

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

DA-96-962

In the Matter of)
)
AT&T CORP.)
)
Application for authority) File No. I-T-C-96-231
to lease and operate satellite)
facilities for service between)
the United States and Cuba.)

ORDER AND AUTHORIZATION

Adopted: June 17, 1996

Released: June 20, 1996

By the Chief, Telecommunications Division:

1. Upon consideration of the above-captioned uncontested application, filed by American Telephone and Telegraph Company (AT&T) 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-96-231 IS GRANTED, and AT&T is authorized to:

a. lease from Comsat and operate 24 64-kbps satellite circuits between appropriately licensed U.S. earth stations and an appropriate INTELSAT satellite over the Atlantic Ocean, connecting with similar circuits between the satellite and an earth station in Cuba, furnished by AT&T's correspondent;

b. multiplex the circuits authorized in a., above, through the use of Digital Circuit Multiplexing Equipment, to derive up to 90 circuits from the 24 circuits authorized; and

c. use said facilities to provide AT&T's regularly authorized services between the United States and Cuba.

3. IT IS FURTHER ORDERED that our authorization of AT&T 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 Cuba -- that is private lines which originate in the United States and terminate in Cuba or which originate in Cuba and terminate in the United States. In addition, AT&T may not -- and AT&T's tariffs 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 Cuban end, or both, for the provision of international switched basic services, unless authorized to do so by the Commission upon

a finding that Cuba 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 exceptions contained in Sections 63.01(k)(6)(i) and 63.17 of the Commission's Rules, 47 C.F.R. §§63.01(k)(6)(i) and 63.17. See also Cable & Wireless et al., 11 FCC Rcd 1766 (1996), para. 36.

4. 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. Section 43.61.

5. 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).

6. IT IS FURTHER ORDERED that AT&T shall split 50/50 with ETESCA the \$1.20 per minute accounting rate for the IMTS services.

7. IT IS FURTHER ORDERED that the surcharge agreed to between AT&T and ETESCA for received collect calls shall be no greater than \$1.00 per call.


8. IT IS FURTHER ORDERED that AT&T shall submit reports on or before June 30, and December 31, of each year, and on the one-year anniversary of the notification of the grant of this application in the Federal Register, indicating the number of circuits activated by facility.

9. IT IS FURTHER ORDERED that this authorization is subject to AT&T's obtaining all necessary licenses and authorizations from the Departments of Treasury and Commerce.

10. IT IS FURTHER ORDERED that this order is subject to revocation without a hearing in the event the Department of State or the Federal Communications Commission determines that the continuation of communications between the United States and

11. 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