

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

DA-96-1874

In the matter of )  
 )  
WINSTAR TELECOMMUNICATIONS, INC. )  
 )  
Application for global authority ) File No. I-T-C-96-424  
to operate as an international )  
facilities-based and resale )  
carrier. )

ORDER, AUTHORIZATION AND CERTIFICATE

Adopted: November 6, 1996

Released: November 12, 1996

By the Chief, Telecommunications Division:

1. Upon consideration of the above-captioned uncontested application, filed pursuant to Section 214 of the Communications Act of 1934, as amended, we find that the present and future public convenience and necessity require a grant thereof.

2. Accordingly, it is ordered that application File No. I-T-C-96-424 IS GRANTED, and WinStar Telecommunications, Inc. (WinStar) is authorized to:

a. provide global facilities-based services, pursuant to Section 63.18(e)(1) of the Commission's Rules, 47 U.S.C. §63.18(e)(1), between the United States and international points not specifically excluded by the Commission's Exclusion List, via U.S. authorized international facilities not excluded by the Exclusion List;

b. provide international switched and private line services by the resale of international switched and private line services of other authorized international carriers, pursuant to Section 63.18(e)(2) of the Commission's Rules, 47 U.S.C. §63.18(e)(2).

3. IT IS FURTHER ORDERED that our authorization of WinStar to provide private lines between the United States and international points as part of its authorized services is limited to the provision of such private lines only between the United States and an authorized international point-- that is, private lines which originate in the United States and terminate in an authorized international point or which originate in an authorized international point and terminate in the United States. In addition, WinStar may not -- and WinStar's tariff must state that its customers may not -- connect private lines provided over these facilities to the public switched network at either the U.S. or foreign end, or both, for the provision of

international switched basic services, unless authorized to do so by the Commission upon a finding that the destination country affords resale opportunities equivalent to those available under U.S. law, in accordance with Foreign Carrier Entry Order, 11 FCC Rcd 3873 (1995). The limitations in this paragraph are subject to the exception contained in Section 63.18(e)(4)(ii) of the Commission's Rules, 47 C.F.R. §63.18(e)(4)(ii).


4. IT IS FURTHER ORDERED that the applicant shall file annual circuit status reports in accordance with the requirements set forth in Rules for Filing of International Circuit Status Reports, CC Docket No. 93-157, Report and Order, 10 FCC Rcd 8605 (1995).

5. IT IS FURTHER ORDERED that this authorization is issued subject to the terms and conditions of any license for the CANUS-1 cable system issued herein under the Act entitled "An Act relating to the landing and operation of submarine cables in the United States," 47 U.S.C. §§ 34-39.

6. IT IS FURTHER ORDERED that grant of this application is subject to all the conditions set forth in Section 63.21 of the Commission's Rules, 47 C.F.R. §63.21.

7. This order is issued under Section 0.261 of the Commission's Rules and is effective upon adoption. Petitions for reconsideration under Section 1.106 or applications for review under Section 1.115 of the Commission's Rules may be filed within 30 days of the date of public notice of this order (see Section 1.4(b)(2)).

FEDERAL COMMUNICATIONS COMMISSION

  
for Diane J. Cornell  
Chief, Telecommunications Division  
International Bureau