

March 27, 2008

Writer's Direct Contact
212.336.4252
JKostyu@mofocom

Via Overnight Delivery

Federal Communications Commission
c/o U.S. Bank
Government Lockbox #979093, SL-MO-C2-GL
1005 Convention Plaza
St. Louis, MO 63101

Attention: FCC Government Lockbox

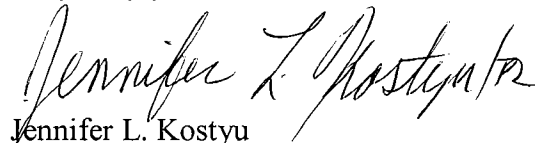
Re: Tricom USA, Inc. (FRN 0005005236) Application for the Pro Forma Assignment of Interests in Submarine Cable Landing Licenses to Tricom USA, Inc., Debtor-in-Possession (FRN 0017516774)

Dear Sir or Madam:

Enclosed please find an original and five (5) copies of the application of Tricom USA, Inc. seeking Commission consent to the pro forma assignment of its interests in certain submarine cable landing licenses to Tricom USA, Inc., Debtor-in-Possession. A completed Form 159 with a credit card payment in satisfaction of the required filing fee associated with this application also is enclosed.

Please date-stamp the enclosed copy marked "Return Copy" and return it in the self-addressed overnight delivery envelope provided for that purpose. If you have any questions regarding this filing, please contact the undersigned.

Very truly yours,


Jennifer L. Kostyu

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

In the Matter of)
)
Tricom USA, Inc. (FRN 0005005236)) File No. _____
)
Application for the *Pro Forma* Assignment)
of Interests in Submarine Cable Landing)
Licenses to Tricom USA, Inc., Debtor-in-)
Possession (FRN 0017516774))
)

**APPLICATION FOR THE PRO FORMA ASSIGNMENT OF INTERESTS
IN SUBMARINE CABLE LANDING LICENSES
STREAMLINED PROCESSING REQUESTED**

Tricom USA, Inc. (“Tricom USA”) and Tricom USA, Inc., Debtor-in-Possession (“Tricom USA DIP”), pursuant to the Cable Landing License Act¹ and Section 1.767(a)(11) of the Commission’s rules,² request Commission approval of the *pro forma* assignment of each of Tricom USA’s interests in the Americas II, Maya-1 and Pan American submarine cable systems (the “Cable Systems”) to Tricom USA DIP. As further explained below, the *pro forma* assignment was triggered when Tricom, S.A. and its wholly-owned subsidiary Tricom USA filed for bankruptcy protection under Chapter 11 of the U.S. Bankruptcy Code. The applicants request that this application be processed under the Commission’s streamlined procedures pursuant to Section 1.767(k) of the rules.³

¹ An Act Relating to the Landing and Operation of Submarine Cables in the United States, 47 U.S.C. §§ 34-39 and Executive Order No. 10530 (May 10, 1954) (the “Cable Landing License Act”).

² 47 C.F.R. § 1.767(a)(11).

³ *Id.* § 1.767(k).

I. BACKGROUND.

In 1998 and 1999 the Commission separately authorized Tricom USA, among several other companies, to construct and operate the Americas II Cable System (File Nos. SCL-98-003, SCL-98-003A),⁴ the Maya-1 Cable System (File No. SCL-LIC-19990325-00006),⁵ and the Pan American Cable System (File No. SCL-97-001).⁶ Tricom USA holds less than one percent of an ownership interest in the U.S. portion of each of the Cable Systems (approximately 0.05 percent of the Americas II Cable System, approximately 0.06 percent of the Maya-1 Cable System, and approximately 0.12 percent of the Pan American Cable System).

On February 29, 2008, Tricom, S.A. and Tricom USA filed for bankruptcy protection under Chapter 11 of the U.S. Bankruptcy Code with the United States Bankruptcy Court for the Southern District of New York. As a result of the bankruptcy filing, the legal status of Tricom S.A. and Tricom USA was converted to debtor-in-possession status, although they each continue to operate their respective businesses and manage their properties. Because the bankruptcy filing did not change the beneficial ownership, control or management of Tricom S.A. or Tricom USA, the assignment of Tricom USA's interests in the Cable Systems to Tricom USA DIP qualifies for *pro forma* treatment and is consistent with the public interest, convenience and necessity.

⁴ See *AT&T Corp. et. al, Joint Application for a License to Land and Operate a Digital Submarine Cable System Among Florida, Puerto Rico, the U.S. Virgin Islands, Martinique, Curacao, Trinidad, Venezuela, French Guiana and Brazil, the Americas-II Cable System*, Cable Landing License, 13 FCC Rcd 22540 (1998).

⁵ See *AT&T Corp. et. al, Joint Application for a License to Land and Operate a Digital Submarine Cable System Between the United States, the Cayman Islands, Columbia, Costa Rica, Honduras, Mexico and Panama, the Maya-1 Cable Network*, Cable Landing License, 14 FCC Rcd 19456 (1999).

⁶ See *Americatel Corp. et. al, Joint Application for a License to Land and Operate a Digital Submarine Cable System Between the U.S. Virgin Islands, Chile, Peru, Ecuador, Panama, Columbia, Venezuela, and Aruba, the Pan American Cable System*, Cable Landing License, 13 FCC Rcd 850 (1998). At the time the Commission granted the license for the Pan American Cable System, Tricom USA was known as Domtel Communications, Inc.

II. INFORMATION REQUIRED BY SECTION 1.767(a) OF THE COMMISSION'S RULES.

In support of this application, the applicants submit the following information pursuant to Section 1.767(a) of the Commission's rules.

- (1) Name, address and telephone numbers of the applicants:

Tricom USA, Inc. and Tricom USA, Inc., Debtor-in-Possession
One Exchange Place, Suite 311
Jersey City, NJ 07302
Telephone: 809-476-4000
Fax: 809-412-2841

- (2) Tricom USA, and thus also Tricom USA DIP, is a corporation organized under the laws of the state of Delaware.

- (3) Correspondence concerning this application should be sent to:

Bela Szabo
Vice President, International Business
Tricom USA, Inc., Debtor-in-Possession
Avenida Lope de Vega No. 95
Santo Domingo, Dominican Republic
Telephone: (809) 476-4912
Fax: (809) 412-2841

With a copy to:
Cheryl A. Tritt
Jennifer L. Kostyu
Morrison & Foerster LLP
2000 Pennsylvania Ave., N.W.
Suite 5500
Washington, D.C. 20006
Telephone: (202) 887-1500
Fax: (202) 887-1563

- (4) The following ownership information lists the entities directly or indirectly holding a ten percent or greater ownership interest in Tricom USA DIP.

Direct Ownership:

Name:	Tricom, S.A., Debtor-in-Possession ("Tricom S.A. DIP")
Address:	Avenida Lope de Vega No. 95 Santo Domingo, Dominican Republic
Citizenship:	Dominican Republic
Principal Business:	Telecommunications
Percentage Held:	Tricom S.A. DIP directly holds 100 percent of the ownership interests in Tricom USA DIP.

Indirect Ownership:

Name: Manuel Arturo Pellerano Peña
Address: Omnimedia
Ave. Abraham Lincoln esq. Max Henriquez Ureña Ens. Piantini
Santo Domingo, Dominican Republic
Citizenship: Dominican Republic
Principal Business: Newspaper/Editorial
Percentage Held: Mr. Pellerano directly and indirectly through various companies controlled by a trust established for the benefit of Mr. Pellerano, his mother, his siblings and other family members, holds approximately 44.8 percent of the equity of Tricom S.A. DIP.

Name: Motorola, Inc.
Address: 1299 East Algonquin Rd. 2nd Floor
Schaumburg, IL 60196
Citizenship: Delaware
Principal Business: Manufacturer of wireless and other communications equipment
Percentage Held: Motorola directly holds 11.9 percent of the equity of Tricom S.A. DIP.

No other entity or individual holds a 10 percent or greater direct or indirect interest in Tricom USA DIP.

(5) Pursuant to the attached certification, Tricom USA DIP certifies that it is affiliated with the following foreign carrier: Tricom S.A. DIP, which operates in the Dominican Republic.

(6) Pursuant to the attached certification, Tricom USA DIP certifies that it provides international telecommunications services between the United States and the foreign country identified in Response (5) above.

(7) The foreign country identified in Response (5) above is a member of the World Trade Organization. Tricom S.A. DIP lacks market power in the Dominican Republic.

(8) Pursuant to the attached certification, Tricom USA DIP certifies that no party to the application is subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 853(a).

(9) Pursuant to the attached certification, Tricom USA DIP certifies that it will abide by the routine submarine cable system conditions specified in Section 1.767(g) of the Commission's rules.

III. REQUEST FOR STREAMLINED PROCESSING.

This application satisfies the requirements for streamlined processing pursuant to Section 1.767(k) of the Commission's rules. Specifically, as noted in the attached certification, Tricom USA DIP is not affiliated with any foreign carrier from any destination market of the Americas-II, Maya-1 or Pan American Cable Systems. Furthermore, the only U.S.-international route upon which Tricom USA DIP is affiliated with a foreign carrier is the U.S.-Dominican Republic route. Tricom USA DIP qualifies for a presumption of non-dominance on that route because its foreign carrier affiliate, Tricom S.A. DIP, holds less than 50 percent of the market share in the international transport and the local access markets in the Dominican Republic.

IV. CONCLUSION.

Based upon the foregoing, approval of the application would serve the public interest, convenience and necessity. Accordingly, the application should be granted promptly.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Cheryl A. Tritt", is written over a horizontal line.

Cheryl A. Tritt
Jennifer L. Kostyu
Morrison & Foerster LLP
2000 Pennsylvania Avenue, N.W.
Suite 5500
Washington, D.C. 20006

*Counsel to Tricom USA, Inc. and Tricom USA, Inc.,
Debtor-in-Possession*

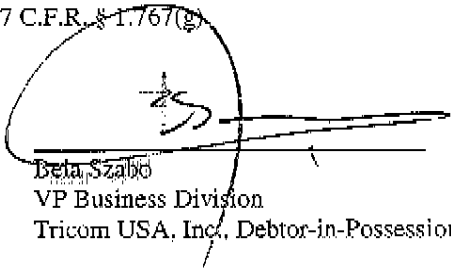
March 27, 2008

CERTIFICATION

I, Bela Szabo, VP Business of Tricom USA, Inc., Debtor-in-Possession ("Tricom DIP"),

herby certify that:

1. Tricom DIP is affiliated with Tricom, S.A., Debtor-in-Possession ("Tricom S.A. DIP"), which provides telecommunications services in the Dominican Republic.
2. Tricom DIP provides international telecommunications services between the United States and the Dominican Republic.
3. Tricom DIP is not affiliated with any foreign carrier from any destination market of the Americas-II, May-1 or Pan American Cable Systems. The only U.S.-international route upon which Tricom DIP is affiliated with a foreign carrier is the U.S.-Dominican Republic route. Tricom DIP qualifies for a presumption of non-dominance on that route because its foreign carrier affiliate, Tricom S.A. DIP, holds less than 50 percent of the market share in the international transport and the local access markets in the Dominican Republic.
4. No party to this application is subject to a denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 853(a).
5. Tricom DIP will abide by the routine submarine cable system conditions specified in Section 1.767(g) of the Commission's rules, 47 C.F.R. § 1.767(g).


Bela Szabo
VP Business Division
Tricom USA, Inc., Debtor-in-Possession

Date: March 25, 2008

CERTIFICATE OF SERVICE

I hereby certify that on March 27, 2008, a copy of the foregoing APPLICATION was served by U.S. Mail, postage prepaid, upon the following:

U.S. Coordinator, EB/CIP
U.S. Department of State
2201 C Street, NW.
Washington, DC 20520-5818

Office of Chief Counsel
NTIA
U.S. Department of Commerce
14th St. and Constitution Ave., NW.
Washington, DC 20230

Defense Information Systems Agency
Code RGC
701 S. Courthouse Road
Arlington, VA 22204


Theresa Rollins