

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

FILED/ACCEPTED

MAY 14 2007

Federal Communications Commission  
Office of the Secretary

In the Matter of )  
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Verizon International FCC Licensees )  
 )  
Application to Modify Regulatory )  
Classification from Dominant to Non- )  
Dominant on the U.S.-Gibraltar Route )  
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\_\_\_\_\_ )

File No. ITC-MOD-\_\_\_\_\_

**APPLICATION TO MODIFY REGULATORY CLASSIFICATION FROM DOMINANT  
TO NON-DOMINANT ON THE U.S.-GIBRALTAR ROUTE**

The Verizon International FCC Licensees,<sup>1</sup> pursuant to Section 63.13 of the Commission's Rules, 47 C.F.R. § 63.13, hereby request that the Commission modify the regulatory status of the entities listed in Attachment A from dominant to non-dominant for the provision of international services on the U.S.-Gibraltar route. The Verizon International FCC Licensees are authorized U.S. international carriers that have been deemed dominant on the U.S.-Gibraltar route for certain services because they were previously affiliated with Gibtelecom Limited, a foreign carrier presumed to have market power in Gibraltar.<sup>2</sup> On April 24, 2007, Verizon completed the sale of 100% of its interest in Gibtelecom Limited to Slovene Telekom.<sup>3</sup>

<sup>1</sup> The Verizon International FCC Licensees are the subsidiaries of Verizon Communications Inc. ("Verizon") holding international Section 214 authorizations and/or submarine cable licenses listed on Attachment A.

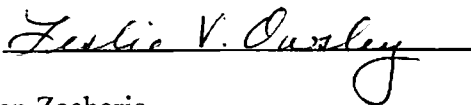
<sup>2</sup> See *Verizon Commc'ns Inc. and MCI, Inc. Applications for Approval of Transfer of Control*, Memorandum Opinion and Order, 20 FCC Rcd 18,433, 18,524 (¶ 179 n.484) (2005) ("Verizon indirectly owns 50% of Gibtelecom Limited, a market-power provider of domestic wireline communications in Gibraltar and international telecommunications services between Gibraltar and Spain").

<sup>3</sup> See Reuters article, "Slovene Telekom buys 50 pct of Gibtelecom" (Apr. 24, 2007), available at [http://yahoo.reuters.com/news/articlehybrid.aspx?storyID=urn:newsml:reuters.com:20070424:MTFH25107\\_2007-04-24\\_07-54-58\\_L24598246&type=comktNews&rpc=44](http://yahoo.reuters.com/news/articlehybrid.aspx?storyID=urn:newsml:reuters.com:20070424:MTFH25107_2007-04-24_07-54-58_L24598246&type=comktNews&rpc=44) (last visited Apr. 26, 2007).

Section 63.10(a)(1) of the rules provides that “[a] U.S. carrier that has no affiliation with, and that itself is not, a foreign carrier in a particular country to which it provides service (i.e., a destination country) shall presumptively be considered non-dominant for the provision of international communications services on that route.”<sup>4</sup> As a result of the sale of Gibtelecom Limited, the Verizon International FCC Licensees are no longer affiliated with a foreign carrier on the U.S.-Gibraltar route. Therefore, the Verizon International FCC Licensees are presumptively entitled to non-dominant status on the U.S.-Gibraltar route, and thus request that the Commission modify their regulatory status on this route from dominant to non-dominant.

Respectfully submitted,

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<sup>4</sup> 47 C.F.R. § 63.10(a)(1).

## Attachment A<sup>5</sup>

### Verizon Subsidiaries Holding International Section 214 authorizations and/or submarine cable licenses:

- Bell Atlantic Communications, Inc. d/b/a Verizon Long Distance
- NYNEX Long Distance Company d/b/a Verizon Enterprise Solutions
- Verizon Hawaii International Inc.
- Verizon Select Services Inc.
- Verizon Airfone Inc. (f/k/a GTE Airfone Incorporated)
- MCI, LLC (f/k/a MCI, Inc.)
- MCI Communications Corporation
- MCI International, Inc.
- MCI Communications Services, Inc. (f/k/a MCI WorldCom Communications, Inc.)
- MCI International Services, Inc. (f/k/a MCI WorldCom International, Inc.)
- MCI Communications Services, Inc (f/k/a MCI WorldCom Network Services, Inc./ MCI Network Services, Inc.)
- MFS Globenet, Inc.

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<sup>5</sup> The Commission classified the current international carrier subsidiaries and affiliates of Verizon as dominant on the U.S.-Gibraltar route, except to the extent that they provide service solely through the resale of an unaffiliated U.S. facilities-based carrier's international switched services pursuant to Section 63.10(a)(4) of the Commission's rules, in the following orders and actions: *Bell Atl. Commc'ns, Inc.; Notification Pursuant to Section 63.11 of Foreign Carrier Affiliations*, Order, 14 FCC Rcd 1934, 1936 (¶ 6) (1998); *Bell Atl. Commc'ns, Inc. and NYNEX Long Distance Co.*, Order, Authorization & Certificate, 15 FCC Rcd 21,838, 21,849 (¶ 22) (1999); *GTE Corp., Transferor and Bell Atl. Corp., Transferee, For Consent to Transfer Control of Domestic and International Sections 214 and 310 Authorizations and Application to Transfer Control of a Submarine Cable Landing License*, Memorandum Opinion and Order, 15 FCC Rcd 14,032, 14,234 (¶ 450) (2000); *Int'l Bureau Telecomms. Div. Grants Verizon Intl. Section 214 Authority for Mass.*, Public Notice, 16 FCC Rcd 8394 (2001); *Intl. Bureau Telecomms. Div. Grants Verizon Intl. Section 214 Authority for Conn.*, Public Notice, 16 FCC Rcd 14,684 (2001); *Int'l Bureau Telecomms. Div. Grants Verizon Int'l Section 214 Authority for Pa.*, Public Notice, 16 FCC Rcd 16,824 (2001); *Int'l Bureau Telecomms. Div. Grants Verizon Int'l Section 214 Authority for R.I. and Providence Plantations*, Public Notice, 17 FCC Rcd 3218 (2002); *Int'l Bureau Policy Div. Grants Verizon Int'l Section 214 Authority for Vt.*, Public Notice, 17 FCC Rcd 7154 (2002); *Int'l Bureau Policy Div. Grants Verizon Int'l Section 214 Authority for N.J.*, Public Notice, 17 FCC Rcd 11,920 (2002); *Int'l Bureau Policy Div. Grants Verizon Int'l Section 214 Authority for Me.*, Public Notice, 17 FCC Rcd 11,299 (2002); *Int'l Bureau Policy Division Grants Verizon Int'l Section 214 Authority for Del. and N.H.*, Public Notice, 17 FCC Rcd 18,386 (2002); *Int'l. Bureau Policy Division Grants Verizon Int'l Section 214 Authority for Va. and Conditional Authority for Md., D.C., and W. Va.*, Public Notice, 17 FCC Rcd 21,849 (2002); *Verizon Commc'ns Inc. and MCI, Inc., Applications for Approval of Transfer of Control*, Memorandum Opinion and Order, 20 FCC Rcd 18,433, 18,538 (¶ 225) (2005).