

Question 9:

Ocean Technology Limited (“Ocean”) desires streamlined processing pursuant to Section 63.12 of the Commission's rules. Ocean qualifies for streamlined processing under Section 63.12(c)(1)(ii) because although Ocean is a foreign carrier in a destination market, Ocean qualifies for a presumption of non-dominance under Section 63.10(a)(3). As more fully described in response to Question 11 below, Ocean qualifies for a presumption of non-dominance under Section 63.10(a)(3) Ocean is not a monopoly provider and does not have more than 50% of the market share for international transport or local access on the foreign end of the relevant routes.

The other restrictions set forth in Section 63.12(c) of the Commission's rules do not apply. Ocean does not have an affiliation with a dominant U.S. carrier whose international switched or private line services the applicant seeks authority to resell. And Ocean does not seek authority to provide switched basic services over private lines to a country for which the Commission has not previously authorized the provision of switched services over private lines.

Question 11:

63.18(i) – Ocean hereby certifies that it is licensed as a foreign carrier in Japan.

63.18(j) – Ocean hereby certifies that it seeks to provide international telecommunications services to Japan, where it is licensed as a foreign carrier.

63.18(k) – Japan is a member of the WTO. In addition, Ocean lacks market power in Japan. Japan has less than 1% of the market for telecommunications services and access lines in Japan.

63.18(l) – Ocean desires the authority to resell the international switched services of an unaffiliated U.S. carrier on the routes to Japan. Accordingly, pursuant to Section 63.10(a)(3), Ocean hereby certifies that Ocean is not a monopoly provider in Japan. Ocean further submits the following information to demonstrate that Japan does not have sufficient market power on the foreign end of the routes to the countries specified above to adversely affect competition in the U.S. market: Ocean has less than 1% of the market for telecommunications services and access lines in Japan.

63.18(m) – Ocean desires to be classified as non-dominant. Ocean submits that the information set forth above for Section 63.18(l) demonstrates that it is presumptively non-dominant under Section 63.10(a)(3) of the Commission's Rules.

Question 12:

As described above, Ocean desires to be authorized to provide international telecommunications services to, among other countries, Japan, where it is a non-dominant foreign carrier, as described above.

Question 15:

- (d) Ocean has not received authority previously under Section 214 of the Communications Act.
- (e) Ocean certifies that it will comply with the terms and conditions contained in sections 63.21, 63.22 and 63.23 of the Commission's rules.
- (f) At this time, Ocean seeks no other authorization available under Section 63.18(e).
- (g) Not applicable.