

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: _____

FCC/MELDM

DEC 11 1998

SWIDLER BERLIN SHEREFF FRIEDMAN, LLP

COPY

WASHINGTON OFFICE
3000 K STREET, NW, SUITE 300
WASHINGTON, DC 20007-5116
TELEPHONE (202) 424-7500
FACSIMILE (202) 424-7647

NEW YORK OFFICE
919 THIRD AVENUE
NEW YORK, NY 10022-9998
TELEPHONE (212) 758-9500
FACSIMILE (212) 758-9526

December 10, 1998

VIA OVERNIGHT MAIL

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

Attention: Diane Cornell, Division Chief

Re: *Application of US Dial, Inc., Pursuant to Section 214 of the Communications Act of 1934, As Amended, for Global Authority to Operate as an International Facilities-Based and Resale Carrier.*

Dear Ms. Cornell:

Enclosed for filing with the Commission are an original and six (6) copies of the application of US Dial, Inc., requesting authority, pursuant to Section 214 of the Communications Act of 1934, as amended, to operate as an International Facilities-Based and Resale Carrier.

As required by the Commission's Rules, a check in the amount of \$780.00 is enclosed. Please date-stamp the extra copy of this application and return it in the enclosed self-addressed, stamped envelope. Any questions regarding the enclosed application should be addressed to the undersigned.

Respectfully submitted,



Russell M Blau, Esq.

Counsel for US Dial, Inc.

Enclosures

cc: Troy Tanner, Chief, Policy and Facilities Branch, International Bureau

READ INSTRUCTIONS CAREFULLY
BEFORE PROCEEDING

FEDERAL COMMUNICATIONS COMMISSION
REMITTANCE ADVICE

APPROVED BY OMB 3060-0589

(1) LOCKBOX # 358115

PAGE NO. 1 OF 1

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)
US Dial, Inc.

(3) TOTAL AMOUNT PAID (dollars and cents)
\$

(4) STREET ADDRESS LINE NO. 1
22648 Glen Drive

(5) STREET ADDRESS LINE NO. 2
Suite 205

(6) CITY
Sterling

(7) STATE
VA

(8) ZIP CODE
20164

(9) DAYTIME TELEPHONE NUMBER (include area code)
(703) 707-8600

(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)

(12) STREET ADDRESS LINE NO. 1

(13) STREET ADDRESS LINE NO. 2

(14) CITY

(15) STATE

(16) ZIP CODE

(17) DAYTIME TELEPHONE NUMBER (include area code)

(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 \$ 780.00
(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 \$
(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 \$
(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 \$
(24D) FCC CODE 2

(23D) FCC CODE 1

SECTION D - TAXPAYER INFORMATION (REQUIRED)

(25) PAYER TIN 0 5 4 1 8 9 9 3 6 6
(26) APPLICANT TIN 0
(28) COMPLETE THIS BLOCK ONLY IF APPLICANT NAME IN B-11 IS DIFFERENT FROM PAYER NAME IN A-2

SECTION E - CERTIFICATION

(27) CERTIFICATION STATEMENT
I, Russell M. Blau, 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 *Russell M. Blau*

SECTION F - CREDIT CARD PAYMENT INFORMATION

(28) MASTERCARD/VISA ACCOUNT NUMBER
MASTERCARD
EXPIRATION DATE: MONTH YEAR

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

SEE PUBLIC BURDEN ESTIMATE ON REVERSE

FCC FORM 159 JULY 1997 (REVISED)

Information Required Under Section 63.18

As required by Section 63.18 of the Commission's Rules, US Dial, Inc. submits the following information:

- (a) Name, address and telephone number of the applicant:
- US Dial, Inc.
22648 Glenn Drive, Suite 205
Sterling, Virginia 20164
Phone: 703-707-8600
Fax: 703-689-4914
- (b) US Dial, Inc. is a privately-owned corporation organized under the laws of the Commonwealth of Virginia.
- (c) Correspondence concerning this application should be sent to:
- David L. Miller
Executive Vice President
US Dial, Inc.
22648 Glenn Drive, Suite 205
Sterling, Virginia 20164
- (d) US Dial, Inc. has not previously received authority under Section 214 of the Act. Upon grant of this application, US Dial, Inc. will become an authorized non-dominant facilities-based carrier and reseller with global authority, subject to Section 214 of the Communications Act of 1934, as amended, and the Commission's Rules. US Dial, Inc. lacks the market power that would allow it to control prices to the detriment of market competition.
- (e) US Dial, Inc. requests Section 214 authority to operate as a facilities-based carrier pursuant to the terms and conditions of Section 63.18(e)(1) and to operate as a resale carrier pursuant to the terms and conditions of Section 63.18(e)(2). Specifically, US Dial, Inc. seeks to (1) obtain global facilities-based authority to acquire interests in whole and half-circuits in submarine cables, establish channels of communication with satellite systems, and utilize necessary connecting facilities, other than facilities listed on the Exclusion List, to provide international telecommunications services between the United States and all international points except those points excluded by the Exclusion List; (2) obtain global authority to resell international switched services of all unaffiliated U.S.-authorized carriers to provide international switched services between the United States and all international points served by those

carriers; (3) obtain global authority to resell international non-interconnected private lines to provide international private line services between the United States and all permitted international points; (4) obtain global authority to resell international private lines interconnected to the PSN at one or both ends to provide international switched services between the United States and all countries approved by the FCC for such services.

(f) At this time, US Dial, Inc. 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 1.1306 of the Commission's Rules, 47 C.F.R. § 1.1306. As such, an environmental assessment is not required for purposes of this application and, therefore, is not attached.

(h) US Dial, Inc. certifies that it is not affiliated with any U.S. carriers with market power whose facilities-based services it proposes to resell. Under Section 63.18(h)(1)(i) of the Commission's Rules, 47 C.F.R. § 63.18(h)(1)(i), US Dial, Inc. is not affiliated with any foreign carriers that have 50% or greater share of any relevant market in a destination country. US Dial, Inc does not have any foreign or domestic affiliations. The following persons hold a ten percent or greater ownership or management interest in US Dial, Inc:

<u>Name/Address</u>	<u>Citizenship</u>	<u>%</u>	<u>Principal Business</u>
Bryan J. Paulk c/o U.S. Dial, Inc. 22648 Glenn Drive Suite 205 Sterling, VA 20164	USA	45	President/CEO - US Dial, Inc.
David L. Miller c/o U.S. Dial, Inc. 22648 Glenn Drive Suite 205 Sterling, VA 20164	USA	45	Exec. Vice Pres. - US Dial, Inc.
Chang Y. Yu c/o U.S. Dial, Inc. 22648 Glenn Drive Suite 205 Sterling, VA 20164	USA	10	Dir. Prod. Res. - US Dial, Inc.

- (j) As required by Section 63.18 (j) of the Commission's Rules, 47 C.F.R. § 63.18(i), US Dial, Inc. 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 on 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.
- (j) US Dial, Inc. is not subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988. US Dial, Inc.'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.
- (k) US Dial, Inc. requests streamlined processing of this application because it is not affiliated with any foreign carriers with 50% or greater share of any relevant market, and it will not be a dominant carrier as defined in Section 63.10(a)(1).

CONCLUSION

For the reasons stated above, US Dial, Inc. respectfully submits that the public interest, convenience and necessity would be furthered by a grant of this Section 214 application.

Respectfully submitted,

US Dial, Inc.

By: 

Russell M. Blau, Esq.

SWIDLER BERLIN SHEREFF FRIEDMAN, LLP
3000 K Street, N.W., Suite 300
Washington, D.C. 20007-5116
Phone: 202-424-7835
Fax: 202-424-7645

Its Attorney

Dated: December 10, 1998

CERTIFICATION OF APPLICANT

On behalf of US Dial, Inc., and in accordance with Section 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. § 853a.

US Dial, Inc. 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 on 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.

I further 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.

US Dial, Inc.

By: 

David L. Miller
Executive Vice President

Dated: December 2, 1998