

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

In the Matter of

AMERICAN
TELESIS, INC.

File No. I-T-C-95-548

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

ORDER, AUTHORIZATION AND CERTIFICATE

Adopted: January 24, 1996; Released: February 2, 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-95-548 IS GRANTED, and American Telesis, Inc. (American Telesis) 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 stations 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 facilities listed in Appendix F;

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

3. IT IS FURTHER ORDERED that neither American Telesis nor any persons or companies directly or indirectly controlling or controlled by American Telesis, 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 American Telesis or any persons or companies controlling or controlled by American Telesis are parties.

4. IT IS FURTHER ORDERED that our authorization of American Telesis 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, American Telesis may not -- and American Telesis'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, or Orion F1 satellites.

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. 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

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>
Argentina	50	Haiti	50	Poland	50
Australia	50	Honduras	50	Portugal	50
Austria	50	India	50	Romania	50
Bahamas	50	Indonesia	50	Saudi Arabia	50
Barbados	50	Iran	50	Senegal	50
Belgium	50	Ireland	50	Serbia-	50
Bolivia	50	Israel	50	Montenegro	
Bosnia-	50	Italy	50	Singapore	50
Herzegovina		Jamaica	50	Slovenia	50
Brazil	50	Japan	50	Somalia	50
Canada	50	Jordan	50	South Africa	50
Czech	50	Kenya	50	Spain	50
Republic		Korea,	50	Sweden	50
Chile	50	Republic of		Switzerland	50
China, People's	50	Kuwait	50	Syria	50
Republic		Lebanon	50	Taiwan	50
Croatia	50	Liechtenstein	50	Thailand	50
Denmark	50	Luxembourg	50	Trinidad	50
Dominican	50	Malaysia	50	& Tobago	
Republic		Macedonia	50	Uganda	50
Ecuador	50	F.Y.R.O.		United Arab	50
Egypt	50	Mexico	50	Emirates	
El Salvador	50	Morocco	50	United Kingdom	50
Ethiopa	50	Netherlands	50	Uruguay	50
Finland	50	Netherlands	50	Vietnam	50
France	50	Antilles		Venezuela	50
Guantanamo	50	New Zealand	50	Zaire	50
Bay		Nicaragua	50		
Germany, Federal	50	Norway	50		
Republic of		Panama	50		
Ghana	50	Peru	50		
Greece	50	Philippines	50		
Guatemala	50				
Guinea	50				

APPENDIX B

**COUNTRIES TO BE SERVED VIA PAS-1
(NOT INTERCONNECTED)**

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

Ku-band Countries:

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

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 Rep. | Venezuela |
| Ecuador | |

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

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

Ku-band Countries:

- Azerbaijan
- Bahamas
- Bosnia-Herzegovenia
- Czech Republic
- Portugal
- Romania
- Russian Fed.
- Serbia & Montenegro
- United Kingdom

C-band Countries:

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

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

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

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

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

TDRSS-41

- Austria
- Bahamas
- Belgium
- Bosnia-Herzegovenia
- Canada
- Denmark
- Finland
- France
- Germany
- Ireland
- Israel
- Jamaica
- Liechtenstein
- Luxembourg
- Mexico
- Netherlands
- Portugal
- Serbia & Montenegro
- Sweden

TDRSS-174

- Hong Kong
- Japan
- Mexico
- Philippines
- Republic of Korea

Switzerland
 Turkey
 United Kingdom

Cayman Island
 Dominica
 Grenada
 Grenadines
 Mexico

 Montserrat
 Netherlands Antilles
 St. Kitts & Nevis
 St. Lucia
 St. Vincent
 Turks & Caicos
 Venezuela

Domestic Satellites
 Domestic Satellites
 Domestic Satellites
 Domestic Satellites
 Domestic Satellites, Morelos
 and Solidaridad Satellites
 Domestic Satellites
 Domestic Satellites
 Domestic Satellites
 Domestic Satellites
 Domestic Satellites
 Domestic Satellites
 Domestic Satellites

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

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

TDRS-41	TDRS-174
Germany	Hong Kong
Bosnia-Herzegovina	
Serbia & Montenegro	
United Kingdom	

APPENDIX D

**COUNTRIES TO BE SERVED VIA ORION
 SATELLITE CORPORATION'S
 F1 SATELLITE
 (INTERCONNECTED)**

Up to six 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
 F1 SATELLITE
 (NON-INTERCONNECTED)**

Up to ten 64-Kbps voicegrade 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	
Luxembourg	

APPENDIX E

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

Anguilla	Domestic Satellites
Antigua and Barbuda	Domestic Satellites
Bahamas	Domestic Satellites
Barbados	Domestic Satellites 1
Belize	Domestic Satellites
Bermuda	Domestic Satellites
British Virgin Islands	Domestic Satellites
Canada	Domestic Satellites, ANIK Satellites

APPENDIX F

Private Cable System	Capacity Requested	Foreign Point To Be Served
NPC	Three (3) E-1 Channels	Japan
PTAT-1	Three (3) E-1 Channels	U.K., Ireland, Bermuda
Aloha	Three (3) E-1 Channels	Hawaii
CANUS-1	Three (3) E-1 Channels	Canada