

Categories of Services for 214 Applications  
(Streamlined/Non-streamline)

- ASSIGNMENT OF LICENSE
- GLOBAL FACILITIES-BASED SERVICE
- GLOBAL FACILITIES-BASED/GLOBAL RESALE SERVICE
- GLOBAL RESALE SERVICE
- INDIVIDUAL FACILITIES-BASED SERVICE
- INTERCONNECTED PRIVATE LINE RESALE SERVICE
- LIMITED GLOBAL FACILITIES-BASED SERVICE/LIMITED  
GLOBAL RESALE SERVICE
- LIMITED GLOBAL FACILITIES-BASED SERVICE
- LIMITED GLOBAL RESALE SERVICE
- INMARSAT AND MOBILE SATELLITE SERVICE
- SWITCHED RESALE SERVICE
- TRANSFER OF CONTROL
- SUBMARINE CABLE LANDING LICENSE
- INTERNATIONAL SPECIAL PROJECT

Description of Application: \_\_\_\_\_

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DUPLICATE

FISHER WAYLAND COOPER LEADER & ZARAGOZA L.L.P.

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AUG 12 1998

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August 12, 1998

**DELIVERY VIA COURIER TO MELLON BANK**

Ms. Magalie Roman Salas, Secretary  
Federal Communications Commission  
1919 M Street, N.W., Room 222  
Washington, D.C. 20554

Re: **Netphonix, Inc.**  
**Section 214 Application for Authority to Operate as an**  
**International Facilities-Based and Resale Carrier**

Dear Ms. Salas:

On behalf of Netphonix, Inc., we hereby submit for filing an original and five copies of a Section 214 Application for authority to operate as an international facilities-based and resale carrier for the purpose of providing switched, private line, data, and business services between the United States and all foreign points permitted by the Commission.

Pursuant to Section 63.12 of the Commission's Rules, Netphonix, Inc. requests streamlined processing of the enclosed Application.

An FCC Form 159 and a \$745.00 check to cover the required filing fee are attached hereto.

Please refer all questions and correspondence regarding this filing directly to the undersigned.

Very truly yours,



Glenn S. Richards  
Counsel for Netphonix, Inc.

GSR/sad  
Enclosure



(c) Correspondence concerning this application should be addressed to the following:

Sam Moerman, COO  
Nethonix, Inc.  
4597 US Highway #9 North  
Howell, NJ 07731  
732-367-8030 (phone)  
732-363-2329 (fax)

With a copy to Applicant's attorney:

Glenn S. Richards  
Fisher Wayland Cooper Leader & Zaragoza, LLP  
2001 Pennsylvania Ave., NW - Suite 400  
Washington, DC 20006  
(202) 775-5678 (phone)  
(202) 296-6518 (fax)

(d) Applicant has not previously received authority under Section 214 of the Act.  
(e) Applicant is hereby requesting Section 214 authority to operate as a facilities-

based carrier pursuant to Section 63.18(e)(1) of the Commission's Rules. Applicant hereby states that it will comply with the terms and conditions set forth in Section 63.18(e)(1)(ii) of the Commission's Rules and will not provide services to any country on the Commission's exclusion list. Under Section 63.10 of the Commission's Rules, Applicant qualifies as a non-dominant carrier and would provide services to all international points for which it qualifies for non-dominant regulation. See Section 63.18(e)(ii)(A) of the Commission's Rules.

Applicant is also requesting authority, pursuant to Section 63.18(e)(2) of the Commission's Rules, to resell the international services of all authorized U.S. common carriers pursuant to those carriers' tariffs and contracts on file with the Commission. Applicant hereby states that it will comply with the terms and conditions set forth in Section 63.18(e)(2)(ii) of the Commission's Rules. Applicant is not affiliated with any U.S. carriers regulated as dominant on the routes to be served.

As a facilities-based carrier and as a resale carrier, Applicant will provide international basic switched, private line, data, and business services to all international points permitted by the Commission.

(f) Applicant seeks authority to provide only services referenced under paragraph (e) of Section 63.18 of the Commission's Rules.

(g) The authority requested in this application is categorically excluded from environmental processing as defined by Section 1.306 of the Commission's Rules.

(h) Applicant certifies that it is not affiliated with any U.S. carrier whose facilities-based services it proposes to resell, nor is it affiliated with any foreign carriers. Pursuant to Section 63.18(h)(2) of the Commission's Rules, the following information is provided regarding the ten percent or greater direct and indirect shareholders of Applicant.

Sandy Lichtenstein  
Nephonix, Inc.  
4597 US Highway #9 North  
Howell, NJ 07731  
✓  
Citizenship: USA  
Principal Business: Telecommunications

David Lichtenstein  
Nephonix, Inc.  
4597 US Highway #9 North  
Howell, NJ 07731  
✓  
Citizenship: USA  
Principal Business: Telecommunications

There are no interlocking directorates.

(i) Pursuant to Section 63.18(i) of the Commission's Rules, Applicant certifies that it has not agreed to accept special concessions directly or indirectly from any foreign carrier with respect to any U.S. international route where the foreign carrier possesses sufficient market

power on the foreign end of the route to affect competition adversely in the U.S. market and will not enter into such agreements in the future.

(j) Pursuant to Sections 1.2001-1.2003 of the Commission's Rules, Applicant attaches to this application a certificate stating that no party to this application is subject to a denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988.

(k) Applicant is not affiliated with a foreign carrier in a destination market, is not affiliated with a dominant U.S. carrier whose international switched or private line services it seeks authority to resell, and does not seek authority to provide switched basic services over private lines to a country for which the Commission has not previously authorized the provision of switched services over private lines. Accordingly, Applicant is eligible for streamlined processing pursuant to Section 63.12.

**SECTION 1.2001 CERTIFICATION**

On behalf of Netphonix, Inc., and in accordance with Sections 1.2001-1.2003 of the Commission's Rules, 47 C.F.R. §§1.2001-1.2003, I hereby certify that neither Applicant nor any party to this Application is subject to a denial of Federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988. See 21 U.S.C. § 853(a).



Sandy Lichtenstein  
President  
Netphonix, Inc.  
4597 US Highway #9 North  
Howell, NJ 07731  
732-367-8030 (phone)  
732-363-2329 (fax)

Dated: August 11, 1998

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