

Categories of Services for 214 Applications
(Streamlined/Non-streamlined)

- 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:

Domestic Brazil

*ERS
OK*

EMBRATEL AMERICAS, INC.

800 DOUGLAS RD, SUITE 500
CORAL GABLES, FL 33134
PH: 305-476-2120
FAX: 305-476-2150

RECEIVED
MAY 08 2000
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

May 5, 2000

FCC/MELDON

MAY 19 2000

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

Re: International Section 214 Authorization for
Embratel Americas, Inc.

Dear Ms. Salas:

Transmitted herewith on behalf of Embratel Americas, Inc. are the original and five copies of its application for authority pursuant to Section 214 of the Communications Act of 1934, as amended, and Sections 63.18(e)(2) and 63.18(e)(4) of the Commission's rules, to provide global resale services between the United States and international points.

This application is accompanied by a filing fee of \$780.00, payable to the Federal Communications Commission. Please stamp and return a copy of this application in the enclosed envelope.

Should you have any questions concerning this application, please contact Scott Shefferman or me at 202/736-6062.

Respectfully submitted,



Stuart Eaton

Enclosures

cc: George Li, Telecommunications Division, International Bureau (w/encl.)

READ INSTRUCTIONS CAREFULLY

FEDERAL COMMUNICATIONS COMMISSION
REMITTANCE ADVISE

APPROVED BY OMB 1060-0530

(1) LOCKBOX #

PAGE NO. 1 OF 1

SECTION A - PAYER INFORMATION

(3) PAYEE FINANCIAL PAYING BY CHECK CODE, INTERMEDIARY BANK (do not print on your card)
Embrate! Americas, Inc.

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

(4) STREET ADDRESS LINE NO. 1
800 Douglas Road, Suite 500

(5) STREET ADDRESS LINE NO. 2

(6) CITY
Coral Gables (17) STATE
FL (18) ZIP CODE
33134

(8) PAYEE TELEPHONE NUMBER (include area code)
305/476-2122 (19) COUNTRY CODE (if not in USA)

SECTION B - APPLICANT INFORMATION

(11) APPLICANT BANKING PAYING BY CHECK CODE, INTERMEDIARY BANK (do not print on your card)

(12) STREET ADDRESS LINE NO. 1

(13) STREET ADDRESS LINE NO. 2

(14) CITY (15) STATE (16) ZIP CODE

(17) DOMESTIC TELEPHONE NUMBER (include area code) (18) COUNTRY CODE (if not in USA)

SECTION C - PAYMENT INFORMATION

(1) PAYEE CALL CENTER NAME
UNIT NUMBER
C U T
UNITED CODE
780.00

(2) PAYEE CODE 1
3200 FCC CODE 2

(1) PAYEE CALL MONITORING ID
(10) QUANTITY
(20) PAYEE TYPE CODE (FIC)
(30) PAYEE DUE DATE (FIC) IS BLANK
(40) FCC CODE 1
(50) FCC CODE 2

(2) PAYEE CODE 1
3200 FCC CODE 2

(1) PAYEE CALL MONITORING ID
(10) QUANTITY
(20) PAYEE TYPE CODE (FIC)
(30) PAYEE DUE DATE (FIC) IS BLANK
(40) FCC CODE 1
(50) FCC CODE 2

(2) PAYEE CODE 1
3200 FCC CODE 2

(1) PAYEE CALL MONITORING ID
(10) QUANTITY
(20) PAYEE TYPE CODE (FIC)
(30) PAYEE DUE DATE (FIC) IS BLANK
(40) FCC CODE 1
(50) FCC CODE 2

(2) PAYEE CODE 1
3200 FCC CODE 2

SECTION D - PAYER INFORMATION (REQUIRED)

(20) PAYER TIN
6 5 0 9 8 8 8 6
APPLICANT TIN

SECTION E - CERTIFICATION

(21) CERTIFICATION STATEMENT
I, Jorge Rodriguez, 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

(22) AUTHORIZED SIGNATURE
DATE

(23) MONTH YEAR

SEE PUBLIC BURDEN ESTIMATE ON REVERSE
FCC FORM 136 JULY 1997 (REVISED)

this primarily by way of existing U.S.-based prepaid card distribution networks. Additionally, Embratel Americas will provide a billing interface with U.S. local exchange carriers to complete "Collect to USA" calling from Brazil.

III. Section 63.18 Information.

a) Name, address and telephone number of the applicant:

Embratel Americas, Inc.
800 Douglas Road, Suite 500
Coral Gables FL 33134
Telephone: 305/476-2120

b) The Government, State or Territory under the laws of which each corporate or partnership applicant is organized:

Embratel Americas is a corporation organized under the laws of Delaware.

c) The name, title, mailing address, and telephone number of the person and any other contact point to whom correspondence concerning this application should be sent:

Mr. Stuart Eaton
Sr. Manager, Business Development
Embratel Americas, Inc.
800 Douglas Road, Suite 500
Coral Gables FL 33134
Telephone: 305/476-2122

With a copy to:

Ms. Camilla Tapias
Embratel S.A.
Av. Presidente Vargas 1012
Centro - Rio de Janeiro RJ CEP 20179-900 Brazil
Telephone: 011-55-21-6080

d) A statement whether the applicant has previously received authority under Section 214:

Embratel Americas has not requested or received authority previously under Section 214 of the Communications Act.

e) Services included in this application:

Embratel Americas requests Section 214 global resale authority pursuant to section 63.18(e)(2) of the Commission's rules to provide basic switched services via resale between the United States and all international points, except Brazil and Taiwan. Embratel Americas certifies that it will comply with the terms and conditions contained in Sections 63.21 and 63.23 of the Commission's rules.

Embratel Americas separately seeks Section 214 global resale authority pursuant to Sections 63.18(e)(4) and 63.23(b) to provide basic switched services via resale between the U.S. and Brazil. Embratel Americas certifies that it will comply with the terms and conditions contained in Sections 63.21 and 63.23 of the Commission's rules.

Embratel Americas separately seeks Section 214 global resale authority pursuant to Section 63.18(e)(4) and 63.23(a)(1) to provide basic switched services via resale between the U.S. and Taiwan. Embratel Americas certifies that it will comply with the terms and conditions contained in Sections 63.21 and 63.23 of the Commission's rules.

f) Applicant may apply for any other or all of the authority provided for in paragraph (e) of this section.

Embratel Americas seeks authority only to provide global switched services via resale pursuant to Sections 63.18(e)(2) and 63.18(e)(4) of the Commission's rules.

(g) Environmental assessment for facilities-based authority.

Not applicable.

(h) Name, address, citizenship and principal business of the entities that own at least ten percent of the equity in Embratel Americas.

The following entities hold a ten percent (10%) or greater, direct or indirect, ownership interest in Embratel Americas:

Name:	Embratel S.A.
Address	Av. Presidente. Vargas 1012 Centro - Rio de Janeiro RJ CEP 20179-900 Brazil
Telephone	011-55-21-6080
Principal business	Telecommunications
Citizenship	Brazilian
Percentage of interest	100%

The following entity holds a ten percent (10%) or greater, direct or indirect, ownership interest in Embratel S.A.:

Name:	MCI WorldCom, Inc.
Address:	500 Clinton Center Drive Clinton, MS 39056
Citizenship:	United States
Principal Business:	Telecommunications
Ownership Interest:	52%

(i) Affiliation with a foreign carrier.

Embratel Americas certifies that it is affiliated with Embratel S.A., a provider of intra-city and international transport communications services in Brazil. Embratel S.A., the parent company of Embratel Americas, is affiliated with Avantel S.A., a provider of intra-city and international transport telecommunications services in Mexico.

Finally, Embratel is affiliated with the following foreign subsidiaries of MCI WorldCom that provide basic telecommunications services, all of which lack market power in their home markets:

<u>Country</u>	<u>Entity</u>
Argentina	MCI International (Argentina) S.A.
Australia:	WorldCom Pty Ltd.
Austria:	MCI WorldCom Telecommunications Services Austria
Belgium:	MCI WorldCom B. V.
Canada:	MFS Communications of Canada, Inc.
Chile:	MCI International (Chile) S.A.
Colombia:	MCI International (Colombia) S.A.
Czech Republic:	MCI WorldCom Telecommunications, s.r.o.
Denmark:	MCI WorldCom A/S
Finland:	MCI WorldCom (Finland) Oy
France:	WorldCom Telecommunications Services S.A.
Germany:	WorldCom Telecommunications Services GmbH
Guatemala:	MCI International de Guatemala, S.A.
Hong Kong:	WorldCom Advanced Networks HK Ltd.
Ireland:	MCI WorldCom Ireland, Ltd.
Italy:	WorldCom S.p.A
Japan:	WorldCom Japan Ltd.
	MCI International (Japan) Co. Ltd.
Luxembourg:	WorldCom (Luxembourg) S.A.
Netherlands:	WorldCom Communications Ltd.
Norway:	MCI WorldCom S.A.

Panama:	MCI International Panama, S.A.
Portugal:	MCI International Communications
South Africa:	MCI Telecommunications (South Africa) Ltd.
South Korea:	WorldCom Korea
Singapore:	MCI WorldCom Asia PTE
Spain:	WorldCom Telecommunications S.A.
Sweden:	MFS WorldCom Communications S.A.
Switzerland:	WorldCom Advanced Networks A.G.
Taiwan:	MCI WorldCom Taiwan
U.K.:	WorldCom International Ltd.
Venezuela:	MCI International de Venezuela, S.A.

(j) Certification of destination country:

Embratel Americas certifies that it seeks to provide international telecommunications services, via switched resale, to all of the destination countries where it has foreign affiliates listed in (i) above. Embratel Americas also will provide telecommunications services in Brazil. Embratel Americas certifies that it is wholly-owned by Embratel S.A., the incumbent carrier in Brazil.

(k) Destination country is a WTO member.

Brazil and all of the other destination countries referenced in (j) are World Trade Organization member countries, except Taiwan. Embratel Americas's affiliate in Taiwan, MCI WorldCom Taiwan, neither controls bottleneck facilities nor has a 50 percent or greater market share in the Taiwanese international transport or local access markets, and therefore, lacks market power in Taiwan.

(l) Not applicable.

(m) Embratel Americas qualifies for non-dominant status on all routes for which it seeks authority and where it is a foreign carrier or is affiliated with a foreign carrier at the destination end, except Brazil. Embratel Americas certifies that it lacks 50 percent market share in the international transport and access markets in the countries referenced in (j), except Brazil. Therefore, pursuant to 63.10(a)(3) of the Commission's rules, Embratel Americas should be presumptively classified as non-dominant for these routes.

Pursuant to Section 63.10(a)(2), Embratel Americas agrees to be classified as dominant on the Brazil – US route because of its affiliation with Embratel, S.A., the incumbent provider of long-distance and international telecommunications services in Brazil.

(n) Embratel Americas certifies that it has not agreed and will not agree in the future to accept any direct or indirect special concessions from a foreign carrier or administration with regard to traffic or revenue flows between the United States and any foreign countries the company is authorized to serve.

(o) Embratel Americas certifies that no party to this application has been denied federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988.

(p) Streamlined processing.


Embratel Americas requests streamlined processing of this application. Embratel Americas is affiliated with a foreign carrier in Brazil, however, it certifies under Section 63.12(c)(1)(v), that the affiliated destination is a WTO Member country and it agrees to be classified as a dominant carrier to the affiliated destination country under Section 63.10, without prejudice to its right to petition for reclassification at a later date. Accordingly, Embratel Americas qualifies for streamlined processing pursuant to Section 63.12(c)(1)(v) of the Commission's rules.

IV. Conclusion


For the reasons stated above, Embratel Americas respectfully requests that the Commission grant this application without delay.

Respectfully submitted,

Embratel Americas, Inc.

By: 

Jorge Rodriguez
President

Date: , 2000

