by the certification provided in Attachment A, WCIC 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.
- (o) As evidenced by the certification provided in Attachment A, 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) WCIC respectfully requests streamlined processing of this Application pursuant to Section 63.12 of the Commission's Rules. 47 C.F.R. § 63.12 This Application qualifies for streamlined processing for the following reasons: (1) WCIC is not affiliated with a foreign carrier on any route for which authority is sought; (2) WCIC is not affiliated with any dominant U.S. carrier whose international switched or private lines services it seeks to resell; and (3) WCIC is not requesting authority to provide switched service over private lines to countries not previously authorized for service by the Commission.

WHEREFORE, WCIC respectfully requests that the Commission grant it authority to provide international telecommunication services on a facilities and resale basis pursuant to Section 214 of the Communications Act of 1934, as amended.

Respectfully submitted,

WCI Cable, Inc.



By:

Patrick T. Estenes
Vice President, Marketing and Sales
WCI CABLE, INC.
5289 NE Elam Young Parkway
Suite D 100
Hillsboro, Oregon 97124
(503) 439-1581

Aileen Pisciotta
KELLEY DRYE & WARREN LLP
1200 19th Street, N.W.
Suite 500
Washington, D.C. 20036
(202) 955-9600

Its Attorney

Dated: March 28, 2000

503.533.5552
503.533.0933 fax

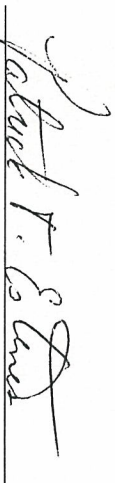
WCI Cable, Inc. - Oregon
5289 NE Elam Young Parkway
Suite D100
Hillsboro, OR 97124

CERTIFICATE

The undersigned hereby certifies, on behalf of WCI Cable, Inc. ("WCIC") with respect to the foregoing application for authority to provide international service, that:

1. WCIC is not affiliated with any foreign carrier in any of the countries to which WCI proposes to provide service in the foregoing application.
2. WCIC 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. §§ 63.21-23.
3. WCIC does not seek to provide international telecommunications service to any destination where: (1) WCIC is a foreign carrier in that country; (2) WCIC controls a foreign carrier in that country; (3) any entity that owns more than a 25% interest in WCIC, or controls WCIC, controls a foreign carrier in that country; or (4) two or more parties own, in the aggregate, more than 25% of WCIC and are parties to, or the beneficiaries of, a contractual relationship that affects the provision or marketing of international basic telecommunications services in the United States.
4. WCIC 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 for Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 853(a).

By: _____



Title: _____

VP Marketing & Sales

Date: _____

3/28/2000