

Federal Communications Commission

DA 03-1512

Before the
Federal Communications Commission
Washington, D.C. 20554

J. Mann

ERL

In the matter of

Telecuba, Inc.

Application for authority to
provide facilities-based services to Cuba

File No. ITC-214-20020924-00457

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ORDER, AUTHORIZATION AND CERTIFICATE

Adopted: May 5, 2003

Released: May 6, 2003

By the Chief, Policy Division, International Bureau:

1. We have under consideration the above-captioned uncontested application, filed by Telecuba, Inc. ("Telecuba"), requesting authority, pursuant to Section 214 of the Communications Act of 1934, as amended, to establish channels of communication between the United States and Cuba for the provision of facilities-based services.

2. Telecuba, incorporated under the laws of the state of Florida, is currently authorized to provide global facilities-based and resale services between the United States and all permissible points.¹ Telecuba currently provides prepaid calling card and 1+ direct dial services.²

3. We placed Telecuba's application on public notice on December 20, 2002.³ We also informed the Department of State of the application.⁴ No opposing comments were received.⁵ We have reviewed the application and find it consistent with the Executive Branch criteria for the provision of telecommunications service between the United States and Cuba.⁶ Upon consideration of the application

¹ Telecuba, Inc., Application for Authority to Provide Facilities-Based and Resale Services: File No. ITC-214-19990428-00255, granted May 28, 1999.

² See Application, File No. ITC-214-20020924 (filed September 24, 2002).

³ Non Streamlined International Applications Accepted for Filing, Report No. TITL-00612NS (December 20, 2002).

⁴ Letter from George Li, Deputy Chief, Policy Division, International Bureau, Federal Communications Commission, to Steven Lett, Deputy U.S. Coordinator, Office of International Communications and Information Policy, U.S. Department of State, dated December 19, 2002.

⁵ The Department of State approved the grant of the application on April 29, 2003. See Letter to Donald Abelson, Chief, International Bureau, Federal Communications Commission, from David A. Gross, Ambassador, United States Coordinator, International Communications and Information Policy, U.S. Department of State, dated April 29, 2003.

⁶ See Letter from Richard C. Beard, Acting U.S. Coordinator and Director, Bureau of International Communications and Information Policy, U.S. Department of State, to James H. Quello, Chairman, Federal Communications Commission, dated July 22, 1993.

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and in view of the foregoing, we find that the present and future public convenience and necessity require a grant of the application, subject to the conditions set forth below.

4. Accordingly, IT IS ORDERED that application File No. ITC-214-20020924-00457 IS GRANTED and Telecuba is authorized to lease and operate a 3 Mbps satellite circuit to provide service between the United States and Cuba. The signal will be transmitted from Telecuba's switch in Miami, Florida, to an authorized international earth station, Iron Link Communications Teleport, in Ft. Lauderdale, Florida. The signal will be uplinked to the Saunex 5 satellite, located at 116.8 degrees West Longitude on C Band, and will be downlinked to the international gateway, Etesca's Teleport Caribe, in Havana, Cuba.

5. IT IS FURTHER ORDERED that the service authorized herein must be implemented within one year from the date of release of this order.

6. IT IS FURTHER ORDERED that Telecuba shall split 50/50 with Etesca the \$1.20 per minute accounting rate for switched telecommunications services.

7. IT IS FURTHER ORDERED that the surcharge agreed to between Telecuba and Etesca for received collect calls shall be no greater than \$1.00 per call.

8. IT IS FURTHER ORDERED that Telecuba shall comply with Sections 63.19, 63.21, 63.22 and 63.24 of the Commission's Rules, 47 C.F.R. Sections 63.19, 63.21, 63.22 and 63.24.

9. IT IS FURTHER ORDERED that Telecuba shall file annual circuit status reports in accordance with Section 43.82 of the Commission's Rules, 47 C.F.R. Section 43.82. See <http://www.fcc.gov/ib/pd/pf/csmannual.html>.

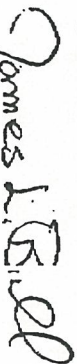
10. IT IS FURTHER ORDERED that Telecuba shall submit reports on or before June 30, and December 31, of each year, and on the one-year anniversary of the grant of this application in the Federal Register, indicating the number of circuits activated by facility.

11. IT IS FURTHER ORDERED that this authorization is subject to Telecuba's obtaining all necessary licenses and authorizations from the Departments of Treasury and Commerce.

12. IT IS FURTHER ORDERED that this authorization and certificate is subject to revocation without a hearing in the event the Department of State or the Federal Communications Commission determines that the continuation of communications between the United States and Cuba is no longer in the national interest.

13. This order is issued under Section 0.261 of the Commission's Rules and is effective upon release. Petitions for reconsideration under Section 1.106 or applications for review under Section 1.115 of the Commission's Rules may be filed within 30 days of the date of public notice of this order (see Section 1.4(b)(2)).

FEDERAL COMMUNICATIONS COMMISSION



James L. Ball
Chief, Policy Division
International Bureau