

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

ITC-214-19980930-00668

- 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: _____

FSI

FCC/MELLON SEP 30 1998

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

In the Matter of
Long Distance America, Inc.

Application for Authorization Pursuant
to Section 214 of the Communications
Act of 1934, as Amended, to Operate
Both as a Reseller and as a Facilities-
based Provider of International
Telecommunications Services
Pursuant to a Certificate of Public
Convenience and Necessity

File No. ITC-214-19980930-00668

**APPLICATION OF
LONG DISTANCE AMERICA, INC.
FOR SECTION 214 AUTHORIZATION AND
CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY**

Robert Darigo, President
LONG DISTANCE AMERICA, INC.
5733 North Andrews Way
Ft. Lauderdale, FL 33309
954-202-5138

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D. C. 20554**

In the Matter of

LONG DISTANCE AMERICA, INC.

Application for Authorization Pursuant
to Section 214 of the Communications
Act of 1934, as Amended, to Operate
Both as a Reseller and as a Facilities-
based Provider of International
Telecommunications Services
Pursuant to a Certificate of Public
Convenience and Necessity

File No. _____

**APPLICATION FOR SECTION 214 AUTHORIZATION AND
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY**

Pursuant to title II of the Communications Act of 1934, as amended,
LONG DISTANCE AMERICA, INC., ("Applicant" or "**LDA**"), a Florida
corporation, hereby requests authority to operate both as a reseller and as a
facilities-based provider of international telecommunications services. **LDA**
intends to provide telecommunications services primarily through the resale of
services offered by other carriers initially and, later, as a facilities-based provider
of international telecommunications services.

In support of this Application, the following information is submitted:

1. Public Interest Considerations

The market for interexchange telecommunications services continues to be dominated by AT&T Communications. Directly related to that dominance are economies of scale and scope realized by AT&T which cannot be achieved by other interexchange carriers. In the face of such economies favoring the dominant carrier and the struggle to establish viable competition in the interexchange telecommunications market, it is essential that the Federal Communications Commission ("FCC" or "Commission") encourage market entry by non-dominant carriers seeking success in the interexchange market. This is particularly true in the instant case where **LDA** intends to offer a competitively priced interexchange service for its customers while providing high quality customer service.

Over the past several years, the commission has seen graphic evidence of cost-driven pressure on carriers endeavoring to maintain a viable position in the interexchange market, in competition with AT&T, through multiple consolidations of formerly independent interexchange carriers.

In this environment of scope/scale economies and cost-driven consolidations, **LDA** believes that the entrance of new carriers into the market for international telecommunications is essential to the maintenance of a viable competitive interexchange telecommunications market.

The management and operations expertise of the **LDA** team will enable **LDA** to begin offering competitive high-quality service immediately upon the grant of the authority requested herein first as a reseller, and eventually as a facilities-based provider, in selected markets. Thus,

Commission grant of this Application will significantly serve the public interest through enhanced competition in the market for interexchange telecommunications services through the addition of a well managed new entrant into the market.

II. FCC Authority Sought

The Applicant requests such authority as may be required under Title II of the Communications Act of 1934, as amended, specifically Section 214 of the Act and Part 63 of the Commission's Rules, for issuance of a Certificate of Public Convenience and Necessity to **LDA** to operate both as a reseller and as a facilities-based provider of telecommunications services between the United States on the one hand and those international points listed in **LDA**'s tariff designated Tariff F.C.C. No. 2 on the other hand. The Applicant requests that this Application be processed in accordance with the Commission's procedures for streamlined processing, 47 C.F.R. §63.12. Accordingly, **LDA** will hereafter address the criteria established by the Commission's Rules for approval of such a request.

To address the specific criteria established by Part 63 of the Commission's Rules for approval of the international authorization requested, the Applicant hereafter submits the information required by Section 63.18 of those rules. **LDA** notes that this Section 63.18 information is limited to the provision of international telecommunications services.

III. Section 63.18 Information

(a) Name and address of the applicant:

Robert Darigo
LONG DISTANCE AMERICA, INC.
5733 North Andrews Way
Ft. Lauderdale, FL 33309
954-202-5138

(b) **LONG DISTANCE AMERICA, INC.** is a corporation organized under the laws of the State of Florida.

(c) Correspondence or communications concerning this Application should be directed to:

Alison Kacurov, Regulatory Consultant
Telecom Tariff Consultants
PO Box 275
Center Lovell, ME 04016
(207) 928-2144

with copy to:

Robert Darigo, President
LONG DISTANCE AMERICA, INC.
5733 North Andrews Way
Ft. Lauderdale, FL 33309
954-202-5138

(d) Applicant has not previously received authority under Section 214 of the Communications Act of 1934.

(e) Applicant is requesting Section 214 authority to operate as a reseller of international basic switched, private line, data, television and business services pursuant to the terms and conditions of Section 63.18(e)2.

(f) Applicant is also requesting Section 214 authority to operate as a facilities-based carrier pursuant to the terms and conditions of paragraph 63.18(e)(1).

(g) Applicant does not propose to undertake any construction, extension, acquisition or operation of transmission facilities. Moreover, the proposed project is categorically excluded as defined by 47 CFR 1.1306, because the Applicant's proposal does not involve high intensity lighting or a site location specified in 47 CFR 1.307(b).

(h) The Applicant does not have an affiliation with a foreign carrier. The Applicant does not have an affiliation with any U.S. facilities-based international carrier whose services will be resold. All shareholders are U.S. citizens. Officers, and shareholders holding 10% or greater interest in the company as follows:

Name	Address	Citizenship	Principal Business
Robert Darigo	5733 North Andrews Way Ft. Lauderdale, FL 33309	United States	Telecommunications
Joyce Stutz	5401 NE 4 th Ave Ft. Lauderdale, FL 33334	United States	Accountant
Lynne Robinson	5733 North Andrews Way Ft. Lauderdale, FL 33309	South America	Interior Design

- (i) LDA has agreed not to accept special concessions directly or indirectly from any foreign carrier or administration with respect to traffic or revenue flows between the U.S. and any foreign country which the Applicant may serve under the authority granted under this part and will not enter into any such agreements in the future.
- (j) 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.

In summary, LDA submits that this Application is clearly non-controversial. The carrier for which Section 214 authority is sought will be one of a number of non-dominant carriers providing international service under the Commission's jurisdiction. Moreover, the vitality of the competitive market for international telecommunications services is dependent on Commission encouragement of new entrants into the market. Attached are the Applicant's certifications that the Applicant is not affiliated with the U.S. facilities-based international carriers the Applicant will be reselling, is not affiliated with any foreign carrier, has agreed to not accept special concessions directly or indirectly from any foreign carrier, and has not been denied funds from the federal government under Section 53-01 of the Anti-Drug Abuse Act of 1988.

WHEREFORE, **LONG DISTANCE AMERICA, INC.** respectfully urges the Commission to promptly grant this Application for such authority as may be required pursuant to Section 214 of the Act and grant a Certificate of Public Convenience and Necessity to **LONG DISTANCE AMERICA, INC.** .

Respectfully submitted,

LONG DISTANCE AMERICA, INC.

By:



Alison Kacurov, Regulatory Consultant
For Robert Darigo, President
LONG DISTANCE AMERICA, INC.
5733 North Andrews Way
Ft. Lauderdale, FL 33309
954-202-5138

CERTIFICATION OF APPLICANT

I hereby certify that the statements contained in the attached LONG DISTANCE AMERICA, INC.'s Application for Authorization Pursuant to Section 214 of the Communications Act of 1934, as Amended, to Operate both as a Reseller and Facilities-based Provider of International Telecommunications Services Pursuant to a Certificate of Public Convenience and Necessity are true and correct to the best of my knowledge and are made in good faith.

LONG DISTANCE AMERICA, INC.

BY:



Alison Kacurov, Regulatory Consultant
For Robert Darigo, President
LONG DISTANCE AMERICA, INC.
5733 North Andrews Way
Ft. Lauderdale, FL 33309
954-202-5138

CERTIFICATION OF APPLICANT

I hereby certify that LONG DISTANCE AMERICA, INC. is not affiliated with any U.S. facilities-based international carriers whose services are being resold.

LONG DISTANCE AMERICA, INC.

BY:



Alison Kacurov, Regulatory Consultant
For Robert Darigo, President
LONG DISTANCE AMERICA, INC.
5733 North Andrews Way
Ft. Lauderdale, FL 33309
954-202-5138

CERTIFICATION OF APPLICANT

Section 63.18(h)(i)

I hereby certify that LONG DISTANCE AMERICA, INC. is not affiliated
with any foreign carrier.

LONG DISTANCE AMERICA, INC.

BY:



Alison Kacurov, Regulatory Consultant
For Robert Darigo, President
LONG DISTANCE AMERICA, INC.
5733 North Andrews Way
Ft. Lauderdale, FL 33309
954-202-5138

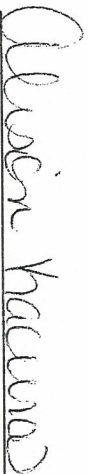
CERTIFICATION OF APPLICANT

Section 63.18(i)

I hereby certify that LONG DISTANCE AMERICA, INC. has agreed not to accept special concessions directly or indirectly from any foreign carrier of administration with respect to traffic or revenue flows between the U.S. and any foreign country which the Applicant may serve under the authority granted under this part and will not enter into any such agreements in the future.

LONG DISTANCE AMERICA, INC.

BY:



Alison Kacurov, Regulatory Consultant
For Robert Darigo, President
LONG DISTANCE AMERICA, INC.
5733 North Andrews Way
Ft. Lauderdale, FL 33309
954-202-5138

CERTIFICATION OF APPLICANT

Section 63.18(j)

I hereby certify that LONG DISTANCE AMERICA, INC. has not been denied funds from the federal government under Section 53-01 of the Anti Drug Abuse Act of 1988.

LONG DISTANCE AMERICA, INC.

BY:



Allison Kacurov, Regulatory Consultant
For Robert Darigo, President
LONG DISTANCE AMERICA, INC.
5733 North Andrews Way
Ft. Lauderdale, FL 33309
954-202-5138

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Phone: 954-202-5100
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**LONG DISTANCE
AMERICA, INC**

Fax

To: ALICIA SMOTHERS

From: JULIAN STARR

Fax: 202-418-2824

Date: 10-5-98

Phone: 202-418-1480

Pages: 1

Re:

CC:

Urgent For Review Please Comment Please Reply Please Recycle

Comments :

ASK OUR COUNSELLOR; I HEARBY

CEASELY THAT LYNN RABINER IS A

CITIZEN OF STATE ARIZONA.

Julian Starr
Fax L.A.