

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

- ASSIGNMENT OF LICENSE
- GLOBAL FACILITIES-BASED SERVICE
- GLOBAL FACILITIES-BASED/GLOBAL RESALE SERVICE
- GLOBAL RESALE SERVICE
- INDIVIDUAL FACILITIES-BASED SERVICE
- INTERCONNECTED PRIVATE LINE RESALE SERVICE
- LIMITED GLOBAL FACILITIES-BASED SERVICE/LIMITED GLOBAL RESALE SERVICE
- LIMITED GLOBAL FACILITIES-BASED SERVICE
- LIMITED GLOBAL RESALE SERVICE
- INMARSAT AND MOBILE SATELLITE SERVICE
- SWITCHED RESALE SERVICE
- TRANSFER OF CONTROL
- SUBMARINE CABLE LANDING LICENSE
- INTERNATIONAL SPECIAL PROJECT

10%  
- Landing pts only or applicant wholly owned and of WTO country.

Description of Application: \_\_\_\_\_

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March 29, 1999

Magalie Roman Salas  
Federal Communications Commission  
The Portals  
445 Twelfth Street, S.W.  
12 Street Lobby, TW-A325  
Washington, D.C. 20554

Re: Request for Temporary Section 214 Authority to Provide International  
Services Under Section 63.04 of the Commission's Rules, 47 C.F.R. § 63.04

Dear Ms. Salas:

VitelCellular hereby respectfully requests temporary authority to provide international switched services as a resale carrier between the United States and all international points, pursuant to Section 63.04 of the Federal Communications Commission ("FCC" or "Commission") Rules, 47 C.F.R. § 63.04. Such authority would allow VitelCellular to continue to serve the public pending FCC action on VitelCellular's 214 application, filed concurrently with this request. A copy of that application is attached for the staff's convenience.

VitelCellular primarily provides domestic local and long distance commercial mobile radio service ("CMRS") on a resale basis in the U.S. Virgin Islands. VitelCellular also provides some international service (less than 1.3 % of its annual minutes), mostly to neighboring islands and without the need to dial the 011 international prefix.

VitelCellular has consistently taken steps to comply with Commission requirements. Until now, VitelCellular was unaware of the need to apply for and receive Section 214 authority before permitting its CMRS customers to make international calls. VitelCellular's primary business, the provision of CMRS, including domestic long distance services, is subject to relatively few FCC regulations, and thus, VitelCellular was not cognizant of the unique federal requirements applicable to international resale service.

VitelCellular became aware of its error only after its parent, Emerging Communications, Corp., consulted with its counsel regarding entering the international service business. Specifically, to better serve customers, Emerging Communications, Corp., sought advice regarding the creation of an affiliate with primary responsibility for international services. In light of its discovery, VitelCellular is requesting temporary international switched resale authority so that it may continue to provide international service to its CMRS customers while the FCC considers its Section 214 application. VitelCellular's newly established affiliate corporation, ICUSC, Inc., also submitted an application for Section 214 authority.

VitelCellular believes that the grant of temporary authority will be in the public interest, convenience and necessity. Temporary authority would be an initial step in ensuring complete compliance with the Commission's Rules and would permit VitelCellular to avoid disruption of service to the public.

As detailed in its Section 214 application, VitelCellular is not itself, and does not have an affiliation with, a foreign carrier. VitelCellular therefore qualifies for non-dominant treatment under Section 63.10(a)(1) of the Commission's Rules, 47 C.F.R. § 63.10(a)(1), and its Section 214 application is eligible for streamlined processing under Section 63.12 of the Commission's Rules, 47 C.F.R. § 63.12.<sup>1</sup> VitelCellular certifies, pursuant to Sections 1.2001 through 1.2003 of the Commission's Rules, 47 C.F.R. §§ 1.2001-1.2003, that it is not subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 862.

For the foregoing reasons, VitelCellular respectfully requests that the FCC grant it temporary authority to continue to provide international switched services as a resale carrier, while the Commission considers VitelCellular's Section 214 application.

Thank you for your assistance in this matter. If you have any questions or need further information, please contact me at (340) 771-8861 or VitelCellular's FCC counsel, Greg Vogt and Jennifer Wheatley of Wiley, Rein & Fielding at (202) 719-7000.

Sincerely,



David L. Sharp  
VitelCellular  
No. 2 Beljien Place  
St. Thomas, U.S. Virgin Islands 00802

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<sup>1</sup> VitelCellular's Section 214 application also qualifies for 14 day streamlined processing under the Commission's new rules, which are not yet in effect. See 1998 Biennial Regulatory Review of International Common Carrier Regulations, IB Docket No. 98-118 (Mar. 23, 1998) (Report and Order).