

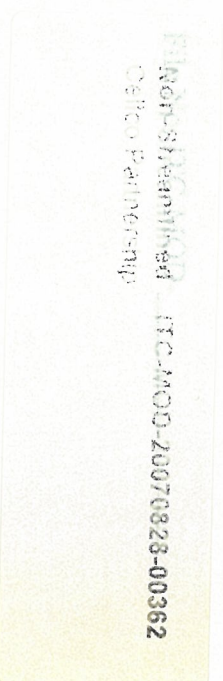
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Before the
Federal Communications Commission
Washington, DC 20554

FILED/ACCEPTED
AUG 28 2007

Federal Communications Commission
Office of the Secretary

In the Matter of)
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)
CELCO PARTNERSHIP D/B/A VERIZON)
WIRELESS)
)
Application to Modify Regulatory)
Classification from Dominant to Non-)
Dominant on the U.S.-Venezuela and U.S.-)
Gibraltar Routes)



**APPLICATION TO MODIFY REGULATORY CLASSIFICATION
FROM DOMINANT TO NON-DOMINANT ON THE
U.S.-VENEZUELA AND U.S.-GIBRALTAR REPUBLIC ROUTES**

Cellco Partnership d/b/a Verizon Wireless (FRN 0003290673) and its affiliates

(collectively “Verizon Wireless”), pursuant to Section 63.13 of the Commission’s Rules, 47 C.F.R. § 63.13, hereby request that the Commission modify Verizon Wireless’s regulatory status from dominant to non-dominant for the provision of international services on the U.S.-Venezuela and U.S.-Gibraltar routes. Verizon Wireless and its affiliates are authorized U.S. international carriers¹ currently deemed dominant on the U.S.-Venezuela and U.S.-Gibraltar routes for certain services because they were previously affiliated with Compañía Anónima Nacional Telefónos de Venezuela (“CANTV”), a foreign carrier presumed to have market power in Venezuela,² and

¹ See Attachment A (listing international Section 214-authorized affiliates).

² Public Notice, “The International Bureau Revises and Reissues the Commission’s List of Foreign Telecommunications Carriers that Are Presumed to Possess Market Power in Foreign Telecommunications Markets,” DA 04-1584 (May 28, 2004), available at http://hraunfoss.fcc.gov/edocs_public/attachmatch/DA-04-1584A1.pdf.

Gibtelecom Limited, a foreign carrier presumed to have market power in Gibraltar,³ through parent company Verizon Communications Inc. (“Verizon”).⁴

On February 12, 2007, Verizon agreed with the Bolivarian Republic of Venezuela that, subject to certain conditions, it would sell its interest in CANTV to the Republic by participating in tender offers to be conducted by the Republic in the United States and Venezuela.⁵ Verizon tendered its entire interest in CANTV prior to the conclusion of those tender offers on May 8, 2007. The Bolivarian Republic of Venezuela assumed operational control of CANTV on May 21, 2007.⁶ As of that date, neither Verizon nor Verizon Wireless has any equity interest in or control over CANTV.

Similarly, on April 24, 2007, Verizon completed the sale of 100% of its interest in Gibtelecom Limited to Slovene Telekom.⁷ As of that date, neither Verizon nor Verizon Wireless

³ 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”).

⁴ See *In re Applications of GTE Corporation. and Bell Atlantic Corporation*, Memorandum Opinion and Order, 15 F.C.C.R. 14032, ¶¶ 420-22 (2000). Verizon Wireless is ultimately owned by Verizon and Vodafone Group Plc (“Vodafone”). Verizon, a Delaware corporation, owns 55%; Vodafone, a company organized under the laws of the United Kingdom, owns 45%. Control of Verizon Wireless is vested in a Board of Representatives, which in turn is controlled by Verizon. Thus, Verizon is the majority owner and possesses sole affirmative control of Verizon Wireless.

⁵ See News Release, “Venezuelan Government and Verizon Agree to Telecom Nationalization” (Feb. 13, 2007), available at <http://www.venezuelanalysis.com/news.php?newsno=2218>.

⁶ See News Release, “Venezuela completes control of CANTV” (May 21, 2007), available at <http://www.msnbc.msn.com/id/18786438/>.

⁷ See Reuters article, “Slovene Telekom buys 50 pct of Gibtelecom” (Apr. 24, 2007), available at <http://yahoo.reuters.com/news/articlehybrid.aspx?storyID=urn:newsm1:reuters.com:20070424:M>

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has any equity interest in or control over Gitelecom Limited. The Commission should thus deem Verizon Wireless as non-dominant on the U.S.-Venezuela and U.S.-Gibraltar routes and modify its international Section 214 authorizations accordingly.

Pursuant to Section 63.10(a)(1) of the rules, “[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.”⁸ As a result of the sale of CANTV and Gitelecom Limited by Verizon, Verizon Wireless is no longer affiliated with a foreign carrier on the U.S.-Venezuela or U.S.-Gibraltar routes. Therefore, Verizon Wireless is presumptively entitled to non-dominant status on the U.S.-Venezuela and U.S.-Gibraltar routes. Verizon Wireless accordingly requests that the Commission modify its regulatory status on these routes from dominant to non-dominant.⁹

TFH25107_2007-04-24_07-54-58_L24598246&type=comktNews&rpc=44 (last visited Apr. 26, 2007).

⁸ 47 C.F.R. § 63.10(a)(1).

⁹ The Commission has routinely granted applications such as this. *See, e.g.*, Public Notice, *International Authorizations Granted*, Report No. TEL-00880, DA 05-372, at 3 (rel. Feb. 10, 2005) (ITC-MOD-20041221-00498, granting Cingular Wireless LLC nondominant status on U.S.-South Africa route after parent company’s sale of interest in foreign carrier affiliate presumed to have market power in South Africa).

Respectfully submitted,

CELCO PARTNERSHIP D/B/A VERIZON WIRELESS

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Attachment A

**Verizon Wireless's and
Wireless Affiliates'**

International Section 214 Authorizations

File No.
ITC-92-245
ITC-214-19960422-00159
ITC-214-19960924-00461
ITC-214-1996-1008-00504
ITC-94-275
ITC-214-19960509-00185
ITC-214-19961004-00492
ITC 214-19961118-00579
ITC-ASG-20011119-00609
ITC-ASG-20011119-00610
ITC-T/C-19960815-00382
ITC-T/C-19991015-00689
ITC-ASG-20001229-00763
ITC-ASG-20001229-00764
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ITC-ASG-20001229-00767
ITC-ASG-20001229-00768
ITC-ASG-20001229-00769
ITC-ASG-20001229-00770
ITC-214-20040826-00343
ITC-214-20010507-00290
ITC-214-20010504-00279
ITC-214-20010507-00290