

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: _____

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December 22, 1998

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VIA FEDERAL EXPRESS

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

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

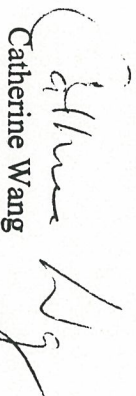
Re: Application of Hyundai Telecom (USA), Inc. for Global Authority
Pursuant to Section 214 of the Communications Act of 1934, As
Amended, to Operate as an International Facilities-based Carrier and
as an International Resale Carrier

Dear Sir or Madam:

Enclosed for filing with the Commission are an original and six (6) copies of the application of Hyundai Telecom (USA), Inc. requesting global authority, pursuant to Section 214 of the Communications Act of 1934, as amended, to operate as an international facilities-based carrier and as an international resale carrier between the United States and various international points.

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,



Catherine Wang
Counsel for Hyundai Telecom (USA), Inc.

Enclosures

cc: Michael H. Yang

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

In the Matter of

HYUNDAI TELECOM (USA), INC.

File No. ITC-98-_____

Application for Global Authority Pursuant to
Section 214 of the Communications Act
of 1934, as amended, to Operate as an
International Facilities-Based and Resale Carrier
Between the United States and Various
International Points

APPLICATION

Hyundai Telecom (USA), Inc. (“HY-TEL” or “Applicant”), by its undersigned counsel, hereby requests “global” authority, under Section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and Section 63.18 of the Commission’s Rules, 47 C.F.R. § 63.18 (1997), to provide international telecommunications services between the United States and international points.

I. Summary

HY-TEL is a New Jersey-based company planning to provide competitive international services as a nondominant U.S. carrier. HY-TEL herein requests four types of authority in this Application, all of which are eligible for streamlined processing under Section 63.12 of the Commission’s Rules.^{1/} HY-TEL specifically requests: (1) global facilities-based authority; (2) global

^{1/} HY-TEL does not seek authority to serve countries or use facilities excluded by the Commission’s Exclusion List.

authority to resell the international switched services of all U.S.-authorized carriers; (3) global authority to resell international private lines to provide international non-interconnected private line services; and (4) authority to resell international private lines interconnected to the public switched network at one or both ends to provide international switched services on all international routes on which the Commission permits such services to be provided now and in the future.

HY-TEL believes that the added competition its entry will bring to the market will benefit the consumers of United States-overseas services by, among other things, encouraging competitive pricing and creating more service options. A grant of this Application will therefore further the public interest.

II. Information Required Under Section 63.18

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

- (a) Name, address and telephone number of Applicant:

Hyundai Telecom (USA), Inc.
300 Sylvan Avenue
Englewood Cliffs, NJ 07632
Tel: (201) 816-3880
Fax: (201) 568-7142

- (b) Applicant is incorporated under the laws of New Jersey.

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

Catherine Wang, Esq.
SWIDLER BERLIN SHEREFF FRIEDMAN, LLP
3000 K Street, N.W., Suite 300
Washington, D.C. 20007
Tel: (202) 424-7837
Fax: (202) 424-7645

with a copy to:

Dr. Michael H. Yang
Hyundai Telecom (USA), Inc.
300 Sylvan Avenue
Englewood Cliffs, NJ 07632
Tel: (201) 816-3880
Fax: (201) 568-7142

- (d) Upon grant of this Application, HY-TEL will become an authorized non-dominant carrier with global facilities-based and resale authority, subject to Section 214 of the Communications Act of 1934, as amended, and the Commission's Rules. HY-TEL lacks the market power that would allow it to control prices to the detriment of market competition.
- (e) HY-TEL specifically requests: (1) global facilities-based authority pursuant to Section 63.18(e)(1) of the Commission's Rules, 47 C.F.R. § 63.18(e)(1), to acquire interests in half-circuits in U.S.-authorized facilities as well as necessary connecting facilities to provide international telecommunications services between the United States and all international points except those countries excluded by the Exclusion List;^{2/} (2) global authority pursuant to Section 63.18(e)(2) of the Commission's Rules, 47 C.F.R. § 63.18(e)(2), to resell the international switched services of all U.S.-authorized carriers to provide international switched services between the United States and all international points served by those carriers; (3) global authority pursuant to Section 63.18(e)(2) of the Commission's Rules, 47 C.F.R. §63.18(e)(2), to resell international private lines to provide international non-interconnected private line services between the United States and all international points; and (4) authority pursuant Section 63.18(e)(2) of the Commission's Rules, 47 C.F.R. § 63.18(e)(2), to resell international private lines interconnected to the public switched network at one or both ends to provide international switched services on all international routes on which the Commission permits such services to be provided.
- (f) HY-TEL seeks the authority to provide only the services 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.

^{2/} HY-TEL only seeks authority to own circuits on facilities and serve countries not excluded by the Exclusion List.

- (h)
- (1) Hyundai Information Technology Co., Ltd. (a company which 100% of the majority owner of Applicant) holds authority from the Ministry of Information and Communication to operate as a non-dominant reseller in Korea. Under this authority, that the company operates a value-added internal data network for the use and purposes of the Hyundai companies. HY-TEEL certifies that it is not affiliated with any foreign carrier that has 50% or greater share of any relevant market in a destination country. See 47 C.F.R. § 63.18(h).

HY-TEEL is not affiliated with any of the U.S. carriers whose services HY-TEEL's plans to resell. Information regarding HY-TEEL's 10% or greater direct or indirect shareholders is as follows:

1. Name: Hyundai Information Technology (USA), Inc.
Address: 3101 North First Street
San Jose, CA 95134
Percentage Held: 51%
Citizenship: United States of America
Principal Business: Information Technology
2. Name: Dr. Michael H. Yang
Address: 300 Sylvan Avenue
Englewood Cliffs, NJ 07632
Percentage Held: 24.5%
Citizenship: United States of America
Principal Business: Investor
3. Name: Chi Yeol Kim
Address: 300 Sylvan Avenue
Englewood Cliffs, NJ 07632
Percentage Held: 24.5%
Citizenship: Republic of Korea (U.S. Permanent Resident)
Principal Business: Investor

Information regarding Hyundai Information Technology (USA), Inc.'s 10% or greater direct or indirect shareholders is as follows:

Name: Hyundai Information Technology Co., Ltd.
Address: Hyundai Bldg. Annex
140-2, Kye-dong, Chong ro-gu,
Seoul, Korea 110-793
Percentage Held: 100%
Citizenship: Republic of Korea
Principal Business: Information Technology

Information regarding Hyundai Information Technology Co., Ltd.'s 10% or greater shareholders is as follows:

Name:	Hyundai Electronics Industries Co., Ltd.
Address:	Hyundai Bldg. Annex 140-2, Kye-dong, Chong ro-gu, Seoul, Korea 110-793
Percentage Held:	100% through various and subsidiaries
Citizenship:	Korea
Principal Business:	Manufacturer of Semiconductor Devices

Hyundai Electronics Companies, Ltd. is a publicly held company in Korea. No single investor owns 10% or more of the companies' shares.

(2) Information concerning the HY-TEL's interlocking officers and directors is attached hereto as Attachment A to this application.

- (i) As required by Section 63.18 (i) of the Commission's Rules, 47 C.F.R. § 63.18(i), HY-TEL 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 HY-TEL may be authorized to serve.

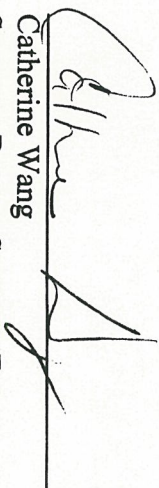
- (i) HY-TEL is not subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988. HY-TEL's certification pursuant to Section 1.2002 of the Commission's Rules (implementing the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 3301) is attached.

CONCLUSION

For the reasons stated above, Hyundai Telecom (USA), Inc., respectfully submits that the public interest, convenience, and necessity would be furthered by a grant of this Section 214 Application.

Respectfully submitted,

By:



Catherine Wang
SWIDLER BERLIN SHEREFF FRIEDMAN, LLP
3000 K Street, N.W., Suite 300
Washington, DC 20007
(202) 424-7837 (Tel)
(202) 424-7645 (Fax)

Counsel for Hyundai Telecom (USA), Inc.

Dated: December 22, 1998

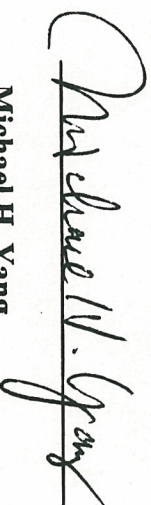
CERTIFICATION OF APPLICANT

On behalf of Hyundai Telecom (USA), 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. 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.

To the extent required by the Commission's Rules, Hyundai Telecom (USA), Inc. has not agreed to accept any special 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.

HYUNDAI TELECOM (USA), INC.

By:



Name:

Michael H. Yang

Title:

President and CEO

Date:

December 22, 1998