

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: _____

FC/MELLON JAN 05 1999
DEC 29 1998

BEFORE THE
Federal Communications Commission
WASHINGTON, D.C. 20554

In the Matter of
TELNEXTE COMMUNICATIONS, INC.

Application Under Section 214 of
the Communications Act of 1934, as
amended, for Global Authority to
Acquire and Operate Previously
Authorized Facilities, and to
Resell International Services of
Authorized U.S. Common Carriers,
to all Eligible International
Points.

File No. _____

APPLICATION

I. Preamble

Applicant Telnex Communications, Inc. ("Telnex" or "Applicant") hereby requests authority from the Federal Communications Commission ("FCC" or "Commission"), pursuant to Section 214 of the Communications Act of 1934 ("the Act"), 47 U.S.C. § 214, and Section 63.18 of the Commission's Rules, 47 C.F.R. § 63.18, (1) to acquire and operate facilities for the provision of international basic switched, private line, data, television and business services between the United States ("U.S.") and all eligible international points, and (2) to resell the international services of authorized U.S. common carriers for the provision of international basic switched, private line, data, television and business services between the U.S. and all eligible international points.

Specifically, Applicant requests global Section 214 authority to operate as a facilities-based carrier, and requests global Section 214 authority to operate as a reseller of international services. Applicant seeks to provide facilities-based services only to those countries for which it qualifies for non-dominant regulation as set forth in Section 63.10 of the Commission's Rules, and Applicant seeks authority to provide international basic switched services over resold private lines only to countries found by the Commission to provide equivalent resale opportunities within the meaning of Section 63.18(e) (2) (ii) (B) .

This Application is subject to streamlined processing for the following reasons: (1) Applicant does not have an affiliation within the meaning of Section 63.18(h) (1) (i) with a facilities-based foreign carrier in a destination market; (2) Applicant does not have an affiliation within the meaning of Section 63.18(h) (1) (i) with a dominant U.S. facilities-based carrier; and (3) Applicant does not seek authority under Section 63.18(e) (2) to resell international private line services for the provision of basic switched services to a country for which the Commission has not determined that equivalent resale opportunities exist between the U.S. and the destination country.¹

Grant of this Application will enable Applicant: (1) to provide international basic switched, private line, data,

¹ 47 C.F.R. §§ 63.12(c) (1) - (3) .

television and business services using half-circuits on appropriately licensed U.S. common and non-common facilities and any necessary overseas connecting facilities,² except to Japan and any country on an exclusion list published by the Commission; (2) to provide international basic switched services via resale of private lines of U.S. common carriers between the United States and all countries found by the Commission to provide equivalent resale opportunities either now or in the future,³ except Japan; and (3) to provide private line, data, television and business services via resale of international services of U.S. common carriers between the United States and all countries, except Japan.

Grant of this Application will serve the public interest, convenience and necessity. Applicant's new services will enhance competition, resulting in more efficient and innovative international telecommunications offerings, which is likely to provide lower prices and better services for consumers. Because Applicant does not propose to serve a destination country where Applicant is affiliated with a facilities-based foreign carrier, there will be no ability to discriminate against unaffiliated U.S. international carriers through control of bottleneck services or facilities.

² 47 C.F.R. §§ 63.18(e) (1) (ii) (B), 63.18(e) (1) (ii) (D).

³ 47 C.F.R. § 63.18(e) (2) (ii) (B).

Pursuant to Section 63.18 of the Commission's Rules, Applicant sets forth the following information in support of its request for authorization.

II. Section 63.18 Information

(a) The name, address and telephone numbers of

Applicant are:

Telnex Communications, Inc.
1025 Westchester Avenue
White Plains, New York 10604
Tel: (914) 868-3333
Fax: (914) 686-3330

(b) Applicant is a corporation organized and existing under the laws of the State of Delaware.

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

Joshua N. Graham
President
Telnex Communications, Inc.
1025 Westchester Avenue
White Plains, New York 10604
Tel: (914) 868-3333
Fax: (914) 686-3330

with a copy to:

John Haven Chapman, Esq.
6 Landmark Square, Suite 400
Stamford, Connecticut 06901
Tel: (203) 359-5854
Fax: (203) 359-5686

(d) Applicant does not hold any Section 214 authorizations.

(e) (1) Applicant is requesting Section 214 authority to acquire and operate facilities previously authorized by the Commission in order to provide international basic switched, private line, data, television and business services to all international points pursuant to the terms and conditions of § 63.18(e) (1).

(2) Applicant is requesting Section 214 authority to resell the international services of authorized U.S. common carriers for the provision of international basic switched, private line, data, television and business services to all eligible international points pursuant to the terms and conditions of § 63.18(e) (2).

(3) Not applicable. Applicant seeks authority to resell private lines for the purpose of providing international basic switched services to countries on the Commission's published list of equivalent countries.

(4) No response required.

(5) Not applicable. Applicant is not seeking authority to acquire facilities through a transfer of control of a common carrier holding international Section 214 authorization, or through the assignment of another carrier's existing authorization.

(6) Not applicable. Applicant is requesting Section 214 authority to operate as a facilities-based and resale carrier pursuant to the terms and conditions of §§ 63.18(e) (1), 63.18(e) (2).

(F) The authority requested in this application is subject to streamlined processing under § 63.12 for the following reasons: (1) Applicant does not have an affiliation within the meaning of § 63.18(h) (1) (i) with a facilities-based foreign carrier in a destination market; (2) Applicant does not have an affiliation within the meaning of § 63.18(h) (1) (i) with a dominant U.S. facilities-based carrier; and (3) Applicant does not seek authority under § 63.18(e) (2) to resell international private line services for the provision of basic switched services to a country for which the Commission has not determined that equivalent resale opportunities exist between the U.S. and the destination country.⁴

(g) Not applicable. Applicant does not seek facilities-based authority under § 63.18(e) (6) .

(h) (1) Applicant hereby certifies that it does not have an affiliation with a foreign carrier.

(2) Telnext is wholly-owned by Joshua N. Graham, a U.S. citizen, whose business address is provided in paragraph (b) above.

Joshua N. Graham is a director of American MetroCom Corporation and serves as President of Telnext. Pursuant to Section 212 of the Act, 47 U.S.C. § 212, and Section 62 of the Commission's Rules, 47 C.F.R. § 62, Applicant hereby seeks authorization for Mr. Graham to hold these interlocking positions.

(3) Applicant hereby certifies that it does not have an affiliation with any U.S. carrier whose facilities-based service Applicant proposes to resell (either directly or indirectly through the resale of another reseller's service), within the meaning of § 63.18(h) (3) and § 63.18(h) (1) (i) .

(4) Applicant hereby certifies that it does not have an affiliation with a foreign carrier in the particular countries to which Applicant proposes to provide service.

(5) No response required.

(6) Not applicable. Applicant does not have an affiliation with a foreign carrier in the countries to which Applicant seeks authority to operate as a U.S. Facilities-based international carrier.

(7) Not applicable. Applicant does not have an affiliation with a foreign carrier in the countries to which Applicant proposes to resell the international switched or non-interconnected private line services of another U.S. carrier.

(8) Not applicable. Applicant does not have an affiliation with a foreign carrier in the particular countries to which Applicant proposes to provide international communications service.

(i) Applicant hereby certifies that it has not agreed 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 such agreements in the future.

Applicant hereby certifies that no party to this application, as defined in 47 C.F.R. § 1.2002(b), is subject-to denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 853(a).

III. Conclusion

Accordingly, Applicant respectfully requests that the Commission grant this Application.

Respectfully submitted,

Telnex Communications, Inc.


Joshua N. Graham

President

Telnex Communications, Inc.
1025 Westchester Avenue
White Plains, New York 10604
Tel: (914) 868-3333
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Date: November 6, 1998