

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of

COM TECH
INTERNATIONAL
CORPORATION

File No. I-T-C-95-542

Application for authority to
acquire and operate facilities
for service to various overseas
points.

ORDER, AUTHORIZATION AND CERTIFICATE

Adopted: January 24, 1996; Released: February 1, 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, IT IS HEREBY CERTIFIED that the present and future public convenience and necessity require a partial grant thereof.

2. Accordingly, IT IS ORDERED that application File No. I-T-C-95-542 IS GRANTED IN PART, and Com Tech International Corporation (Com Tech) is authorized to:

a. establish channels of communication between appropriately licensed U.S. earth stations and INTELSAT satellites, for provision of Intelsat Business Services (IBS), International Television Service and Datanet Service between the United States and the international points listed in Comsat's tariffs for the space segment of these services;

b. lease from Comsat and operate the satellite circuits specified in Appendix A, between appropriately licensed U.S. earth stations and INTELSAT Atlantic and Pacific Ocean Region satellites, connecting with similar facilities between the satellites and the overseas points listed in Appendix A, furnished by its correspondents;

c. lease from PanAmerican Satellite Corp. (PAS) and operate the satellite circuits specified in Appendix B, between appropriately licensed U.S. earth stations and the PAS-1, PAS-2 and PAS-4 satellites, connecting with similar circuits between the satellites and the overseas points listed in Appendix B, furnished by its correspondents;

d. lease from the Columbia/TDRSS International Satellite System (TDRSS) and operate the satellite circuits specified in Appendix C, between appropriately licensed U.S. earth stations and the TDRS-41 and TDRS-174 satellites, connecting with similar circuits between the satellites and the overseas points listed in Appendix C, furnished by its correspondents;

e. lease from Orion Satellite Corporation (Orion) and operate the satellite circuits specified in Appendix D, between appropriately licensed U.S. earth sta-

tions and the Orion F1 satellite, connecting with similar circuits between the satellite and the overseas points listed in Appendix D, furnished by its correspondents;

f. acquire on an Indefeasible Right of User basis a one-half interest in and operate the cable circuits listed in Appendix G, except that authority is granted to acquire a whole interest in the facilities in the CANUS-1 Cable System;

g. lease and operate any necessary domestic connecting facilities;

h. lease a one-half interest in and operate any necessary overseas connecting facilities;

i. use the facilities in b, c, d, e, f, g and h, above, to provide regularly authorized services, including switched voice and data and private line services, between the United States and the points listed in the Appendices;

j. establish channels of communications between appropriately licensed U.S. earth stations and U.S. domestic satellites (also Anik satellites for service to Canada, and Mexican domestic satellites for service to Mexico), for provision of authorized transborder services between the United States and the points listed in Appendix E; and

k. establish channels of communications between appropriately licensed U.S. earth stations and the Russian satellites listed in Appendix F, for provision of authorized services between the United States and the points listed in Appendix F.

3. IT IS FURTHER ORDERED that neither Com Tech nor any persons or companies directly or indirectly controlling or controlled by Com Tech, or under direct or indirect common control with it, shall acquire or enjoy any right, for the purposes of handling or interchanging traffic to or from the United States, its territories or possessions, which is denied to any other United States carrier by reason of any concession, contract, understanding, or working arrangement to which Com Tech or any persons or companies controlling or controlled by Com Tech are parties.

4. IT IS FURTHER ORDERED that our authorization of Com Tech to provide private lines as part of its authorized services is limited to the provision of such private lines only between the United States and the countries listed in the Appendices -- that is, private lines which originate in the United States and terminate in one of the countries listed in the Appendices or which originate in one of the countries listed in the Appendices and terminate in the United States. In addition, Com Tech may not -- and Com Tech'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 *Regulation of International Accounting Rates, Phase II, First Report and Order*, 7 FCC Rcd 559 (1991), *Order on Reconsideration and Third Further Notice of Proposed Rulemaking*, 7 FCC Rcd 7927 (1992), *petition for reconsideration pending*.

5. IT IS FURTHER ORDERED that the applicant shall file copies of any operating agreements entered into with its foreign correspondents with the Commission within 30 days of their execution, and shall otherwise comply with the filing requirements contained in Section 43.51 of the Commission's Rules, 47 C.F.R. §43.51.

6. IT IS FURTHER ORDERED that the applicant shall file a tariff pursuant to Section 203 of the Communications Act, 47 U.S.C. §203 and Part 61 of the Commission's Rules, 47 C.F.R. Part 61, for the services authorized in this Order.

7. IT IS FURTHER ORDERED that the applicant shall file the annual reports of overseas telecommunications traffic required by Section 43.61 of the Commission's Rules, 47 C.F.R. §43.61.

8. 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).

9. The Commission retains jurisdiction over this matter to reallocate circuits in the satellite system among the various international common carriers and other authorized users as required to ensure nondiscriminatory use of, and equitable access to, the communications satellite system.

10. IT IS FURTHER ORDERED that the applicant shall file a separate Section 214 application for any additional circuits it seeks to operate via the PAS-1, PAS-2, PAS-4, TDRS-41, TDRS-174, Orion F1 or Russian satellites or the CANUS-1, NPC OR PTAT-1 Cable Systems.

11. IT IS FURTHER ORDERED that the number of circuits authorized herein for the provision of services via separate satellite systems is subject to limitations on the number of circuits specified under the separate systems policy and applicable consultations under Article XIV(d) of the INTELSAT Agreement.

12. IT IS FURTHER ORDERED that action on the applicants' requests to acquire Morelos and Solidaridad circuits to countries in addition to Mexico, and to acquire Intersputnik, Soviet Domestic, Geizer, WSDRN and Ghorizont 21 circuits in addition to the countries of the former Soviet Union, is hereby DEFERRED pending the outcome of a forthcoming Notice of Proposed Rulemaking.¹

13. 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

Diane J. Cornell
Chief, Telecommunications Division
International Bureau

¹ See Amendment to the Commission's Regulatory Policies Governing Domestic Fixed Satellites and Separate International Sat-

ellite Systems, IB Docket No. 95-41, FCC 96-14, released January 22, 1996, paragraph 5.

APPENDIX A**COUNTRIES TO BE SERVED VIA INTELSAT**

Numbers are 64-kbps voice-grade circuits

<u>Country</u>	<u>Circuits</u>	<u>Country</u>	<u>Circuits</u>	<u>Country</u>	<u>Circuits</u>
Afghanistan	80	China, People's Republic	80	Greenland	80
Albania	80	Christmas Isl	80	Grenada	80
Algeria	80	Cocoa Isl	80	Guadeloupe	80
American Samoa	80	Comoros	80	Guam	80
Andorra	80	Congo	80	Guantanamo (Cuba)	80
Angola	80	Cook Isl	80	Guatemala	80
Antigua/Babuda	80	Croatia	80	Guinea	80
Argentina	80	Cueta	80	Guinea Bissau	80
Armenia	80	Cyprus	80	Guyana	80
Ascension Isl	80	Czech Republic	80	Haiti	80
Australia	80	Denmark	80	Honduras	80
Austria	80	Diego Garcia	80	Hungary	80
Azerbaijan	80	Djibouti	80	Iceland	80
Bahamas	80	Dominica	80	India	80
Bahrain	80	Dominican Republic	80	Indonesia	80
Balearic Isl	80	Ecuador	80	Iran	80
Bangladesh	80	Egypt	80	Iraq	80
Barbados	80	El Salvador	80	Ireland	80
Belarus	80	Equatorial Guinea	80	Israel	80
Belize	80	Eritrea	80	Italy	80
Belgium	80	Estonia	80	Ivory Coast	80
Bolivia	80	Ethiopia	80	Jamaica	80
Benin	80	Faeroe Isl	80	Japan	80
Bhutan	80	Falkland Isl	80	Jordan	80
Bosnia-Herzegovina	80	Fiji Isl	80	Kazakhstan	80
Botswana	80	Finland	80	Kenya	80
Brazil	80	France	80	Kirghizstan	80
Brunei	80	French Guyana	80	Kiribati	80
Bulgaria	80	French Polynesia	80	Korea-North	80
Burkina Faso	80	Gabon	80	Korea, Republic of	80
Burundi	80	Gambia	80	Kuwait	80
Cambodia	80	Georgia	80	Kyrgyzstan	80
Cameroon	80	Germany, Federal Republic of	80	Laos	80
Canada	80	Ghana	80	Latvia	80
Canary Isl	80	Gibraltar	80	Lebanon	80
Cape Verde	80	Greece	80	Lesotho	80
Central Africa Republic	80			Liberia	80
Chad	80			Libya	80
Chile	80			Liechtenstein	80

<u>Country</u>	<u>Circuits</u>	<u>Country</u>	<u>Circuits</u>	<u>Country</u>	<u>Circuits</u>
Lithuania	80	Niger	80	Spain	80
Luxembourg	80	Nigeria	80	Sri Lanka	80
Macao	80	Niue	80	St. Barthelemy	80
Macedonia, FYRO	80	Norfolk Isl	80	(French Antilles)	
Madagascar	80	Norway	80	St. Helena	80
Malawi	80	Oman	80	St. Kitts & Nevis	80
Malaysia	80	Pakistan	80	St. Lucia	80
Maldives	80	Palau	80	St. Martin (French	80
Mali	80	Palm Isl	80	Antilles)	
Malta	80	Panama	80	St. Pierre	80
Mariana Isl	80	Papua New Guinea	80	et Miguelon	
Marshall Isl	80	Peru	80	St. Vincent	80
Martinique	80	Philippines	80	Sudan	80
Mauretania	80	Poland	80	Suriname	80
Mauritius	80	Portugal	80	Swaziland	80
Mayotte Isl	80	Qatar	80	Sweden	80
Melilla	80	Reunion Isl	80	Switzerland	80
Mexico	80	Romania	80	Syria	80
Micronesia	80	Rota (Saipan)	80	Tajikistan	80
Moldova	80	Russian Federation	80	Tanzania	80
Mongolia	80	Rwanda	80	Taiwan	80
Morocco	80	Saipan	80	Thailand	80
Mozambique	80	Sakhalin (Russia)	80	Tinian	80
Mustique	80	San Marino	80	Togo	80
Myanmar	80	Sao-Tome &	80	Tonga	80
N. Caldonia	80	Principe		Trinidad & Tobago	80
Nakhodka	80	Saudi Arabia	80	Tunisia	80
Namibia	80	Senegal	80	Turkmenistan	80
Nauru	80	Serbia &	80	Tuvalu	80
Negara Brunei	80	Montenegro		Uganda	80
Nepal	80	Seychelles	80	Ukraine	80
Netherlands	80	Sierra Leone	80	United Arab	80
Netherlands	80	Singapore	80	Emirates	
Antilles		Slovak Rep	80	United Kingdom	80
Nevis	80	Slovenia	80	Union Isl	80
New Caldonia	80	Soloman Isl	80	Uzbekistan	80
New Zealand	80	Somalia	80	Uruguay	80
Nicaragua	80	South Africa	80	Vanuatu	80

<u>Country</u>	<u>Circuits</u>	<u>Country</u>	<u>Circuits</u>	<u>Country</u>	<u>Circuits</u>
Vatican City (Italy)	80				
Vietnam	80				
Venezuela	80				
Wallis & Futuna	80				
Western Samoa	80				
Yemen	80				
Zaire	80				
Zambia	80				
Zimbabwe	80				

APPENDIX B

**COUNTRIES TO BE SERVED VIA PAS-1
(NON-INTERCONNECTED)**

Up to 20 64-Kbps voice-grade circuits between the United States and the countries listed below:

Ku-band Countries

- | | |
|--------------------|---------------------|
| Anguilla | Italy |
| Austria | Luxembourg |
| Azerbaijan | Monaco |
| Bahamas | Montserrat |
| Belgium | Netherlands |
| Bermuda | Portugal |
| Bosnia-Herzegovina | Romania |
| British Virgin Is. | Russian Fed. |
| Cayman Islands | Serbia & Montenegro |
| Czech Republic | Spain |
| Denmark | Sweden |
| France | Switzerland |
| Germany | Turks & Caicos Is. |
| Greece | United Kingdom |
| Ireland | Macedonia, FYRO |

C-band Countries:

- | | |
|--------------------|----------------------|
| Anguilla | Guatemala |
| Argentina | Haiti |
| Aruba | Honduras |
| Bahamas | Jamaica |
| Barbados | Mexico |
| Bermuda | Montserrat |
| Bolivia | Netherlands Antilles |
| Brazil | Panama |
| British Virgin Is. | Paraguay |
| Cayman Islands | Peru |
| Chile | Trinidad and Tobago |
| Colombia | Turks & Caicos Is. |
| Costa Rica | Uruguay |
| Dominican Republic | Venezuela |
| Ecuador | |

**COUNTRIES TO BE SERVED VIA PAS-1
(INTERCONNECTED)**

Up to 20 64-kbps voice-grade circuits between the United States and the countries listed below:

Ku-band Countries:

- Azerbaijan
- Bahamas
- Bosnia-Herzegovina
- Czech Republic
- Portugal
- Romania
- Russian Fed.

C-Band Countries:

- Bahamas
- Costa Rica
- Dominican Republic
- Netherlands Antilles
- Panama
- Peru

- Serbia & Montenegro
- United Kingdom
- Macedonia, FYRO

**COUNTRIES TO BE SERVED VIA PAS-2
(NON-INTERCONNECTED)**

Up to 20 64-Kbps voice-grade circuits between the United States and the following country:
United Kingdom

**COUNTRIES TO BE SERVED VIA PAS-2
(INTERCONNECTED)**

Up to 20 64 -bps voice-grade circuits between the United States and the following country:
United Kingdom

**COUNTRIES TO BE SERVED VIA PAS-4
(NON-INTERCONNECTED)**

Up to 20 64-Kbps voice-grade circuits between the United States and the following countries:
Australia
Hong Kong
New Zealand

**COUNTRIES TO BE SERVED VIA PAS-4
(INTERCONNECTED)**

Up to 20 64-Kbps voice-grade circuits between the United States and the following countries:
Australia
Hong Kong
New Zealand

APPENDIX C

**COUNTRIES TO BE SERVED VIA COLUMBIA'S TDRSS
(NON-INTERCONNECTED)**

Up to 20 64-Kbps voice-grade circuits between the United States and the countries listed below:

- | | |
|--------------------|-------------------|
| TDRSS-41 | TDRSS-174 |
| Austria | Hong Kong |
| Bahamas | Japan |
| Belgium | Mexico |
| Bosnia-Herzegovina | Philippines |
| Canada | Republic of Korea |
| Denmark | |
| Finland | |
| France | |
| Germany | |
| Ireland | |
| Israel | |
| Jamaica | |
| Liechtenstein | |
| Luxembourg | |
| Mexico | |

Netherlands
 Portugal
 Serbia & Montenegro
 Sweden
 Switzerland
 Turkey
 United Kingdom
 Macedonia, FYRO

APPENDIX E

**COUNTRIES TO BE SERVED VIA AUTHORIZED
 U.S. DOMESTIC SATELLITES, MEXICAN MORELOS
 (AND SOLIDARIDAD)
 SATELLITES, AND ANIK SATELLITES**

**COUNTRIES TO BE SERVED VIA TDRSS
 (INTERCONNECTED)**

Up to 20 64-Kbps voice-grade circuits between the United States and the countries listed below:

TDRSS-41	TDRSS-174
Germany	Hong Kong
Bosnia-Herzegovina	
Serbia & Montenegro	
United Kingdom	
Macedonia, FYRO	

APPENDIX D

**COUNTRIES TO BE SERVED VIA ORION SATELLITE
 CORPORATION'S
 F-1 SATELLITE
 (INTERCONNECTED)**

Up to 20 64-Kbps voice-grade circuits between the United States and the countries listed below:

Germany
 Ireland
 The Netherlands
 Poland
 Sweden

**COUNTRIES TO BE SERVED VIA ORION SATELLITE
 CORPORATION'S
 F-1 SATELLITE
 (NON-INTERCONNECTED)**

Up to 20 64-Kbps voice-grade circuits between the United States and the countries listed below:

Austria	Norway
Belgium	Poland
Denmark	Serbia & Montenegro
France	Sweden
Germany	The Netherlands
Ireland	United Kingdom
Italy	Macedonia, FYRO
Luxembourg	

Anguilla	Domestic Satellites
Antigua and Barbuda	Domestic Satellites
Argentina	Domestic Satellites
Bahamas	Domestic Satellites
Barbados	Domestic Satellites
Belize	Domestic Satellites
Bermuda	Domestic Satellites
Bolivia	Domestic Satellites
Brazil	Domestic Satellites,
British Virgin Islands	Domestic Satellites
Canada	Domestic Satellites, ANIK
Cayman Island	Domestic Satellites
Chile	Domestic Satellites
Columbia	Domestic Satellites,
Dominica	Domestic Satellites
Ecuador	Domestic Satellites
El Salvador	Domestic Satellites
French Guiana	Domestic Satellites
Grenada	Domestic Satellites
Grenadines	Domestic Satellites
Guyana	Domestic Satellites
Guatemala	Domestic Satellites
Honduras	Domestic Satellites
Mexico	Domestic Satellites, Morelos and Solidaridad
Montserrat	Domestic Satellites
Netherlands Antilles	Domestic Satellites
Nicaragua	Domestic Satellites
Panama	Domestic Satellites
Paraguay	Domestic Satellites
Peru	Domestic Satellites
St. Kitts & Nevis	Domestic Satellites
St. Lucia	Domestic Satellites
St. Vincent	Domestic Satellites
Suriname	Domestic Satellites
Turks & Caicos	Domestic Satellites
Uruguay	Domestic Satellites
Venezuela	Domestic Satellites

APPENDIX F

**COUNTRIES TO BE SERVED VIA
THE INTERSPUTNIK AND SOVIET DOMESTIC
SATELLITE SYSTEMS,
AND THE GEIZER, WSDRN, AND GHORIZONT 21
SATELLITES**

Up to a total of 20 64-kbps voice-grade circuits interconnected with the public switched network and 20 64-kbps voice-grade circuits not interconnected with the public switched network between the United States and each of the following points, via the Stations 4, 10, 11, 16, 26, Geizer, WSDRN and Ghorizont 21 satellites:

- Armenia
- Azerbaijan
- Belarus
- Estonia
- Georgia
- Kazakhstan
- Kyrgyzstan
- Latvia
- Lithuania
- Moldovia
- Russia
- Tajikistan
- Turkmenistan
- Ukraine
- Uzbekistan

APPENDIX G

CABLE SYSTEM	CAPACITY REQUEST- COUNTRIES/AREAS ED	TO BE SERVED
CANUS-1	Three (3) E-1 channels	Canada
NPC	Three (3) E-1 channels	Japan, Hong Kong, the Philippines, Singapore, and South Korea
ALOHA	Three (3) E-1 channels	Hawaii
PTAT-1	Three (3) E-1 channels	U.K. Bermuda Ireland