

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

ITC-214-19980930-00670

- 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: _____

FRS

FCC/MELLON

SEP 30 1998

LAW OFFICES OF THOMAS K. CROWE, P.C.

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WASHINGTON, D.C. 20037

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September 30, 1998

BY HAND

Federal Communications Commission
International Bureau-Telecommunications
P.O. Box 358115
Pittsburgh, PA 15251-5115

Re: Section 214 Global Resale Application;
JPS Consulting & Trading Corp.

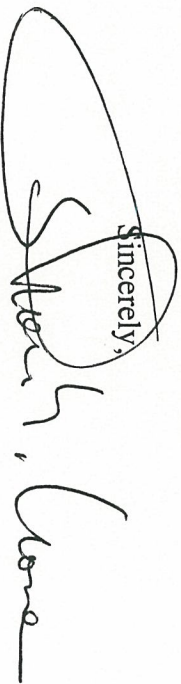
Dear Sir/Madam:

Please find enclosed an original and six copies of JPS Consulting & Trading Corp.'s Application for Section 214 Global Resale Authority.

Also enclosed is an FCC Form 159 and a check in the amount of \$780.00 payable to the "Federal Communications Commission" to cover the requisite filing fee. Please file-stamp and return the extra copy of this filing in the self-addressed, stamped envelope enclosed for this purpose.

Questions regarding this filing should be directed to the undersigned.

Sincerely,



Thomas K. Crowe,
Counsel for JPS Consulting &
Trading Corp.

Enclosures

cc: Kaan Kamali

JPS CONSULTING & TRADING CORP.

11 BROADWAY, STE. 851
NEW YORK, NY 10004

1-7055/2260
80

1867

Date Sept 28 98

Pay to the Order of Federal Communications Commission \$ 780⁰⁰

Seven hundred and eighty⁰⁰ Dollars



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122-03 14TH AVENUE, COLLEGE POINT, NY 11356

For FCC Filing Fee

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States and all international points served by those carriers; (2) global authority pursuant to Section 63.18(e)(2)(A) of the FCC's rules, 47 C.F.R. § 63.18(e)(2)(A), to resell international private lines to provide international private line services between the United States and all international points, other than those on the Exclusion List;² and (3) authority pursuant to Section 63.18(e)(2)(B) of the FCC's Rules, 47 C.F.R. § 63.18(e)(2)(B), to resell international private lines interconnected to the public switched network at one or both ends to provide international switched services between the United States and all countries found to offer equivalent resale opportunities to U.S. carriers,³ and via "switched hubbing" to authorized "points beyond."⁴ Accordingly, JPS's application for authority pursuant to Section 214 is eligible for streamlined processing.⁵

² Pursuant to the Streamlining Order, the FCC will automatically amend all Section 214 authorizations to resell international private lines to provide international switched services between the United States and countries that afford U.S. carriers equivalent resale opportunities to add all additional countries found to meet the equivalent resale opportunities standard. Streamlining Order at ¶ 34.

³ Id.

⁴ See, e.g., ACC Global Corporation/Alanna Inc., Memorandum Opinion & Order, 9 FCC Rcd 6240 (1994); FONOROLA/EMI Order, Memorandum Opinion and Order, 7 FCC Rcd 7312 (1992); FONOROLA/EMI Order on Reconsideration, 9 FCC Rcd 4066 (1994); Cable & Wireless Inc., Application for Authority Pursuant to Section 214 of the Communications Act of 1934, as Amended, to Operate as an International Private Line Carrier, Memorandum Opinion, Order, & Certification, 11 FCC Rcd 1089 (1996) ("Sweden Resale Order").

⁵ See Streamlining Order; 47 C.F.R. § 63.12 (1996).

JPS will report its resale of international switched service and international private lines to provide international and switched services in its traffic reports filed pursuant to Section 43.61 of the Commission's Rules.⁶

JPS believes that the added competition that its entry will bring to the market will benefit the customers of United States-overseas services. These benefits include competitive pricing and increased availability of a variety of service options. A grant of this application will therefore further the public interest.

II. The Applicant

JPS is a corporation organized under the laws of the state of New York. JPS is not affiliated with the U.S. facilities-based carriers whose international services it seeks to resell. JPS is also not affiliated with any foreign carriers as defined in Part 63 of the Commission's Rules. Thus, JPS's application is eligible for streamlined processing.

III. Public Interest Considerations

In the Market Entry Order,⁷ the Commission set forth the following policy goals for its regulation of the U.S. international telecommunications market: to promote effective competition in the U.S. telecommunications market, particularly the market for international telecommunications services; to prevent anticompetitive conduct in the provision of international services or facilities; and to encourage foreign governments to open their communications markets.⁸

The Commission also stated that "establishing an effectively competitive global communications

⁶ See Streamlining Order at ¶ 34.

⁷ Market Entry and Regulation of Foreign-affiliated Entities, Report and Order, 11 FCC Rcd 3873 (1995) ("Market Entry Order").

⁸ Id. at ¶ 6.

market could result in reduced rates, increased quality, and new services."⁹ In addition, the Commission found that "effective competition directly advances the public interest and the Commission's paramount goal of making available a rapid, efficient, worldwide wire and radio communication service with adequate facilities at reasonable charges."¹⁰

Grant of JPS's request for resale authority to provide international services will directly further the Commission's policies of bringing increased competition to the U.S. international telecommunications services market and is therefore in the public interest.

IV. Information Required under Section 63.18

As required by Section 63.18 of the Commission's Rules, JPS submits the following information:

- (a) Name and address of applicant:
JPS Consulting & Trading Corp.
11 Broadway
Suite 812
New York, NY 10004
- (b) JPS is a corporation organized under the laws of the state of New York.

⁹ Id. at ¶¶ 6, 8.

¹⁰ Id. at ¶ 10.

(c) Correspondence concerning this application should be sent to:

Thomas K. Crowe
Law Offices of Thomas K. Crowe, P.C.
2300 M Street, N.W., Suite 800
Washington, D.C. 20037
(202) 973-2890

with a copy to:

Kaan Kamali
JPS Consulting & Trading Corp.
11 Broadway
Suite 812
New York, NY 10004

(d) Upon grant of this application, JPS will become an authorized non-dominant reseller with global authority, subject to Section 214 of the Communications Act of 1934, as amended, and the Commission's Rules. JPS lacks the market power that would allow it to control prices to the detriment of market competition.

(e) JPS requests Section 214 authority to: operate as a resale carrier pursuant to the terms and conditions of Section 63.18(e)(2). Specifically, JPS seeks to (1) provide international telecommunications services between the United States and all international points; (2) obtain global authority to resell the international services of all authorized common carriers, except affiliated carriers regulated as dominant on the route to be served, to provide international telecommunications services between the United States and all international points; and (3) obtain global authority to resell international private lines to provide international private line services between the United States and all international points.

(f) At this time, JPS does not seek authority to provide services not 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, 47 C.F.R. § 1.306. As such, an environmental assessment is not required for purposes of this application and is therefore not attached.

(h) JPS certifies that it is not affiliated with any U.S. carriers whose facilities-based services it proposes to resell. JPS is not affiliated with any foreign carriers pursuant to Section 63.01(r)(1)(i). 47 C.F.R. § 63.01(r)(1)(i).

The following entities hold a ten percent (10%) or greater ownership or management interest in JPS.

<u>Name/Address</u>	<u>% Held</u>	<u>Citizenship</u>	<u>Principal Business</u>
Kaan Kamali 40 Hamilton Pl. 3 rd Floor Tarrytown, NY 10591	100%	Turkey	Telecom, enhanced information services

(i) As required by Section 63.18(i) of the Commission's Rules, 47 C.F.R. § 63.18(i), JPS certifies that it has not agreed to accept nor shall it accept in the future any special concessions, as defined by the Commission's Rules, directly or indirectly from any foreign carrier or administration with respect to traffic or revenue flows between the U.S. and any foreign country for which JPS may be authorized to serve.

(j) JPS is not subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988. JPS's certification pursuant to Section 1.2002 of the Commission's Rules (implementing the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 3301) is attached.

V. Conclusion

For the reasons stated above, JPS Consulting & Trading Corp. respectfully submits that the public interest, convenience and necessity would be furthered by a grant of this Section 214 application.

Respectfully submitted,

JPS CONSULTING & TRADING CORP.

By: 

Thomas K. Crowe
LAW OFFICES OF THOMAS K. CROWE, P.C.
2300 M Street, N.W.
Suite 800
Washington, D.C. 20037
(202) 973-2890

COUNSEL FOR JPS CONSULTING &
TRADING CORP.

Dated: September 30, 1998

CERTIFICATIONS OF APPLICANT

On behalf of JPS Consulting & Trading Corp., 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 no 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). I also hereby certify that the statements in the foregoing application for Section 214 authority are true, complete, and correct to the best of my knowledge and are made in good faith.

JPS Consulting & Trading Corp. has not agreed to accept any concessions directly or indirectly from any foreign carrier or administration with respect to traffic or revenue flow between the United States and various international points under the authority granted under Section 214 of the Communications Act of 1934, as amended, and the Commission's Rules, and has not agreed to enter into such agreements in the future.

JPS CONSULTING & TRADING CORP.

By: Yean Kama Li

Name: 

Title: President

Date: September 28, 1998

CERTIFICATE OF SERVICE

I, Melissa Sheehy, a paralegal with the Law Offices of Thomas K. Crowe, P.C., certify that on September 30, 1998, a copy of the foregoing Application was served by first class U.S. mail, postage prepaid, on the parties listed below.

Deputy Assistant Secretary of
Defense (Telecommunications)
Office of the Assistant Secretary
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Pentagon, Room 3E160
Washington, D.C. 20401

Troy Tanner
Chief, Policy and Facilities Branch
International Bureau, Telecommunications
Division

National Security Agency
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Room 1C166
9800 Savage Road
Fort George Meade, MD 20755

Federal Communications Commission
2000 M Street, N.W.
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Washington, D.C. 20554

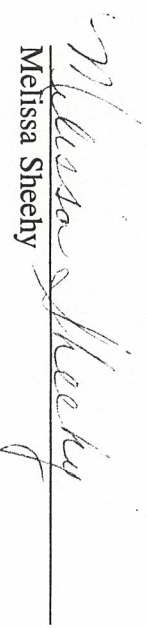
U.S. Coordinator and Director
Office of International Communications
Policy (EB-TD)
Department of State
21st and C Street, N.W.
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Melissa Sheehy