Non-Streamlined ITC-AMD-20000510-00307 SOUTHWESTERN BELL COMMUNICATIONS SERVICES, INC. SOUTHWESTERN BELL LONG DISTANCE (SBCS)

Categories (Streamline/Non-streamline) Of Services for 214 Applications

- □ 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:

FCC FORM 159 JULY 1997 (REVISED)	SEE PUBLIC BURDEN ESTIMATE ON REVERSE	SE
	•	VISA for the service(s)/authorization(s) herein described.
	ASTERCARD AUTHORIZED SIGNATURE	I hereby authorize the FCC to charge my VISA or MASTERCARD
MONTH YEAR		MASTERCARD
	F - CREDIT CARD PAYMENT	
	knowledge, infomation and belief. SIGNATURE	(PRINT NAME) (PRINT NAME) are true and correct to the best of my knowledge.
the foregoing and supporting information	, Certify under penalty of perjury that the foregoing and	(27) CERTIFICATION STATEMENT
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	(24B) FCC CODE 2	(23B) FCC CODE 1
PTC) IN BLOCK 208 FCC USE ONLY	(21B) QUAN	(19B) FCC CALL SIGN/OTHER ID
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	exactly as it appears on your card) Inications Services, Inc.	(11) APPLICANT NAME (If paying by credit card, enter name exactly as it appears on y Southwestern Bell Communications
	SECTION B - APPLICANT INFORMATION	
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	(10) COUNTRY CODE (if not in U.S.A.)	(9) DAYTIME TELEPHONE NUMBER (Include area code) $(202)$ $719 - 7000$
(8) ZIP CODE 20006	(7) STATE DC	(6) cmy Washington
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(3) TOTAL AMOUNT PAID (dollars and cents) \$ 780.00	ly as it appears on your card)	(2) PAYER NAME (if paying by credit card, enter name exactly as it appears on your card) Wiley , Rein & Fielding
	SECTION A - PAYER INFORMATION	
FCC USE ONLY	PAGE NO. <u>1</u> OF <u>1</u>	(1) LOCKBOX # 358115
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#### Before the FEDERAL COMMUNICATIONS COMMISSION Washington, D.C. 20554

In the Matter of

Southwestern Bell Communications Services, Inc.

Application for Authority Pursuant to Section 214 Of the Communications Act of 1934, as amended, For Authority to Operate as an International Facilities-Based and Resale Carrier

> File No. ITC-214-20000127-00027

## AMENDMENT TO APPLICATION FOR AUTHORITY UNDER SECTION 214 OF THE COMMUNICATIONS ACT OF 1934, AS AMENDED

list.1 to provide GSM mobile telecommunications services in Norway, and has less than 50 and "affiliate" are defined in section 63.09 of the Commission's rules, 47 C.F.R. § 63.09.<sup>2</sup> authority to provide international facilities-based and resale services between all points in As discussed in more detail below, NetCom is a competitive wireless carrier authorized from the list of foreign carriers with which it is affiliated, as the terms "foreign carrier" Texas and all international points except countries listed on the Commission's exclusion Distance, ("SBCS" or "Applicant") hereby amends its application for section 214 In its 214 Application, SBCS inadvertently omitted NetCom ASA ("NetCom") Southwestern Bell Communications Services, Inc. d/b/a Southwestern Bell Long

for Authority Pursuant to Section 214 of the Communications Act of 1934, as Amended, for Authority to Operate as an International Facilities-Based and Resale Carrier, File No. ITC-214-2000127-00027 (filed Jan. 27, 2000) ("214 Application"). <sup>1</sup> Application of Southwestern Bell Communications Services, Inc. d/b/a Southwestern Bell Long Distance

Notification of Foreign Affiliation Pursuant to Section 63.11 of the Commission's Rules and Ameritech notified the Commission of their affiliation with NetCom. See Ameritech Communications, Inc. which, like SBCS, are wholly-owned subsidiaries of SBC Communications Inc. ("SBC"), previously Mobile Communications Inc. Notification of Foreign Affiliation Pursuant to Section 63.11 of the Commission's Rules (Filed Sept. 1, 1999) (attached hereto as Attachment A). Ameritech Communications, Inc. ("ACI") and Ameritech Mobile Communications, Inc. ("AMCI"),

on the U.S.-Norway route lacks market power in Norway, and SBCS is entitled to non-dominant carrier regulation percent market share of the international transport, intercity facilities and services, and local access markets in Norway. As such, NetCom is entitled to a presumption that it

explained in its 214 Application, it must obtain authority to provide international services amended, for authority to provide in-region, interLATA service in the State of Texas.<sup>5</sup> application,<sup>4</sup> and opened a new docket to consider SBC's section 271 application, as requested the Commission to restart the clock on its January Texas 271 Application, or, provide in-region, interLATA services in the State of Texas.<sup>3</sup> On April 5, 2000, SBC at the same time it receives 271 authority for Texas to offer its customers a full The Commission must decide the April Texas 271 Application by July 6, 2000. As SBCS Commission granted SBC's alternative request to treat SBC's April 5 filing as a new in the alternative to treat its request as a new application. On April 6, 2000, the for authorization pursuant to section 271 of the Communications Act, 47 U.S.C. § 271, to of SBC Communications Inc. (SBC), Southwestern Bell Telephone Company and SBCS As SBCS previously stated, its 214 Application is a companion to the application

<sup>&</sup>lt;sup>3</sup> Application at 1, citing Application of SBC Communications Inc., Southwestern Bell Telephone Company, Section 271 of the Telecommunications Act of 1996 to Provide In-Region, InterLATA Services in Texas, CC Docket No. 00-4 (filed Jan. 10, 2000) ("January Texas 271 Application"). and Southwestern Bell Communications Services, Inc. d/b/a Southwestern Bell Long Distance Pursuant to

No. 00-4, FCC 00-124 (rel. Apr. 6, 2000). Telecommunications Act of 1996 to Provide In-Region, InterLATA Services in Texas, Order, CC Docket Communications Services, Inc. d/b/a Southwestern Bell Long Distance Pursuant to Section 271 of the Application of SBC Communications Inc., Southwestern Bell Telephone Company, and Southwestern Bell

Docket No. 00-65, DA 00-750 (rel. Apr. 6, 2000) ("April Texas 271 Application"). 271 of the Communications Act to Provide In-Region, InterLATA Service in Texas, Public Notice, CC Comments Requested on the Application by SBC Communications Inc. for Authorization Under Section

services in the State of Texas.<sup>7</sup> in Texas at the same time that SBCS is legally permitted to provide in-region, interLATA that the Commission grant its 214 Application to provide in-region international services complement of interLATA services in Texas.<sup>6</sup> Accordingly, SBCS reiterates its request

## Supplemental Section 63.18 Information

SBCS provides the following additional information regarding NetCom in

sum, Ameritech (and therefore SBC) owns a 28.08 percent, non-controlling equity indirectly 8.48 percent of NetCom through Tele Danmark (41.6% x 20.39% = 8.48%). In percent interest in NetCom. Consequently, Ameritech, and therefore SBC, owns р a ("Ameritech"), a wholly-owned subsidiary of SBC Communications Inc. ("SBC"), holds interest in NetCom (8.48% + 19.6% = 28.08%). NetCom is a competitive wireless Commission's rules, 47 C.F.R. § 63.09, with NetCom. Ameritech Corporation Ξ accordance with section 63.18 of the Commission's rules, 47 C.F.R. § 63.18<sup>8</sup> 41.6 percent de facto controlling interest in Tele Danmark, which, in turn, holds a 20.39 19.6 percent interest in NetCom. SBCS certifies that it is affiliated, as that term is defined in section 63.09 of the Ameritech, through an indirect subsidiary, also holds

<sup>&</sup>lt;sup>6</sup> 214 Application at 1-2.

<sup>63.12(</sup>c)(1)(iii). foreign carrier that owns only mobile wireless facilities in the destination market, or (2) the applicant qualifies for a presumption of non-dominance under § 63.10(a)(3). 47 C.F.R. §§ 63.12(c)(1)(ii) and affiliations with such a carrier generally does not raise any competitive issue, and therefore has accorded wireless carrier entitled to a presumption of non-dominance. The Commission itself has recognized that streamlined processing to 214 applications where, among other things: (1) the applicant is affiliated with a with which it is affiliated will not delay Commission action on the application because NetCom is a mobile SBCS anticipates that this amendment to its 214 Application to add NetCom to the list of foreign carriers Both these conditions apply here

provide resale service in accordance with the provisions of section 63.18(e)(2) of the rules between all out-of-region points and Chile, South Africa and Switzerland. *International Authorizations Granted*, DA No. 00-768 (Apr. 6, 2000); FCC File No. ITC-214-200003-01-00125. based carrier in accordance with the provisions of Section 63.18(e)(1) of the Commission's rules and also to <sup>8</sup> SBCS notes that, since it filed its 214 Application, it has been granted authority to operate as a facilities-

to affect competition adversely in the U.S. market. carrier authorized to provide GSM mobile telecommunications services in Norway. NetCom has less than 50 percent market share of the international transport, intercity facilities and services, and local access markets in Norway, and therefore lacks the ability

percent of SBCS S its corporate parent, controls NetCom, and (3) no foreign carriers own more than 25 SBCS certifies that: (1) it is not a foreign carrier in Norway, (2) neither SBCS nor SBC, Pursuant to section 63.18(j) of the Commission's rules, 47 C.F.R. § 63.18(j).

treatment on the U.S.-Norway route. rules, 47 C.F.R. § 63.10(a)(3), SBCS is entitled to a presumption of non-dominant member of the WTO. Accordingly, pursuant to section 63.10(a)(3) of the Commission's transport, intercity facilities and services, and local access markets in Norway, which is (l) & (m) NetCom has less than 50 percent market share in the international 2

such agreements in the future, except as permitted by section 63.14 carrier possesses market power on the foreign end of the route and will not enter into section 63.14(b) of the Commission's rules, 47 C.F.R. § 63.14(b), directly or indirectly (n)from any foreign carrier with respect to any U.S. international route where the foreign SBCS certifies that it has not agreed to accept special concessions, as defined in

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#### Conclusion

section 271. services in the State of Texas under section 271 of the Communications Act, 47 U.S.C. 214 Application at the same time that SBCS is legally permitted to provide interLATA For the foregoing reasons, SBCS respectfully requests the Commission to grant its

Respectfully submitted,

By: Withen M.

Christopher M. Heimann Counsel for Southwestern Bell Communications Services, Inc. 1401 I Street, N.W., Suite 400 Washington, D.C. 20005 (202) 326-8909

May 10, 2000

ORIGINAL

Federal Communications Commission SEP 01 1999

RECEIVED

of the Commission's Rules Pursuant to Section 63.11 Foreign Affiliation Notification of Ameritech Communications, Inc

AMERITECH COMMUNICATIONS, INC Non-Streamlined ITC-96-243 ALL COMMENCE TONS COMMENCE FCN-NEW-19990901-00040

# NOTIFICATION OF AFFILIATION WITH FOREIGN CARRIERS

U.S. points and terminating at all international points.1 carriers for the provision of international switched services originating from certain carrier basis, the international switched services of unaffiliated U.S. international defined by Section 63.09(d). AMCI is authorized to resell, on a non-dominant that it has acquired a new affiliation with an entity that is a "foreign carrier" as Section 63.11 of the Commission's rules, 47 C.F.R. § 63.11, notifies the Commission Ameritech Mobile Communications, Inc. ("AMCI"), pursuant to

S.àr.l ("ALS"), an indirect subsidiary of Ameritech Corporation ("Ameritech"). AMCI's parent corporation, acquired a minority interest in Tele Danmark A/S ("Tele As previously reported to the Commission, Ameritech Luxembourg

operating companies U.S. points except for the in-region states served by the Ameritech telephone AMCI is authorized to provide international services originating from

63.11, AMCI certifies the following also has a 19.6 percent interest in NetCom. Accordingly, in compliance with Section in Denmark. Tele Danmark recently has acquired a 19.6 percent interest in NetCom Tele Danmark, a foreign carrier providing telecommunications services to the public ALS's acquisition of de facto control of Tele Danmark, AMCI became affiliated with Danmark") and subsequently acquired *de facto* control of Tele Danmark.<sup>2</sup> Through ASA ("NetCom"). Ameritech, which holds a 41.6 percent interest in Tele Danmark,

services in Norway, which is a WTO member country <sup>3</sup> NetCom has approximately became affiliated with NetCom, a wireless carrier authorized to provide wireless market 700,000 subscribers, which comprise about 30 percent of the Norwegian wireless Identity of Foreign Carriers. Through ALS and Tele Danmark, AMCI

including Norway. See File No. ITC-96-243 unaffiliated U.S. international carriers terminating at all international points. AMCI is authorized to resell the international switched services of

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ы 1998 Affiliation Pursuant to Section 63.11 of the Commission's Rules, filed Feb. 6, See Ameritech Mobile Communications, Inc. Notification of Foreign

<sup>(&</sup>quot;GATS"), April 30, 1996, 36 I.L.M. 366 (1997). See Fourth Protocol to the General Agreement on Trade in Services

between AMCI and Tele Danmark or NetCom holds 10% or more of the stock of Ameritech. There are no interlocking directorates communications services to the public. No individual or entity directly or indirectly subsidiaries, Ameritech provides local exchange telephone services and other headquarters at 30 South Wacker Drive, Chicago, Illinois 60606. Through its wholly owned by Ameritech, a publicly traded Delaware corporation with 2000 West Ameritech Center Drive, Hoffman Estates, Illinois 60196. AMCI is 2 AMCI Ownership. AMCI is a Delaware Corporation with headquarters at

sufficient to affect competition adversely in the U.S. market <u>دی</u> Commission's rules, where such foreign carrier does not possess market power into any such agreements in the future except, as permitted by Section 63.14 of the or revenue flows between the U.S. and any foreign country and AMCI will not enter directly or indirectly from any foreign carrier or administration with respect to traffic Special Concessions. AMCI has not agreed to accept special concessions

### 4. Regulatory Status.

resale operations 63.10(a)(4), AMCI is entitled to a presumption of non-dominance with regard to its solely through the resale of unaffiliated U.S. carriers, pursuant to Section (a) Resale. Because AMCI provides its international resale services

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pursuant to Sections 63.11(d) and 63.10(a)(3), AMCI is entitled to a presumption of percent market share of the local access and transport markets in Norway, it does not non-dominant status on routes between the U.S. and Norway. have the ability to affect competition adversely in the U.S. market. Accordingly, **(b)** Norway. Because NetCom is a wireless carrier with less than 50

202-371-7000 & Flom LLP, 1440 New York Avenue, N.W., Washington, D.C. 20005; phone: communications counsel: Antoinette Cook Bush, at Skadden, Arps, Slate, Meagher Questions regarding this notification should be addressed to AMCI's

Respectfully submitted, Communications, Inc Counsel for Ameritech Mobile Christopher Heimann

September 1, 1999

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#### ORIGINAL

Non-Streamlined FCN-NEW-19990901-00041 AMERITECH COMMUNICATIONS. INC

Before the Federal Communicatio

Washington, D.C

Ameritech Communications, Inc Notification of Foreign Affiliation Pursuant to Section 63.11 of the Commission's Rules

> торицания ITC-96-441 онис от Поко сонице ITC-96-272 он Песероко сонице ITC-97-289

# NOTIFICATION OF AFFILIATION WITH FOREIGN CARRIERS

terminating at international points excluding Hungary.<sup>1</sup> excluding Hungary; and (ii) operate as a facilities-based carrier for communications terminating at all international points; (ii) provide limited global resale services provision of international switched services originating from certain U.S. points and the international switched services of unaffiliated U.S. international carriers for the acquired a new affiliation with an entity that is a "foreign carrier" as defined by Section 63.09(d). ACI is authorized to: (i) resell, on a non-dominant carrier basis, of the Commission's rules, 47 C.F.R. § 63.11, notifies the Commission that it has Ameritech Communications, Inc. ("ACI"), pursuant to Section 63.11

operating companies points except for the in-region states served by the Ameritech telephone ACI is authorized to provide international services originating from U.S

also has a 19.6 percent interest in NetCom. Accordingly, in compliance with Section parent corporation, acquired a minority interest in Tele Danmark A/S ("Tele 63.11, ACI certifies the following in Denmark. Tele Danmark recently has acquired a 19.6 percent interest in NetCom ASA ("NetCom"). Ameritech, which holds a 41.6 percent interest in Tele Danmark. Tele Danmark, a foreign carrier providing telecommunications services to the public ALS's acquisition of de facto control of Tele Danmark, ACI became affiliated with Danmark") and subsequently acquired *de facto* control of Tele Danmark.<sup>2</sup> Through S.ar.1 ("ALS"), an indirect subsidiary of Ameritech Corporation ("Ameritech"), ACI's As previously reported to the Commission, Ameritech Luxembourg

services in Norway, which is a WTO member country.<sup>3</sup> NetCom has approximately became affiliated with NetCom, a wireless carrier authorized to provide wireless market 700,000 subscribers, which comprise about 30 percent of the Norwegian wireless Identity of Foreign Carriers. Through ALS and Tele Danmark, ACI

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Ν Pursuant to Section 63.11 of the Commission's Rules, filed Feb. 6, 1998 See Ameritech Communications, Inc. Notification of Foreign Affiliation

<sup>(&</sup>quot;GATS"), April 30, 1996, 36 I.L.M. 366 (1997). See Fourth Protocol to the General Agreement on Trade in Services

exchange telephone services and other communications services to the public. No publicly traded Delaware corporation with headquarters at 30 South Wacker Drive, 2 Chicago, Illinois 60606. Through its subsidiaries, Ameritech provides local West Bryn Mawr, Rosemont, Illinois 60018. ACI is wholly owned by Ameritech, a Norway and other international points, excluding Hungary. See File No. ITC-97-289 authorized to operate as a facilities-based carrier for communications terminating in destinations except Hungary. See File No. ITC-96-441. In addition, ACI is permitted countries and non-interconnected private line services to all foreign private line services for the provision of international basic switched services to including Norway. See File No. ITC-96-272. unaffiliated U.S. international carriers terminating at all international points ACI Ownership. ACI is a Delaware Corporation with headquarters at 9525 ACI is authorized to resell the international switched services of ACI is also authorized to resell

or revenue flows between the U.S. and any foreign country and ACI will not enter **ω** into any such agreements in the future except, as permitted by Section 63.14 of the directly or indirectly from any foreign carrier or administration with respect to traffic Special Concessions. ACI has not agreed to accept special concessions

or Netcom

Ameritech.

individual or entity directly or indirectly holds 10% or more of the stock of

There are no interlocking directorates between ACI and Tele Danmark

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sufficient to affect competition adversely in the U.S. market. Commission's rules, where such foreign carrier does not possess market power

### 4. Regulatory Status.

is entitled to a presumption of non-dominance with regard to its resale operations through the resale of unaffiliated U.S. carriers, pursuant to Section 63.10(a)(4), ACI (a) Resale. Because ACI provides its international resale services solely

non-dominant status on routes between the U.S. and Norway. pursuant to Sections 63.11(d) and 63.10(a)(3), ACI is entitled to a presumption of have the ability to affect competition adversely in the U.S. market. Accordingly, percent market share of the local access and transport markets in Norway, it does not (b) Norway. Because NetCom is a wireless carrier with less than 50

202-371-7000. & Flom LLP, 1440 New York Avenue, N.W., Washington, D.C. 20005; phone: communications counsel: Antoinette Cook Bush, at Skadden, Arps, Slate, Meagher Questions regarding this notification should be addressed to ACI's

September 1, 1999

Respectfully submitted,

Counsel for Ameritech Communications, Inc.

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## CERTIFICATE OF SERVICE

2000. Application for Authority Under Section 214 of the Communications Act of 1934, as Amended, has been served on the parties below via hand delivery on this 10th day of May I, Claudia L. Lucas, do hereby certify that a copy of SBC's Amendment to

J. Beck Blalock, Chief Policy & Facilities Branch International Bureau Federal Communications Commission 445 12<sup>th</sup> Street, SW, 6<sup>th</sup> Floor Washington, D.C. 20554

Justin Connor Policy & Facilities Branch International Bureau Federal Communications Commission 445 12<sup>th</sup> Street, SW, 6<sup>th</sup> Floor Washington, D.C. 20554

Susan O'Connell Policy & Facilities Branch International Bureau Federal Communications Commission 445 12<sup>th</sup> Street, SW, 6<sup>th</sup> Floor Washington, D.C. 20554

Michele Carey, Chief Policy and Program Division Common Carrier Bureau Federal Communications Commission 445 12<sup>th</sup> Street, SW, 5<sup>th</sup> Floor Washington, D.C. 20554

> Margaret Egler, Assistant Chief Policy and Program Division Common Carrier Bureau Federal Communications Commission 445 12<sup>th</sup> Street, SW, 5<sup>th</sup> Floor Washington, D.C. 20554

Carol Ann Bishoff Competitive Telecommunications Association 1900 M Street, NW, Suite 800 Washington, D.C. 20036

Robert J. Aamoth Todd D. Daubert Kelley Drye & Warren LLP 1200 19<sup>th</sup> Street, NW, Suite 500 Washington, D.C. 20036

By:

Claudia L. Lucas

Remittance Advice Detach before depositing	FCC Description FORM 214	Troperal Dy Pay Pay Pay Pay Pay
WILEY, REIN & FIELDING Operating Account	Date 05/10/2000	Interview of Antipactic Antipacti
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