

BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON D.C. 20554

FCC/MELLON

JAN 27 2003

In the matter of

Charter Fiberlink, LLC )  
Application Under Section 214 )  
Of the Communication Act of 1934, )  
As Amended, for Global Authority )  
For the Provision of Resold )  
International Switched and )  
Private Line Services )  
Between the U.S. and Various )  
International Points )

Streamlined ITC-214-20030127-00071  
Charter Fiberlink, LLC

HL  
FEB 04 2003  
Policy Division  
International Bureau

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APPLICATION

Charter Fiberlink, LLC ("Applicant"), pursuant to Section 214 of the Communications Act of 1934, as amended (the "Act"), 47 U.S.C. 214, hereby requests global authority to 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. 47 C.F.R. 63.18(e)(2). Applicant has no affiliation with any foreign carrier in any of the destination countries for which authority is requested nor is Applicant affiliated with any dominant U.S. Carrier whose services Applicant may resell. Thus, pursuant to Section 63.10(a)(1) of the Commission's Rules, 47 C.F.R. 63.10(a)(1) Applicant 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 \$860.00 is attached hereto.

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

(a) Name, Address, and Telephone Number of Applicant

Charter Fiberlink, LLC  
12405 Powerscourt Drive  
St. Louis, MO 63131  
(314) 543-2666

(b) Organization of Company

Applicant is a Limited Liability Company organized under the laws of the state of Delaware.

(c) Correspondence

Correspondence concerning this Application should be addressed to:

Ms. Carrie L. Cox  
Director of Legal and Regulatory Affairs  
Charter Communications  
1265 John Q. Hammons Drive  
Madison, WI 53717  
(608) 826-1315

with copies to:

Ms. Trudi McCollum Foushee  
VP and Senior Counsel  
Charter Communications  
12405 Powerscourt Drive  
St. Louis, MO 63131  
(314) 543-2402

(d) No Prior Authority

Applicant has not previously received Section 214 authority from the Commission.

(e) Application Type

Applicant is applying for authority to operate as a resale carrier pursuant to the terms and conditions of Section 63.18(e)(2). Applicant requests authority to serve all countries permitted under a grant of global authority. As evidenced by the certification provided in Attachment A, Applicant will comply with all applicable terms and conditions contained in Section 63.21, 63.22 and 63.23 of the Commission's Rules. 47 C.F.R. 63.21-23.

(f) Services

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) Use of Facilities

Applicant will use previously authorized facilities to provide the services requested by this Application. Consequently, Applicant is categorically excluded from environmental assessment pursuant to Section 1.1306 of the Commission's Rules. 47 C.F.R. 1.1306.

(h) Ownership

Applicant is 100% owned by Charter Cable Operating Company, LLC, a Delaware Limited Liability Company, which is 100% owned by Charter Communications Operating, LLC, a Delaware Limited Liability company, which is 100% owned by Charter Communications Holdings, LLC, a Delaware Limited Liability Company, which is 100% owned by Charter Communications Holding Company, LLC, a Delaware Limited Liability Company, which is owned by Charter Communications, Inc. (46.5%) a Delaware corporation, Charter Investment, Inc. (35.1%) a Delaware

Corporation, and Vulcan Cable III, Inc. (18.4%) a Delaware corporation. The address of the companies owning Applicant is 12405 Powerscourt Drive, St. Louis, MO 63131 with the exception of Vulcan Cable, that address being: 505 5<sup>th</sup> Ave. South Suite 900 Seattle, WA 98104. No other entity or person has ten percent (10%) or more ownership interest in Applicant.

(i) Foreign Affiliation

As evidenced by the certification attached hereto as Attachment A, Applicant is not affiliated with a foreign carrier.

(j) Foreign Destination Ownership

As evidenced by the certification attached hereto as Attachment A, Applicant does not seek to provide international telecommunications service to any destination where: (1) Applicant is a foreign carrier in that country; (2) Applicant controls a foreign carrier in that country; (3) any entity that owns more than a 25% share in Applicant, or controls Applicant, controls a foreign carrier in that country; or (4) two or more parties own, in the aggregate, more than 25% of Applicant 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) Foreign Carrier Route Facility Based Service Provision

Not applicable; Applicant is not affiliated or otherwise related to any foreign carrier on any of the routes which Applicant proposes to provide service in this Application.

(l) Foreign Carrier Affiliation - Resale

Not applicable; Applicant is not affiliated with a foreign carrier on any of the routes it proposes to resell international telecommunications service.

(m) Foreign Carrier Routes

Not applicable; Applicant is not affiliated with any foreign carrier on any of the routes it proposes to provide services.

(n) No Special Concessions

As evidenced by the certification provided in Attachment A, Applicant has not agreed to accept special concessions directly or indirectly from any foreign carrier with respect to any U.S. international route 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) Anti-Drug Abuse Act

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.

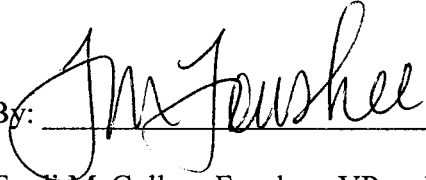
(p) Eligibility for Streamlined Processing

Applicant respectfully requests streamlined processing of this Application pursuant to 63.12 of the Commission's Rules. 47 C.F.R. 63.12. This Application qualifies for streamlined processing for the following reasons: (1) Applicant is not affiliated with any foreign carrier on any route for which authority is sought; (2) Applicant is not affiliated with any dominant U.S. carrier whose international switched or private line services it seeks to resell; and (3) Applicant is not requesting authority to provide switched service over private lines to countries not previously authorized for service by the Commission.

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

Respectfully submitted,

CHARTER FIBERLINK, LLC

By: \_\_\_\_\_

Trudi McCollum Foushee, VP and Sr. Counsel  
12405 Powerscourt Drive  
St. Louis, MO 63131  
(314) 543-2402

Dated: 01-23-03

**Attachment A**

**CERTIFICATE**

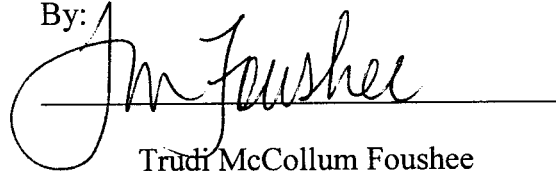
The undersigned hereby certifies, on behalf of Charter Fiberlink, LLC (“Applicant”) with respect to the foregoing application for authority to provide international services, that:

1. Applicant is not affiliated with any foreign carrier in any of the countries to which Applicant proposes to provide service in the foregoing application.
2. Applicant will comply with the terms and conditions contained in Section 53.21, 63.22, and 63.23 of the Commission’s Rules. 47 C.F.R. 63.21-23.
3. Applicant does not seek to provide international telecommunications service to any destination where: (1) Applicant is a foreign carrier in that country; (2) Applicant controls a foreign carrier in that country; (3) any entity that owns more than a 25% interest in Applicant, or controls Applicant, controls a foreign carrier in that country; or (4) two or more parties own, in the aggregate, more than 25% of Applicant and are parties to, or the beneficiaries of a contractual relationship that affects provision or marketing of international basic telecommunications services in the United States.
4. Applicant 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:



Trudi McCollum Foushee  
VP and Sr. Counsel  
12405 Powerscourt Drive  
St. Louis, MO 63131  
(314) 543-2402

Dated:

01-23-03