

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: _____

COPY

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February 18, 1999

VIA COURIER

Magalie Roman Salas, Secretary
Federal Communications Commission

FCC/MELTON

FEB 18 1999

International Bureau - Telecommunications Division
P. O. Box 358115
Pittsburgh, PA 15251-5115
Attention: Diane Corell, Division Chief

Re: Application of Metromedia Fiber Network Services, Inc. for Section 214
International Global Facilities-Based Authority and Global Resale Authority

Dear Ms. Salas:

Enclosed for filing with the Federal Communications Commission ("Commission") are an original and six (6) copies of the application of Metromedia Fiber Network Services, Inc. pursuant to Section 214 of the Communications Act. Also, as required by the Commission's Rules, enclosed is a check in the amount of \$780.00, payable to the Commission.

Please date-stamp the extra copy of this application and return it in the enclosed self-addressed, stamped envelope. If you have any questions concerning this application, please do not hesitate to contact Kevin Minsky at (202) 945-6920.

Respectfully submitted,



Adam L. Kupetsky
Kevin D. Minsky

Counsel for Metromedia Fiber Network Services, Inc.

Enclosures

cc: Troy Tanner (FCC)
Dennis Codlin

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

In the Matter of)
)
)

METROMEDIA FIBER NETWORK SERVICES,)
INC.)

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)

File No. ITC-99-_____

APPLICATION

Metromedia Fiber Network Services, Inc. ("MFNS" 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

MFNS is a Delaware corporation planning to provide competitive international services as a nondominant, unaffiliated U.S. carrier. MFNS herein requests four types of authority, all of which are eligible for streamlined processing under Section 63.12 of the Commission's Rules, 47 C.F.R. § 63.12 (1997). MFNS respectfully requests: (1) global facilities-based authority, (2) global authority to resell international switched services of all U.S.-authorized carriers, (3) global authority to resell international private lines to provide international noninterconnected 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.

MFNS believes that the added competition that its entry will bring to the market will benefit the consumers of U.S.-overseas services by, among other things, encouraging competitive pricing and creating more service options. Therefore, grant of this application serves the public interest.

II. Information Required under Section 63.18

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

- (a) Name, address and telephone number of Applicant:
- Metromedia Fiber Network Services, Inc.
1 North Lexington Avenue
White Plains, NY 10601
(914) 421-6700 (Tel.)
(914) 421-6777 (Fax)

- (b) Applicant is incorporated under the laws of the State of Delaware.
- (c) Correspondence concerning this application should be sent to:

Adam L. Kupetsky
Kevin D. Minsky
SWIDLER BERLIN SHEREFF FRIEDMAN, LLP
3000 K Street, N.W., Suite 300
Washington, D.C. 20007
(202) 424-7500 (Tel.)
(202) 424-7645 (Fax)

with a copy to:

Dennis E. Codlin
Metromedia Fiber Network Services, Inc.
1 North Lexington Avenue
White Plains, NY 10601
(914) 421-6700 (Tel.)
(914) 421-6777 (Fax)

- (d) Upon grant of this Application, MFNS 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. MFNS lacks the market power that would allow it to control prices to the detriment of market competition.
- (e) MFNS 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, MFNS requests: (1) global facilities-based authority pursuant to Section 63.18(e)(1) of the FCC's Rules, 47 C.F.R. § 63.18(e)(1), to acquire interests 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;^{1/} (2) global authority pursuant to Section 63.18(e)(2) of the FCC'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 FCC'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 authorized international points; and (4) authority pursuant Section 63.18(e)(2) of the FCC's Rules, 47 C.F.R. § 63.18(e)(2), to resell international private lines interconnected to the public switched network ("PSN") 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.
- (f) MFNS 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,

^{1/} MFNS only seeks authority to own circuits on facilities not excluded by the Exclusion List.

47 C.F.R. § 1.1306. As such, an environmental assessment is not required for purposes of this Application and is therefore not attached.

- (h) (1) MFNS is not "affiliated," either directly or indirectly, with any foreign carrier as that term is defined in the Commission's Rules.^{2/} MFNS may resell the facilities-based services of its affiliate, International Optical Network, LLC.

Information regarding MFNS' immediate ownership is as follows:

<u>Name/Address</u>	<u>% of Stock Owned</u>	<u>Citizenship</u>	<u>Principal Business</u>
Metromedia Fiber Network, Inc. c/o MFNS 1 North Lexington Avenue White Plains, NY 10601	100%	U.S.	Telecommunications

Complete information concerning MFNS' ten percent or greater direct and indirect equity holders is provided in Attachment A. Information regarding MFNS' interlocking officers and directors is provided in Attachment B.

- (i) As required by Section 63.18 (i) of the Commission's Rules, 47 C.F.R. § 63.18(i), MFNS 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) MFNS is not subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988. MFNS' 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 hereto.
- (k) MFNS is not affiliated with a foreign carrier. Accordingly, MFNS requests expedited, streamlined treatment of this application in accordance with 47 C.F.R. § 63.12.

^{2/} 47 C.F.R. §63.18(h) (1998).

CONCLUSION

For the reasons stated above, Metromedia Fiber Network Services, Inc. respectfully submits that the public interest, convenience, and necessity would be furthered by a grant of this Section 214 Application.

Respectfully submitted,

By:



Adam L. Kuptesky
Kevin D. Minsky
SWIDLER BERLIN SHEREFF FRIEDMAN, LLP
3000 K Street, N.W., Suite 300
Washington, DC 20007
(202) 424-7500 (Tel.)
(202) 424-7645 (Fax)

Counsel for Metromedia Fiber Network Services, Inc.

Dated: February 18, 1999

ATTACHMENTS

Attachment A

Ten Percent or Greater Direct and Indirect Equity Holders of Metromedia
Fiber Network Services, Inc.

Attachment B

Interlocking Directorates

Certification

ATTACHMENT A:

**Ten Percent or Greater Direct and Indirect Equity Holders of
Metromedia Fiber Network Services, Inc.**

The following entities hold, or will hold at the time authority requested herein may be granted, ten percent (10%) or greater, direct or indirect, ownership interest in Metromedia Fiber Network, Inc.:

Name: Stephen A. Garofalo
Address: 1 North Lexington Avenue
White Plains, NY 10601
Telephone: (914) 421-6700
Facsimile: (914) 421-6777
Citizenship: U.S.
Principle Business: Telecommunications
Percent Ownership: 25.7%

Name: Metromedia Company
Address: One Meadowlands Plaza
East Rutherford, NJ 07073
Telephone: (201) 531-8021
Facsimile: (201) 531-2803
Citizenship: U.S.
Principle Business: Investments
Percent Ownership: 16.7%

Name: Putnam Investments, Inc.
Address: One Post Office Square
Boston, MA 02109
Telephone: (617) 292-1000
Citizenship: U.S.
Principle Business: Investments
Percent Ownership: 12.8%

The following entities hold, or will hold at the time authority requested herein may be granted, ten percent (10%) or greater, direct or indirect, ownership interest in Metromedia Company:

Name:	John W. Kluge (Trustee U/A Trust dated as of May 30, 1984 as amended and restated)
Address:	215 East 67 th Street New York, NY 10021
Telephone:	(212) 606-4400
Facsimile:	(212) 535-3541
Citizenship:	U.S.
Principal Business:	Investments
Percent Ownership:	95%

ATTACHMENT B:

Interlocking Directorates

The following officers and directors of Metromedia Fiber Network Services, Inc. hold interlocking officer or directorate positions with other entities subject to the Communications Act of 1934, as amended.

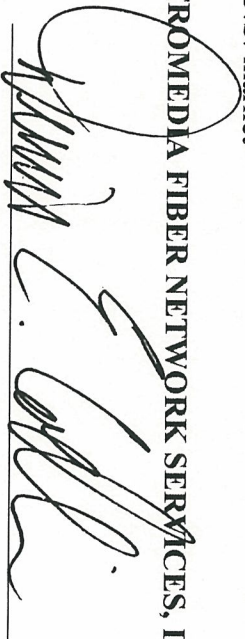
<u>Name</u>	<u>MFNS Position</u>	<u>Other Position</u>
Stephen A. Garofalo	Chairman/CEO	Chairman/CEO - Metromedia Fiber Network, Inc. Member of Board of Managers - International Optical Network, LLC
Howard M. Finkelstein	President/COO	President/COO/Director Metromedia Fiber Network, Inc. Member of Board of Managers - International Optical Network, LLC
Vincent A. Gallucio	Senior Vice President	Senior Vice President/Director Metromedia Fiber Network, Inc. Member of Board of Managers - International Optical Network, LLC
Dennis E. Codlin	Vice President	Vice President Metromedia Fiber Network, Inc. Secretary International Optical Network, LLC

CERTIFICATION OF APPLICANT

On behalf of Metromedia Fiber Network Services, 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 authorization are true, complete, and correct to the best of my knowledge and are made in good faith.

Metromedia Fiber Network Services, 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

METROMEDIA FIBER NETWORK SERVICES, INC.

By: 

Name: Dennis E. Codlin

Title: Vice President

Date: 2/18/99

FILE STAMP AND RETURN

SWIDLER BERLIN SHEREFF FRIEDMAN, LLP

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NEW YORK OFFICE
315 TRINITY AVENUE
NEW YORK, NY 10022-6995

March 10, 1999

VIA COURIER

Ms Frances E. Eisenstein
International Bureau
Federal Communications Commission
2000 M Street, N.W., 8th Floor
Washington, D.C. 20554

Re: Application of Metromedia Fiber Network Services, Inc. for Section 214
International Global Facilities-Based Authority and Global Resale Authority

Dear Ms. Eisenstein:

As you know, Metromedia Fiber Network Services, Inc. ("MFNS") filed an application for Section 214 international global facilities-based authority and global resale authority with the Commission on February 18, 1999. MFNS subsequently filed a request for special temporary authority on March 4, 1999.

You requested information regarding any entities holding ten percent (10%) or greater, direct or indirect, ownership interest in Putnam Investments, Inc. ("Putnam") which owns 12.8% of Metromedia Fiber Network, Inc. (MFNS' parent corporation). We respond to your request below.

The following entities hold, or will hold at the time Section 214 authority is granted by the Commission, ten percent (10%) or greater, direct or indirect, ownership interest in Putnam:

Name:	Marsh & McLennan Companies, Inc. ("MMC")
Address:	1166 Avenue of the Americas New York, NY 10036
Telephone:	(212) 345-5000
Citizenship:	U.S.
Principle Business	Professional Services Firm
Percent Ownership:	100%

MMC is a publicly traded company on the New York, Midwest, and Pacific Stock exchanges, and as of December 31, 1997, there were over 171 million common shares issued. We are unaware of any entities holding a ten percent (10%) or greater, direct or indirect, ownership interest in MMC.

Ms. Frances E. Eisenstein
March 10, 1999
Page 2

Please date stamp and return the enclosed extra copy of this filing in the self-addressed stamped envelope provided herein. Thank you again for your assistance, and should you have any questions regarding this matter, please do not hesitate to contact Kevin Minsky at (202) 945-6920.

Very truly yours,



Adam L. Kupersky
Kevin D Minsky

Counsel for Metromedia Fiber Network Services, Inc.

Enclosures

cc: Dennis Codlin