

Categories of Services for 214 Applications
(Streamlined/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: _____

132

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ATTORNEYS AT LAW

WASHINGTON, D.C.

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COPY

May 4, 1999
FCC/MELTON
MAY 04 1999

VIA COURIER

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

**Re: Global Village Telecom Americas, Inc. Application for Global Section 214
Authority to Provide International Telecommunications Service**

Ladies and Gentlemen:

On behalf of Global Village Telecom Americas, Inc. ("GVT Americas"), we hereby submit the attached request for global authority, pursuant to Section 214 of the Communications Act, as amended, to provide facilities-based international telecommunications service, as well as to resell the international telecommunications services of other authorized carriers, between the United States and various international points.

A check in the amount of seven hundred and eighty dollars (\$780.00) is enclosed in payment of the filing fee. In accordance with Section 63.20 of the Commission's rules, 47 C.F.R. § 63.20, an original and five copies of the attached application are being filed herewith.

If you should have any questions regarding this application, please do not hesitate to contact the undersigned.

Respectfully submitted,



Carlos M. Nalda
Counsel for Global Village Telecom Americas, Inc.

Enclosures
cc (w/encl.): Mr. Amos Genish

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

In the Matter of)

GLOBAL VILLAGE TELECOM)
AMERICAS, INC.)

FCC File No. _____

Application for Global Authority Pursuant)
to Section 214 of the Communications Act of 1934,)
as amended, to Provide International)
Facilities-Based and Resale Telecommunications)
Services)

APPLICATION

Global Village Telecom Americas, Inc. ("GVT Americas") hereby requests global authority pursuant to Section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and Section 63.18 of the Federal Communications Commission's (the "Commission's") rules, to provide international telecommunications services via its own facilities and the resale of telecommunications services of other carriers between the United States and various international points.

GVT Americas is a United States corporation organized under the laws of Delaware. GVT America's plans to enter the United States international telecommunications market services via its own satellite earth station network and through the resale of telecommunications facilities of other authorized U.S. common carriers. Under the initial phase of GVT Americas' plans, it will lease capacity from a U. S. interexchange carrier who will function as the point of collection for U.S. international traffic for GVT Americas. This carrier will transmit

telecommunications traffic to an earth station in the United States leased by GVT Americas. The earth station will uplink and downlink this telecommunications traffic via one or more satellites included on the Commission's ALLSAT list. Over the longer term GVT Americas intends to own its own earth station and where sufficient traffic exists to make it economically feasible. GVT Americas plans to place very small aperture terminal ("VSAT") satellite technology on the premises of other carriers and businesses to enable direct U.S. international satellite communications. GVT Americas also may seek to utilize capacity on undersea cables. Regardless of the facilities used, GVT Americas intends to offer its telecommunications services between the United States and other countries to its customers at competitive prices.

Additional competition in the international telecommunications market with the entry of GVT Americas will benefit U.S. consumers of international telecommunications services. Specifically, the benefits of competition include lower prices, greater consumer choice among service providers and the availability of a wider variety of service options. Consequently, the grant of this authorization is consistent with the public interest.

In support of GVT Americas's request for authorization, the following information is submitted pursuant to Section 63.18 of the Commission's rules, 47 C.F.R. § 63.18.

- (a) The name, address and telephone number of the applicant:
- Global Village Telecom Americas, Inc.
7780 Technology Drive
West Melbourne, FL 19805
(407) 724-9630
- (b) GVT Americas is incorporated under the laws of the state of Delaware.¹

¹ See Attachment A, Certificate of Incorporation.

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

Amos Genish
Vice President of Finance and Chief Financial Officer
Gilat Florida c/o Global Village Telecom Americas, Inc.
7780 Technology Drive
West Melbourne, FL 19805

-as well as-

Laura H. Phillips, Esq.
Carlos M. Nalda, Esq.
Dow, Lohnes & Albertson PLLC
1200 New Hampshire Avenue, N.W.
Suite 800
Washington, D.C. 20036
Telephone: (202) 776-2000
Facsimile: (202) 776-2222

- (d) GVT Americas has not sought nor previously received authority under Section 214 of the Act.
- (e) GVT Americas 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, GVT Americas proposes to provide international services through its own facilities and the resale of any authorized common carrier pursuant to tariff or contract duly filed with the Commission, for the provision of international basic switched, private line, data, and business service to all international points, as authorized by the Commission.
- (f) GVT Americas' application is eligible for streamlined processing under Section 63.12 of the Commission's rules.
- (g) Grant of GVT Americas' application to provide international facilities-based telecommunications service will have no significant effect on the quality of the human

environment and therefore is categorically excluded from environmental processing under Section 1.1306 of the Commission's rules.

- (h) GVT Americas certifies that it is not a foreign carrier. Several entities under common ownership and control with GVT Americas are foreign carriers. Specifically, Global Village Telecom (Chile) S.A. is authorized to provide international telecommunications services in Chile, Global Village Telecom Del Peru S.A. holds an authorization to provide international and domestic long distance service in Peru, and Guatemala Satelital S.A. is authorized to provide long distance service in Guatemala.
- Pursuant to Section 63.18(h)(5), GVT Americas states that Chile, Peru and Guatemala are members of the World Trade Organization ("WTO"), and GVT Americas' affiliated foreign carriers are new market entrants and lack sufficient market power in these foreign countries to affect competition adversely in the U.S. market. All three entities recently obtained their authorizations to provide international and domestic long distance service in their respective countries, and none of the entities have commenced providing telecommunications service at this time.
- GVT Americas also certifies that it has no affiliation with any U.S. carriers whose facilities-based international services GVT Americas may resell.
- GVT Americas is wholly-owned by Global Village Telecom N.V. Holland, whose address is Olympic Plaza Building, Frederik Roeskestraat 123, 1076 EE Amsterdam, P.O. Box 75288, 1070 AG, Amsterdam, The Netherlands. It is a company incorporated under the laws of the Netherlands and its principal business is providing wireless telecommunications services in emerging markets. Its current ownership structure is

included as Attachment B. The ultimate indirect strategic shareholder in GVT Americas is Gilat Satellite Networks (Holland) N.V. ("Gilat"). Gilat is a publicly traded company whose largest single shareholder is GE Americom.

(i) GVT Americas certifies that it has not agreed to accept special concessions directly or indirectly from any foreign carrier with respect to 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 and, pursuant to its proposed operations reflected in this application, will not enter into such agreements in the future.

(j) GVT Americas certifies that no party to this application is subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 862.

(k) GVT Americas requests streamlined processing of its application. GVT Americas qualifies for streamlined processing under Section 63.12(c)(1)(j) of the Commission's rules because its foreign carrier affiliates are not monopoly providers of communication services in the relevant markets in the destination countries and lack sufficient market power on the foreign end of the route to affect competition adversely in the U.S. market. GVT Americas' affiliates, Global Village Telecom (Chile) S.A., Guatemala Satelital S.A., and Global Village Telecom Del Peru S.A. lack 50 percent market share in the international transport and the local access markets on the foreign ends of the routes and, in fact, have zero market share at this time. Therefore, GVT Americas is properly classified as non-dominant under Section 63.10(a)(3) of the Commission's rules and is eligible for streamlined processing of its Section 214 application under Section 63.12(c)(1)(i).

Conclusion

As demonstrated in this application, GVT Americas is qualified to provide the services for which it requests authority. For the reasons stated above, GVT Americas submits that this public interest, convenience and necessity would be furthered by a grant of this global Section 214 application.

Respectfully submitted,

GLOBAL VILLAGE TELECOM
AMERICAS, INC.



Amos Genish
Vice President of Finance & Chief Financial Officer

Laura H. Phillips, Esq.
Carlos M. Nalda, Esq.
Dow, Lohnes & Albertson PLLC
1200 New Hampshire Avenue, N.W.
Suite 800
Washington, D.C. 20036
(202) 776-2000

May 4, 1999

ATTACHMENT A

CERTIFICATE OF INCORPORATION
OF

GLOBAL VILLAGE TELECOM AMERICAS, INC.

FIRST: The name of the Corporation is
Global Village Telecom Americas, Inc.

SECOND: The address of the Corporation's registered office in the State of Delaware is 1013 Centre Road, in the City of Wilmington, County of New Castle, 19805. The name of its registered agent at such address is Corporation Service Company.

THIRD: The nature of the business or purposes to be conducted or promoted are: to engage in any lawful act or activity for which corporations may be organized under the General Corporation Law of the State of Delaware.

FOURTH: The total number of shares of stock that the Corporation shall have authority to issue is One Thousand (1,000), and the par value of each of such shares is \$0.01.

FIFTH: The name and mailing address of the sole incorporator are as follows:

<u>Name</u>	<u>Mailing Address</u>
Rashida K. La Lande	Chadbourne & Parke LLP 30 Rockefeller Plaza New York, New York 10112

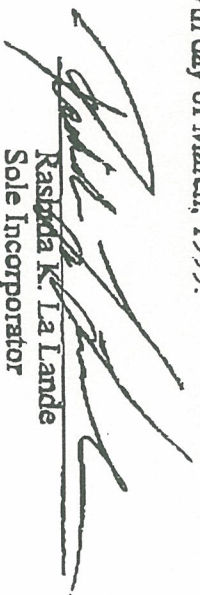
SIXTH: The Board of Directors is authorized to adopt, amend or repeal the By-Laws of the Corporation.

SEVENTH: Meetings of stockholders shall be held at such place, within or without the State of Delaware, as may be designated by or in the manner provided in the By-Laws, or, if not so designated or provided, at the registered office of the Corporation in the State of Delaware. Elections of directors need not be by written ballot unless and to the extent that the By-Laws so provide.

EIGHTH: No director of the Corporation shall be liable to the Corporation or its stockholders for monetary damages resulting from a breach of his or her fiduciary duty as a director, except as may otherwise be required by the Delaware General Corporation Law as the same may be amended from time to time. Neither the amendment, modification or repeal of this Article EIGHTH nor the adoption of any provision of this Certificate of Incorporation inconsistent with this Article EIGHTH shall adversely affect any right or protection of any director that exists at the time of such change.

NINTH: The Corporation reserves the right to amend, alter or repeal any provision contained in this Certificate of Incorporation in the manner now or hereafter prescribed by statute, and all rights of stockholders herein are subject to this reservation.

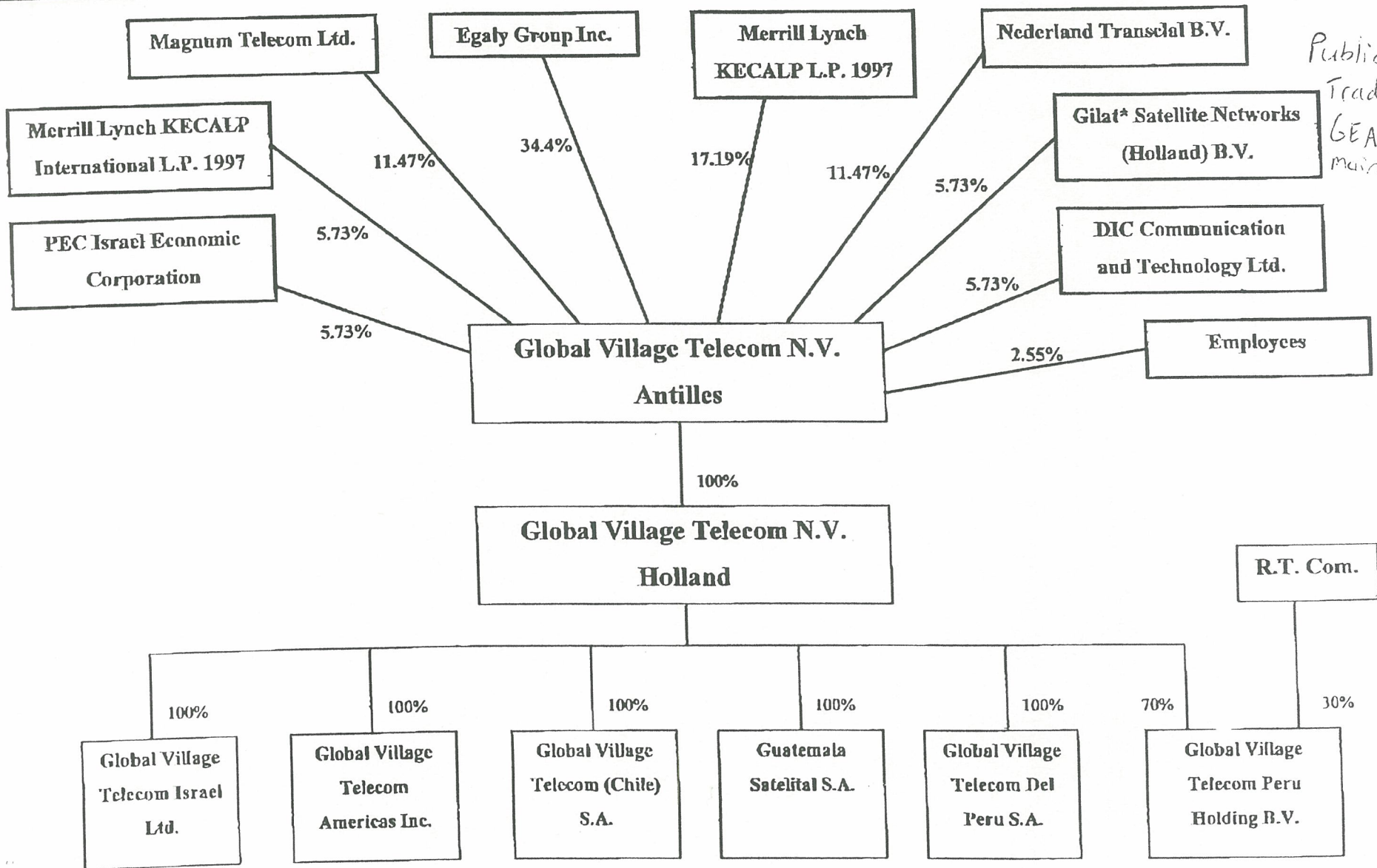
THE UNDERSIGNED, being the sole incorporator above named, for the purpose of forming a corporation pursuant to the General Corporation Law of the State of Delaware, has signed this instrument this 17th day of March, 1999.


Rasbada K. La Lande
Sole Incorporator

ATTACHMENT B



Global Village Telecom - Ownership Structure



*Publicly Traded
GE American
main stock*

* Gilat is GVT strategic shareholder, and on a fully deluded basis (after exercise it's warrants and convertible loan) will reach a shareholding of approximately 38% of GVT

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)
Dow, Lohnes & Albertson, PLLC

(3) TOTAL AMOUNT PAID (dollars and cents)
780.00

(4) STREET ADDRESS LINE NO. 1
1200 New Hampshire Avenue, NW

(5) STREET ADDRESS LINE NO. 2
Suite 800

(6) CITY
Washington

(7) STATE
DC

(8) ZIP CODE
20036

(9) DAYTIME TELEPHONE NUMBER (include area code)
(202) 776-2076

(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)
Global Village Telecom Americas, Inc.

(12) STREET ADDRESS LINE NO. 1
7780 Technology Drive

(13) STREET ADDRESS LINE NO. 2

(14) CITY
West Melbourne

(15) STATE
FL

(16) ZIP CODE
19805

(17) DAYTIME TELEPHONE NUMBER (include area code)
(407) 724-9630

(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
C U T

(20A) PAYMENT TYPE CODE (PTC)

(21A) QUANTITY
1

(22A) FEE DUE FOR (PTC) IN BLOCK 20A
\$ 780.00

FCC USE ONLY

(23A) FCC CODE 1

(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
\$

FCC USE ONLY

(23B) FCC CODE 1

(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
\$

FCC USE ONLY

(23C) FCC CODE 1

(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
\$

FCC USE ONLY

(23D) FCC CODE 1

(24D) FCC CODE 2

SECTION D - TAXPAYER INFORMATION (REQUIRED)

(25) PAYER TIN
0 5 3 0 1 8 6 7 7 4

(26) COMPLETE THIS BLOCK ONLY IF APPLICANT NAME IN B-11 IS DIFFERENT FROM PAYER NAME IN A-2
APPLICANT TIN
0 5 9 3 5 6 7 3 0 9

SECTION E - CERTIFICATION

(27) CERTIFICATION STATEMENT
I, Carlos M. Nalda, 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 

SECTION F - CREDIT CARD PAYMENT INFORMATION

(28) MASTERCARD/VISA ACCOUNT NUMBER

EXPIRATION DATE:

MASTERCARD

MONTH YEAR

(29) VISA

AUTHORIZED SIGNATURE

DATE

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

SEE PUBLIC BURDEN ESTIMATE ON REVERSE

FCC FORM 159 JULY 1997 (REVISED)

DOW, LOHNES AND ALBERTSON
A PROFESSIONAL LIMITED LIABILITY COMPANY
1200 NEW HAMPSHIRE AVE., N.W., SUITE 800
WASHINGTON, D.C. 20036
(202) 776-2000

FIRST UNION NATIONAL BANK
WASHINGTON, D.C. 20036
15-122
00480

April 29, 1999

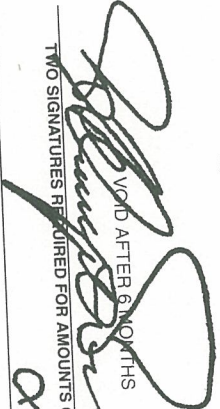
82759

PAY **SEVEN HUNDRED EIGHTY AND 00/100**

DOLLARS \$ **780.00**

Federal Communications Commission

TO
THE
ORDER
OF

VOID AFTER 6 MONTHS

TWO SIGNATURES REQUIRED FOR AMOUNTS OVER \$5,000.00

⑈082759⑈ ⑆054001220⑆ 2066700434109⑈

82759

DOW, LOHNES AND ALBERTSON
A PROFESSIONAL LIMITED LIABILITY COMPANY
1200 NEW HAMPSHIRE AVE., N.W., SUITE 800
WASHINGTON, D.C. 20036
(202) 776-2000

DETACH AND RETAIN THIS STATEMENT.
THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW
IF NOT CORRECT PLEASE NOTIFY US PROMPTLY NO RECEIPT DESIRED

Vendor # 2094

Federal Communications Commission
Invoice Date 4/29/99 Invoice Number CRCSS042999
Description Filing Fee

82759
Amount 780.00