

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: _____

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington D.C. 20554

In the Matter of

OSAN COMMUNICATION, INC.

Application for global facilities authority
pursuant to §214 of the Communications Act
of 1934, as amended.

FCC/MELLON

NOV 10 1998

File No. ITC-98

ITC-214-1998110-00795

APPLICATION

OSAN COMMUNICATION, INC. (hereinafter "OSAN"), by counsel, pursuant to §214 of the Communications Act of 1934, as amended,¹ and §63.18 of the Commission's Rules,² hereby requests global facilities authorization to permit OSAN to provide international communications services. As stated herein, OSAN is not a facilities based carrier, however, in anticipation of the possibility in the future, OSAN is requesting facilities based carrier authority in addition to its present capacity. OSAN is legally, financially, and technically qualified to provide the service proposed in this application.

This application is subject to the FCC's streamlined processing procedures applicable to eligible §214 applications.

As fully described herein, grant of authority to provide international communications services will allow OSAN's customers long distance communication abilities between the United States and others residing or doing business in foreign countries. Accordingly, grant of

¹ 47 U.S.C. §214 (1998)

² 47 C.F.R. §63.18 (1998)

this application will benefit the public interest by permitting OSAN to provide consumer friendly and cost effecting long distance telephone services for its customers.

I. DESCRIPTION OF THE APPLICANT

A. Legal Description:

OSAN is a corporation incorporated in the State of Florida and is wholly owned by Bertalina Cardenas who holds 100% of the stock.

B. Technical Description:

OSAN seeks authority to operate an international telephone network using a packet switching and "Voice over IP" and "Voice over Frame" technology. OSAN carries the traffic *via* terrestrial leased lines, leased satellite earth station facilities, and leased satellite circuits in the U.S.A. OSAN presently owns no equipment. As such, OSAN is not a facilities-based carrier.³ However, OSAN is requesting facilities-based carrier authority in this application, in anticipation of the possibility of acquiring equipment in the future that would qualify it as a facilities-based carrier.

OSAN is a United States carrier that has no affiliation with, and is not itself, a foreign carrier⁴ in any country to which it provides services, and is therefore, non-dominant carrier for the provision of international communications services.⁵

³ See 47 C.F.R. §63.12, Note to Paragraph (c)

⁴ See definitions set forth in 47 C.F.R. §63.18 (h)(1)(D) and (ii); and §63.10 (a)

C. Business/Contractual Description

OSAN contracts with long distance carriers in the United States. Contracts are to deliver voice and facsimile traffic to foreign countries. The U.S. carriers deliver the traffic to OSAN in New York City, New York. The contracts call for OSAN to deliver and terminate the calls in foreign countries. To fulfill these contracts, OSAN has contracts with transmission companies to transmit the traffic to the foreign country. OSAN has further contracts with foreign telephone companies to receive the traffic and terminate in that country.

II. PUBLIC INTEREST CONSIDERATIONS

OSAN's ability to enter the international telecommunications market place will promote competition domestically and abroad, thus helping to lower prices and consequently causing a more efficient use of the domestic and international telecommunications infrastructure. Furthermore, United States consumers, and their counterparts abroad, will benefit from lower prices. In addition to economic-price advantages to consumers, OSAN's development and deployment of advanced telecommunications technologies will benefit consumers. OSAN is now using recently developed Voice Over IP ("VOIP") and Voice Over Frame Relay ("VOFR") technologies. Approval of OSAN's application will benefit consumers as they will have greater access to these technologies.

⁵ See §63.10 (a)(1)

III. INFORMATION REQUIRED BY §63.18

(a) Name, Address and Telephone number of applicant.

OSAN COMMUNICATION, INC.
Bertalina Cardenas
Director and President
635 S.W. 114 Ave.
Miami, FL 33174
Telephone (305) 380-9990

(b) Florida. OSAN is a Corporation organized in and under the laws of the State of Florida.

(c) Address all correspondence to:

DAVID B. ALBO
Counsel to OSAN COMMUNICATION, INC.
Albo & Oblon, L.L.P.
6350 Rolling Mill, Pl.
Suite 102
Springfield, VA 22152
(703) 455-0046

AND

Bertalina Cardenas
Director and President
OSAN COMMUNICATION, INC.
635 S.W. 114 Ave.
Miami, FL 33174
Telephone (305) 380-9990

(d) OSAN has not previously received authority under 47 U.S.C. §214.

(e) (6): OSAN is applying for authority to acquire facilities or to provide services not covered by §63.18(e)(1) – (5). OSAN's description of the facilities and services for which it seeks authorization is set forth above in section I. Description of the Applicant. Although OSAN is not presently a facilities-based carrier, OSAN is requesting such authority in addition to

what it needs at this time in anticipation of acquiring equipment in the future that would qualify it as a facilities-based carrier.

(f) Not applicable

(g) Not applicable

(h) By the attached certification, OSAN certifies that it has no affiliation with any foreign carrier, as defined by §63.18(h)(1) of the Commission's Rules. In support of this certification, attached hereto as Exhibit A is a list of OSAN's shareholders, including the address, citizenship and principal business of each such shareholder. In addition, attached hereto as Exhibit B is a list of all interlocking directorates held by OSAN's directors. OSAN further certifies that it is not affiliated with U.S. carrier(s) whose facilities-based services(s) OSAN leases or otherwise contracts.

(i) By the attached certification, OSAN certifies that, except as permitted by the Commission's Rules, as amended from time to time, OSAN has not agreed to accept any 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 OSAN may be authorized to serve and it will not enter into agreements in the future.

(j) By the attached certification and as required by §63.18(j) of the Commission's rules, OSAN certifies that no party to this Application is subject to a denial of Federal benefits pursuant to §5301 of the Anti-Drug Abuse Act of 1988.


IV. CONCLUSION

For the reasons stated above, OSAN COMMUNICATION, INC., submits that the public interest, convenience and necessity would be furthered by a grant of this application for global facilities authorization to provide international communications services as both a non-facilities-based carrier and a facilities-based carrier.

RESPECTFULLY SUBMITTED
OSAN COMMUNICATIONS, INC.


BY: BERTALINA CARDENAS
Director and President

ALBO & OBLON, L.L.P.


By: David B. Albo
Counsel to Applicant
6350 Rolling Mill Pl.
Suite 102
Springfield, VA 22152
(703) 455-0046
Va Bar #28488

CERTIFICATION OF APPLICANT

On behalf of OSAN COMMUNICATION, INC., and in accordance with Section 1.2001-1.2003 of the Communication'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. 853a. I also hereby certify that the statements in the foregoing application for special temporary authority are true, complete, and correct to the best of my knowledge and are made in good faith.

Except to the extent authorized under 47 C.F.R. 63.14, as it may be amended from time to time, OSAN COMMUNICATION, INC. has not agreed to accept any concession directly nor indirectly from any foreign carrier or administration with respect to traffic or revenue flow between the United States and various international points 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.

OSAN SOMMUNICATIONS, INC.

11 | 3 _____, 1998


By: BERTALINA CARDENAS
Director & President

EXHIBIT A

LIST OF SHAREHOLDERS OF
OSAN COMMUNICATIONS, INC.

BERTALINA CARDENAS
100% Shareholder
Director and President

Address:
OSAN COMMUNICATION, INC.
635 S.W. 114 Ave.
Miami, FL 33174
Telephone (305) 380-9990

U.S. Citizen

EXHIBIT B

INTERLOCKING DIRECTORIES OF
OSAN COMMUNICATION, INC. DIRECTORS

OSAN COMMUNICATIONS, INC. INTERLOCKING DIRECTORIES

BERTALINA CARDENAS

Director

No other Directorships

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Suite 209
Arlington, Virginia 22201

+Also admitted in Maryland

*Also admitted in D.C.

**Also admitted in Pennsylvania

November 21, 1998

Ms. Fran Eisenstein
Federal Communications Commission

Via facsimile (202) 418-2824

RE: OSAN Communication, Inc. FCC §214 application.

Dear Ms. Eisenstein:

Thank you for your informative call on November 19th regarding the application I filed for OSAN Communication, Inc. for authority under §214 of the Communications Act of 1934.

As you stated, my application was confusing because it applied under §63.18(e)(6). I did this because according to my interpretation of §63.18, §§(e)(1)-(e)(5) did not seem to apply.

As I mentioned on the telephone, OSAN Communication, Inc. owns absolutely no equipment. It leases all equipment from companies to transfer its customer's signals from the U.S. to a foreign country.

This being the case, as you have informed me, I should have applied under §63.18(e)(1). Therefore, by this letter, I would like to confirm that it is OSAN Communication, Inc.'s intention to apply under §63.18(e)(1).

Kind Regards,


DAVID B. ALBO