

Categories of Services for 214 Applications
(Streamline/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: _____

Copy to FBI

PIPER & MARBURY

L.L.P.

1 200 NINETEENTH STREET, N.W.

WASHINGTON, D. C. 20036-2430

202-861-3900

FAX: 202-223-2085

BALTIMORE
NEW YORK
PHILADELPHIA
EASTON

RANDALL B. LOWE
202-861-6477

FCC/MELLON **AUG 27 1998**

August 26, 1998

BY FEDERAL EXPRESS

Federal Communications Commission

International Bureau - Telecommunications

P. O. Box 358115

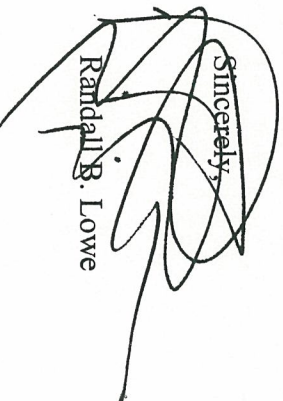
Pittsburgh, Pennsylvania 15251-5115

Gentlemen:

On behalf of Novavision, Inc., and pursuant to Section 214 of the Communications Act of 1934, as amended, and Section 63.18 of the Commission's rules, we are submitting herewith an original and five (5) copies of an application for authority to provide facilities-based and resale telecommunications services between the United States and all permissible international points. Although Novavision, Inc. is affiliated with a foreign carrier located in the United Kingdom, because the United Kingdom is a member of the World Trade Organization, this application is subject to the Commission's streamlined processing procedures.

Also submitted herewith is FCC Form 159 and a check in the amount of \$745.00 for the required filing fee.

Any questions regarding this matter should be directed to the undersigned counsel.

Sincerely,

Randall B. Lowe

RBL/mjs
Attachments

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

In the Matter of

NOVAVISION, INC.

Application for Authority Pursuant to
Section 214 of the Communications Act of 1934,
as Amended, to Provide Facilities-Based and
Resold Telecommunications Services of Other
Common Carriers Between the United States
and International Points, Including the United
Kingdom

File No. ITC-214-19980827-00594

APPLICATION OF NOVAVISION, INC. FOR SECTION 214 AUTHORITY

Novavision, Inc. ("Novavision, Inc."), pursuant to Section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214 ("Act"), and Section 63.18 of the Commission's Rules, 47 C.F.R. § 63.18, hereby applies for authority to provide facilities-based and resold telecommunications services of other international common carriers for the purpose of providing telecommunications service between the United States and all permissible international points, including the United Kingdom.

Novavision, Inc., a Delaware corporation, is affiliated with a foreign carrier operating in the United Kingdom, which Novavision, Inc. intends to serve. The foreign carrier, Novavision, Limited, a U.K. company, was granted an International Voice Simple Resale ("IVSR") license from the United Kingdom on August 12, 1998, but has no control of bottleneck facilities and otherwise has no ability to discriminate against unaffiliated carriers in the United Kingdom.

Nabil Nasser, a citizen of Guinea, owns 50% of Novavision, Limited and 100% of Novavision, Inc. Despite its affiliation with a foreign carrier, in light of the fact that the United Kingdom is a

Member of the World Trade Organization, Novavision, Inc. believes its application is subject to streamlined processing.

In support hereof, and in accordance with the specific provisions of Section 63.18, Novavision, Inc. respectfully submits the following information:

(a) Applicant: Novavision, Inc.
1200 19th Street, N.W.
Suite 700
Washington, D.C. 20036
Telephone: (202) 861-6477

(b) The corporation is organized under the laws of the State of Delaware.

(c) All correspondence should be sent to:

Randall B. Lowe, Esq.
Piper & Marbury L.L.P.
Suite 700
1200 19th Street, N.W.
Washington, D.C. 20036
Telephone: (202) 861-6477

and to

Mr. Nabil Nasser
Flat 22 Centre Heights
137 Fichley Road
London, NW3 6JG
England
Telephone: 011-44-171 899 8999

(d) Novavision, Inc. has received no previous authority under Section 214 of the Act.

(e) Novavision, Inc. is requesting global facilities-based Section 214 authority pursuant to the terms and conditions of Section 63.18(e)(1) of the Commission's rules. It is likewise requesting global international resale Section 214 authority pursuant to the terms and conditions of Section 63.18(e)(2) of the Commission's rules.

(f) Novavision, Inc. is requesting authority under Sections 63.18(e)(1) and 63.18(e)(2) of the Commission's Rules. As previously stated, Novavision, Inc. believes that this application is subject to streamlined processing.

- (g) N/A (only applicable if applying for facilities-based authority under Section 63.18(e)(6)).
- (h)(1) Novavision, Inc. certifies that it is affiliated with Novavision, Limited, a foreign carrier recently granted an IVSR license to operate in the United Kingdom.
- (h)(2) Mr. Nabil Nasser, a citizen of Guinea, owns 100% of Novavision, Inc. and 50% of Novavision, Limited. Mr. Nasser resides at Flat 22 Centre Heights, 137 Fichley Road, London NW3 6JG, England. The remaining 50% of Novavision, Limited is owned by Joseph Soussou, a British citizen, residing at 67 Felden Road, London SW6 5AE, England.
- (h)(3) Novavision, Inc. is not affiliated with any U.S. carrier whose facilities-based services it proposes to resell.
- (h)(5) Novavision, Inc. certifies that it is affiliated with Novavision, Limited, through their mutual ownership by Nabil Nasser; that Novavision, Limited recently received an IVSR license to operate in the United Kingdom; and that Novavision Inc. seeks authority to operate as a facilities-based carrier to, *inter alia*, the United Kingdom. Novavision, Inc. notes, however, that the United Kingdom is a Member of the World Trade Organization and, in addition, that the affiliated foreign carrier does not have the ability to discriminate against unaffiliated U.S. international carriers through control of bottleneck services or facilities in the United Kingdom.
- (h)(6) Similarly, Novavision, Inc. certifies that it is affiliated with Novavision, Limited, through their mutual ownership by Nabil Nasser; that Novavision, Limited recently received an IVSR license to operate in the United Kingdom; and that it proposes to resell the international switched services or non-interconnected private line service of authorized U.S. carriers for the purpose of providing international communications services to all permissible international points, including the United Kingdom, from the United States. Novavision, Inc. notes that the United Kingdom is a Member of the World Trade Organization and, in addition, that the affiliated foreign carrier does not have the ability to discriminate against unaffiliated U.S. international carriers through control of bottleneck services or facilities in the United Kingdom.

(h)(7) Although Novavision, Inc.'s U.K. affiliate, Novavision, Limited, recently received an IVSR license to operate in the United Kingdom, Novavision, Limited, will not be a monopoly provider in the United Kingdom and will have less than a 50% share in the international transport and local access markets in the United Kingdom.

(h)(8) Although Novavision, Inc. is affiliated with an entity that recently received an IVSR license to operate in the United Kingdom, that affiliate is a non-dominant provider in the United Kingdom, without market power or control of bottleneck facilities (see (h)(7) above). Therefore, Novavision, Inc. seeks to be regulated as non-dominant for the provision of international communications service to all permissible international points, including the United Kingdom.

(i) Novavision, Inc. certifies that it has not agreed to accept special concessions directly or indirectly from any foreign carrier or administration with respect to traffic or revenue flows between the United States and any foreign country which the applicant may serve under the authority granted under this part and will not enter into such agreements in the future.

(j) Novavision, Inc. certifies 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, 47 U.S.C. § 853a.

(k) Although Novavision, Inc. is affiliated with a company that is a foreign carrier, having recently received an IVSR license to operate in the United Kingdom, a destination country to be served by Novavision, Inc., Novavision, Inc. seeks streamlined processing because the destination country in this instance is the United Kingdom, a Member of the World Trade Organization.

Wherefore, Novavision, Inc. respectfully submits that it is qualified under the Commission's Rules to provide the facilities-based and resold telecommunications services described herein and that the present and future public convenience and necessity will be served by the grant of this Application. Novavision, Inc. certifies that the statements contained in the

foregoing document are true, correct and complete to the best of its knowledge, information and belief. Accordingly, Novavision, Inc. requests that the Commission act favorably and as expeditiously as possible to grant this Application.

Respectfully submitted,
NOVA VISION, INC.

By: 

Name: Nabil Nasser

Title: President

Date: Aug, 20th 1998

READ INSTRUCTIONS CAREFULLY
BEFORE PROCEEDING

FEDERAL COMMUNICATIONS COMMISSION
REMITTANCE ADVICE

APPROVED BY OMB 3060-0589

(1) LOCKBOX #

PAGE NO. _____ OF _____

SPECIAL USE
FCC USE ONLY

SECTION A - PAYER INFORMATION

(2) PAYER NAME (if paying by credit card, enter name exactly as it appears on your card)
Piper & Marbury L.I.P.; c/o Randall B. Lowe
(3) TOTAL AMOUNT PAID (dollars and cents) 745.00

(4) STREET ADDRESS LINE NO. 1
1200 Nineteenth Street, NW

(5) STREET ADDRESS LINE NO. 2
Suite 700

(6) CITY
Washington

(7) STATE
DC

(8) ZIP CODE
20036

(9) DAYTIME TELEPHONE NUMBER (include area code)
(202) 861-6477

(10) COUNTRY CODE (if not in U.S.A.)

**IF PAYER NAME AND THE APPLICANT NAME ARE DIFFERENT, COMPLETE SECTION B
IF MORE THAN ONE APPLICANT, USE CONTINUATION SHEETS (FORM 159-C)**

SECTION B - APPLICANT INFORMATION

(11) APPLICANT NAME (if paying by credit card, enter name exactly as it appears on your card)
Novavision, Inc.

(12) STREET ADDRESS LINE NO. 1
1200 Nineteenth Street, NW

(13) STREET ADDRESS LINE NO. 2
Suite 700

(14) CITY
Washington

(15) STATE
DC

(16) ZIP CODE
20036

(17) DAYTIME TELEPHONE NUMBER (include area code)
(202) 861-6477

(18) COUNTRY CODE (if not in U.S.A.)

COMPLETE SECTION C FOR EACH SERVICE, IF MORE BOXES ARE NEEDED, USE CONTINUATION SHEETS (FORM 159-C)

SECTION C - PAYMENT INFORMATION

(19A) FCC CALL SIGN/OTHER ID	(20A) PAYMENT TYPE CODE (PTC) C U T	(21A) QUANTITY 1	(22A) FEE DUE FOR (PTC) IN BLOCK 20A 745.00	FCC USE ONLY
(23A) FCC CODE 1		(24A) FCC CODE 2		
(19B) FCC CALL SIGN/OTHER ID	(20B) PAYMENT TYPE CODE (PTC)	(21B) QUANTITY	(22B) FEE DUE FOR (PTC) IN BLOCK 20B \$	FCC USE ONLY
(23B) FCC CODE 1		(24B) FCC CODE 2		
(19C) FCC CALL SIGN/OTHER ID	(20C) PAYMENT TYPE CODE (PTC)	(21C) QUANTITY	(22C) FEE DUE FOR (PTC) IN BLOCK 20C \$	FCC USE ONLY
(23C) FCC CODE 1		(24C) FCC CODE 2		
(19D) FCC CALL SIGN/OTHER ID	(20D) PAYMENT TYPE CODE (PTC)	(21D) QUANTITY	(22D) FEE DUE FOR (PTC) IN BLOCK 20D \$	FCC USE ONLY
(23D) FCC CODE 1		(24D) FCC CODE 2		

SECTION D - TAXPAYER INFORMATION (REQUIRED)

(25) PAYER TIN
0 5 2 0 6 1 6 4 9 0

(26) COMPLETE THIS BLOCK ONLY IF APPLICANT NAME IN B-11 IS DIFFERENT FROM PAYER NAME IN A-2
APPLICANT TIN 0

SECTION E - CERTIFICATION

(27) CERTIFICATION STATEMENT
I, _____, (PRINT NAME)
Certify under penalty of perjury that the foregoing and supporting information

are true and correct to the best of my knowledge, information and belief. SIGNATURE _____

SECTION F - CREDIT CARD PAYMENT INFORMATION

(28) MASTERCARD/VISA ACCOUNT NUMBER: _____

EXPIRATION DATE: _____

MASTERCARD: _____

VISA: _____

I hereby authorize the FCC to charge my VISA or MASTERCARD for the service(s)/authorization(s) herein described.

AUTHORIZED SIGNATURE _____ DATE _____

SEE PUBLIC BURDEN ESTIMATE ON REVERSE

FCC FORM 159 JULY 1997 (REVISED)