



PUBLIC NOTICE

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**Federal Communications Commission
1919 M St., N.W.
Washington, D.C. 20554**

**DA 98-865
Released: May 8, 1998**

**PETITIONS FOR WAIVER OF SECTION 54.703 FILED BY:
GATEWAY USA HOLDING COMPANY, INC.
COSMOS TELECOM MARKETING, INC.
SITEL, INC.
MICRODEVICES WORLDWIDE INC.
STARTEC GLOBAL COMMUNICATIONS CORPORATION**

CC Docket No. 96-45

**Comment Date: May 22, 1998
Reply Comment Date: May 29, 1998**

The Commission directed carriers that provide interstate service to contribute to the Universal Service Funds based on both their interstate and international revenues.¹ Gateway USA Holding Company, Inc, Cosmos Telecom Marketing Inc., and Sitel, Inc. (the Gateway Affiliates); and Microdevices Worldwide, Inc. filed petitions seeking to exclude from their individual Universal Service contribution bases, revenues derived from providing services that originate in foreign points and terminate in the United States.² These petitioners request, in the alternative, that the Commission clarify section 54.703³ of the Commission's rules to allow carriers to exclude from their contribution base foreign billed revenues derived from communications which originate in foreign points and terminate in the U.S. They generally contend that partial waivers are warranted because each of their Universal Service contributions will greatly exceed the total of

¹ *Federal-State Joint Board on Universal Service, Report and Order*, 12 FCC Rcd 8776, 9173 at ¶ 779 (rel. May 8, 1997) (*Report and Order*), consolidated appeals pending sub nom. *Texas Office of Public Utility Counsel v. FCC*, Civ. No. 97-60421 (5th Cir.); 47 C.F.R. § 54.703.

² The Gateway Affiliates filed a joint petition on April 22, 1998. Microdevices Worldwide, Inc. filed its petition on March 26, 1998.

³ 47 C.F.R. § 54.703.

their respective interstate revenues.

Startec Global Communications Corporation (Startec) filed a petition requesting complete exemption from the contribution requirement.⁴ Startec argues that it is a small company that caters to under-served minority communities, and, therefore, it can neither absorb the cost of the universal service fund contribution, nor pass it on to its customers.

Interested parties may file comments in support of, or in opposition to these petitions on, or before **May 22, 1998**, and Reply Comments on or before **May 29, 1998**. All filings should refer to the pleading as: Petitions for Waiver of Section 54.703 Filed by: Gateway USA Holding Company, Inc. Cosmos Telecom Marketing, Inc. Sitel, Inc., Microdevices Worldwide Inc., and Startec Global Communicaitons Corp., CC Docket No. 96-45. One original and five copies of all comments must be sent to Magalie Roman Salas, Secretary, Federal Communications Commission, 1919 M Street, N.W., Washington, D.C. 20554. Two copies also should be sent to Sheryl Todd, Universal Service Branch, Accounting and Audits Division, Common Carrier Bureau, 2100 M Street, N.W., 8th Floor, Washington, D.C. 20554. Copies of documents filed with the Commission, including the petitions, may be obtained from the International Transcription Service, 1231 20th Street, N.W., Washington, D.C. 20037, (202) 857-3800. Documents are also available for review and copying at the FCC Reference Center, Room 239, 1919 M Street, N.W., Washington, D.C., from 9:00 a.m. to 4:30 p.m.

Pursuant to section 1.1206 of the Commission's Rules, 47 C.F.R. § 1.1206, this proceeding will be conducted as a permit-but-disclose proceeding in which *ex parte* communications are permitted subject to disclosure.

For further information, contact Linda P. Armstrong, Accounting Policy Division, Common Carrier Bureau at (202) 418-7400 or via e-mail: larmstro@fcc.gov.

-- Action by Accounting Policy Division --

⁴ Startec's petition was filed on April 17, 1998.