

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

In the Matter of

AT&T CORP.

File No. I-T-C-95-554

Application for authority to
acquire and operate facilities
in the KAFOS Cable System.

ORDER AND AUTHORIZATION

Adopted: January 18, 1996; Released: January 29, 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-95-554 IS GRANTED, and AT&T Corp. (AT&T) is authorized to:

- a. acquire on an ownership basis a one-half interest in and operate 2 MIUs¹ in the KAFOS Cable System;
- b. acquire by lease or other comparable means any necessary connecting facilities; and
- c. use said facilities to provide AT&T's regularly authorized services between the United States, on the one hand, and Turkey, Bulgaria, and Romania, on the other hand.

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

4. 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 Turkey, Bulgaria or Romania -- that is, private lines which originate in the United States and terminate in Turkey, Bulgaria or Romania or which originate in Turkey, Bulgaria or Romania and terminate in the United States. In addition, AT&T may not -- and AT&T'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 Turkey, Bulgaria or Romania 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 the annual reports of overseas telecommunications traffic required by Section 43.61 of the Commission's Rules, 47 C.F.R. Section 43.61.

6. 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).

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 the public notice of this order (*see* Section 1.4(b)(2)).

FEDERAL COMMUNICATIONS COMMISSION

Diane J. Cornell
Chief, Telecommunications Division
International Bureau

¹ As defined in the KAFOS C&MA, a MIU is the minimum unit of investment allowing the effective use of 2.048 Mb/s

jointly assigned between two Parties or wholly assigned to a Party.