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March 8, 1999

BY COURIER

Streamlined ITC-214-19990308-001109
FAR EAST GATEWAY, INC.

Ms. Magalie Roman Salas, Esq
Secretary
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 Far East Gateway, 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 Far East Gateway, 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
Maria L. Cattafesta

Counsel for Far East Gateway, Inc.

Enclosures
cc: C.C. Lai
Andrew D. Lipman

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

In the Matter of

FAR EAST GATEWAY, INC.

File No. ITC-214-1999 _____

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 International Points)

APPLICATION

Far East Gateway, Inc. ("Far East Gateway" or "Applicant"), by its undersigned counsel, hereby requests "global" authority, pursuant to Section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214 ("Act"), and Section 63.18 of the Commission's Rules, 47 C.F.R. § 63.18 (1998), to provide international telecommunications services between the United States and international points.

I. Summary

Far East Gateway is a Delaware company planning to provide a variety of competitive international services. Far East Gateway is not affiliated, as that term is defined by Part 63 of the Commission's Rules¹ with any dominant U.S. carriers whose international services Far East Gateway will resell or with any foreign carrier. Therefore, Far East Gateway should be classified

¹ 47 C.F.R. §63.18(h); *Market Entry and Regulation of Foreign-Affiliated Entities, Report and Order*, 11 FCC Rcd 3875 (1995) (*Market Entry Order*).

as a nondominant carrier for the provision of the services for which authority is requested in this Application, and Far East Gateway's Application is eligible for streamlined processing.

Far East Gateway 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, 47 C.F.R. § 63.12.^{2/} Far East Gateway specifically requests: (1) global facilities-based authority; (2) global 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.

Far East Gateway 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, Far East Gateway submits the following information:

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

^{2/} Far East Gateway does not seek authority to serve countries or use facilities excluded by the Commission's Exclusion List.

USA Office Contact:
Far East Gateway, Inc.
1040-155 Grant Road
Suite 185
Mountain View, CA 94040
Tel: (510) 623-6948
Fax: (978) 694-2725

Hong Kong Office Contact: (Please designate as the correspondence address)
Far East Gateway, Inc.
Unit B, 16/F, United Centre
95 Queensway
Hong Kong
Tel: 011 852 9092 7957
Fax: 011 852 2349 5769

(b) Applicant is incorporated under the laws of Delaware.

(c) Correspondence concerning this Application should be sent to:

Catherine Wang, Esq.
Maria L. Cattafesta, 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:

Mr. C.C. Lai
Far East Gateway, Inc.
Unit B, 16/F, United Centre
95 Queensway
Hong Kong
Tel: 011 852 9092 7957
Fax: 011 852 2349 5769

- (d) Upon grant of this Application, Far East Gateway 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. Far East Gateway lacks the market power that would allow it to control prices to the detriment of market competition.
- (e) Far East Gateway 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;^{3/} (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) Far East Gateway 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.
- (h)(1) Far East Gateway is not "affiliated" with any international foreign carriers as that term is defined by the Commission's Rules.

^{3/} Far East Gateway only seeks authority to own circuits on facilities and serve countries not excluded by the Exclusion List.

(h)(2) Information regarding Far East Gateway's 10% or greater direct or indirect shareholders is as follows:

Name: Far East Gateway (B.V.I.) Limited
Address: Unit B, 16/F, United Centre
95 Queensway
Hong Kong
Percentage Held: 90%
Citizenship: British Virgin Islands
Principal Business: International business

Name: Gold Factor Corporation
Address: Unit B, 16/F, United Centre
95 Queensway
Hong Kong
Percentage Held: 10%
Citizenship: British Virgin Islands
Principal Business: International business

Information regarding Far East Gateway (B.V.I.) Limited's 10% or greater direct or indirect shareholders is as follows:

Name: Lit Cheong Communications Investment Limited
Address: Unit B, 16/F, United Centre
95 Queensway
Hong Kong
Percentage Held: 100%
Citizenship: British Virgin Islands
Principal Business: International business

Information regarding Gold Factor Corporation's 10% or greater direct or indirect shareholders is as follows:

Name: Ms. Shang Ling
Address: 47A Priestley Drive
Bucklands Beach
Auckland New Zealand
Percentage Held: 100%
Citizenship: New Zealand
Principal Business: Investment

Far East Gateway has no interlocking directorates to report.

(h)(3) Applicant certifies that it is not affiliated with any U.S. international carrier whose facilities-based services Far East Gateway seeks to resell (either directly or indirectly through the resale of another reseller's service). Therefore, Far East Gateway's application is subject to streamlined processing, pursuant to Section 63.12 of the Commission's Rules, 47 C.F.R. § 63.12.

(i) Far East Gateway 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 Far East Gateway may be authorized to serve.

(j) Far East Gateway is not subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988. Far East Gateway'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, Far East Gateway, 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, Esq.

Maria L. Cattafesta, Esq.
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 Far East Gateway, Inc.

Dated: March 8, 1999

CERTIFICATION OF APPLICANT

On behalf of Far East Gateway, 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, Far East Gateway, 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.

FAR EAST GATEWAY, INC.

By:  _____

Name: **Mr. Lee Chuen Bit**

Title: **President**

Date: 3/5/99 _____