

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

In the Matter of)	
)	
Global Communications, Inc.)	
)	File No. WB/ENF-I-95-0477
Petition for Declaratory Ruling)	(DA 93-303)
Regarding the Obligations of Cellular)	
Licensees to Tariff Marine Services)	

ORDER

Adopted: December 10, 1997

Released: December 12, 1997

By the Chief, Enforcement and Consumer Information Division, Wireless Telecommunications Bureau.

1. We have before us a petition filed by Global Communications, Inc. ("Global"), on February 25, 1993, requesting the Commission to issue a ruling declaring that, "offers of communications service by cellular telephone companies to or from ships at sea are subject to the requirements of the Communications Act for the filing of tariffs with the Commission, as well as the substantive requirements of Section 201 and 202 of the Communications Act."¹ On March 12, 1993, the Commission's Common Carrier Bureau issued a public notice, establishing a pleading cycle for the submission of comments thereupon by interested parties.² Comments with respect to the petition were filed by six parties,³ and Global filed a reply thereto on May 17, 1993.

2. Shortly after the close of the pleading cycle with respect to Global's petition, Sections 3(n) and 332 of the Communications Act of 1934, as amended, were amended by Section 6002(b) of the Omnibus Budget Reconciliation Act of 1993 ("Budget Act"), which was signed into law on August 10, 1993.⁴ The Budget Act amendments significantly modified the Commission's regulation of cellular radiotelephone carriers and other Commercial Mobile Radio Service ("CMRS") providers. In its implementation of this legislation, the Commission, among other

¹ Global's Petition for Declaratory Ruling, at 10.

² DA 93-303, 8 FCC Rcd 2147 (Com. Car. Bur. 1993).

³ Comments were filed by BellSouth Corporation, GTE Mobilnet of Hawaii Incorporated, USVI Cellular Telephone Corporation, Sprint Cellular Company, Vanguard Cellular Systems, Inc., and McCaw Cellular Communications, Inc.

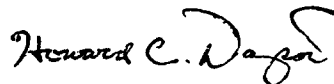
⁴ Omnibus Budget Reconciliation Act of 1993, Pub. L. No. 103-66, Title VI, § § 6002(b)(2)(A), 6002(b)(2)(B), 107 Stat. 312, 392 (1993).

things, has forborne from enforcing any tariffing requirements, under Section 203 of the Act, with respect to CMRS providers. *Implementation of Sections 3(n) and 332 of the Communications Act, Second Report and Order*, 9 FCC Rcd 1411, 1475-81 (1994).

3. Accordingly, we conclude that Global's petition has become moot because of the changes in the law and the Commission's regulation of cellular radiotelephone carriers, as described above.

4. THEREFORE, IT IS ORDERED, pursuant to Sections 4(i) and 4(j) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 154(j), and Sections 0.321 and 1.2 of the Commission's Rules, 47 C.F.R. §§0.321, 1.2, that Global's petition for a declaratory ruling IS DISMISSED as MOOT.

FEDERAL COMMUNICATIONS COMMISSION



Howard C. Davenport
Chief, Enforcement and Consumer Information Division
Wireless Telecommunications Bureau