

Attachment 1

Application of 42com International Inc.

Response to Question 9

This Application qualifies for streamlined processing pursuant to Section 63.12(c)(1)(v) of the Commission's Rules. As set forth below, while 42com International Inc. ("42com" or "Applicant") is affiliated with a foreign carrier in Germany, Germany is a WTO Member country and the Applicant qualifies for a presumption of non-dominance under Section 63.10(a)(4).

Responses to Questions 11 & 12

42com provides the following information and certifications as required in Section 63.18(i) through (m) of the Commission's Rules, 47 C.F.R. § 63.18(i)-(m):

- (i) The Applicant certifies that it is not a foreign carrier within the meaning of Section 63.09(d) of the Commission's Rules. The Applicant is wholly owned by 42com Telecommunication GmbH, a German telecommunications provider.
- (j) The Applicant certifies that it seeks to provide international telecommunications services to all global points, except those points on the Commission's Exclusion List.
- (k)-(m) The Applicant certifies that it is affiliated with 42com Telecommunication GmbH, a German telecommunications provider. Germany has been a member of the World Trade Organization since January 1995. The Applicant presumptively qualifies for non-dominant treatment pursuant to Section 63.10(a)(3) of the Commission's Rules, 47 C.F.R. § 63.10(a)(3). Neither 42com nor any foreign carrier affiliate has more than a 50% market share in the relevant service market, and is therefore presumptively considered to be a non-dominant service provider.

Question 13

As discussed above, Applicant seeks authority to provide service to all global points, except those points on the Commission's Exclusion List.