

Categories of Services for 214 Applications
(~~Streamline~~/Non-streamline)

- LIMITED/GLOBAL RESALE SERVICE
- LIMITED/GLOBAL FACILITIES-BASED SERVICE
- LIMITED/GLOBAL FACILITIES-BASED/RESALE SERVICE
- INDIVIDUAL FACILITIES-BASED SERVICE
- INTERCONNECTED PRIVATE LINE RESALE SERVICE
- INMARSAT AND MOBILE SATELLITE SERVICE
- INTERNATIONAL SPECIAL PROJECT
- SWITCHED RESALE SERVICE
- TRANSFER OF CONTROL
- ASSIGNMENT OF LICENSE
- PRO FORMA TRANSFER/ASSIGNMENT
- SPECIAL TEMPORARY AUTHORITY
- SUBMARINE CABLE LANDING LICENSE

Description of Application: _____

Telecommunications
E Commerce
Technology
Corporate & Finance
Trademarks
Proprietary Rights
Complex Litigation
General Business Law

The Helein Law Group, P.C.

8180 Greensboro Drive
McLean, VA 22102

(703) 714-1300 (Telephone)
(703) 714-1330 (Facsimile)
mail@helein.com

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Management Consulting Group
Global Telecompetition Consultants, Inc. (GTC)
(703) 714-1320 (Telephone)

Writer's Direct Dial Number
(703) 714-1301

Writer's Email Address

January 4, 2000

mail@helein.com

Via Overnight Courier

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

**Re: Western States Teleport
*Application for Authority Under Section 214 of the Communications
Act to Resell International Switched Voice Telecommunications Services***

Ladies and Gentlemen:

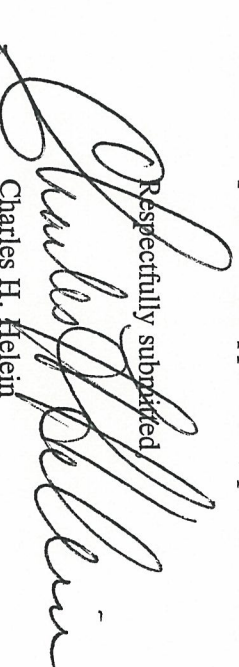
On behalf of Western States Teleport, a non-dominant resale common carrier, we transmit herewith an original and five (5) copies of an application under Section 214 of the Communications Act and Section 63.01 of the FCC Rules to resell the services of other common carriers to provide switched voice telecommunications services from points located in the United States to enumerated points. Because Western States Teleport is classified as a non-dominant international carrier under the FCC's rules and policies, this application is subject to the FCC's streamlined processing procedures applicable to eligible Section 214 applications.

Also enclosed herewith is FCC Form 159 and a check in the amount of \$780.00, made payable to the "Federal Communications Commission," to cover the FCC filing fee associated with this application.

An extra copy of this letter and application also is enclosed. Please date-stamp the extra copy and return it to the courier for delivery to the undersigned.

Should there be any questions with respect to this application, please contact the undersigned.

Respectfully submitted,



Charles H. Helein

Enclosures

081054/3-90

MEMO

Tariff filing

Federal Communications Commission
Washington, DC

PAY TO THE ORDER OF
Federal Communications Commission

INTERCONCO, INC.
P.O. BOX 1346
ORINDA, CA 94563-0634

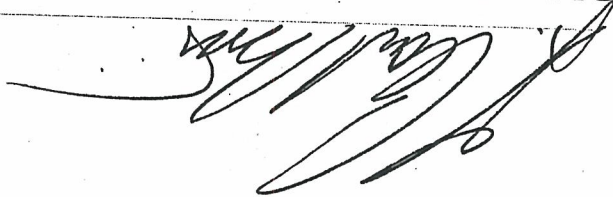
BANK OF WALNUT CREEK
ORINDA OFFICE
ORINDA, CA 94563
90-3801-1211

12/29/1999

1080

\$**780.00

DOLLARS



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Security features included. Details on back.

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

In the Matter of the Application of:)

Western States Teleport)

For Authority, Pursuant to Section)
214 of the Communications Act of 1934,)
as Amended, to Resell Services of)
Other Carriers to Provide Switched)
Voice Telecommunications Services)
from Points Located in the United)
States to Enumerated International)
Points)

File No. ITC- _____ - _____

To: Chief, Common Carrier Bureau

**APPLICATION UNDER
SECTION 214 OF THE COMMUNICATIONS ACT**

Western States Teleport ("WST") hereby requests that the Commission issue a certificate authorizing WST to resell the international message toll services ("IMTS") of other common carriers from points located in the United States to international points covered by this application, pursuant to Section 214 of the Communications Act of 1934, as amended, and Section 63.18 of the Commission's Rules.

WST is a California corporation. The principal offices of WST are located at 21 C Orinda Way, Suite 122, Orinda, California 94563.

WST will operate as a non-dominant common carrier subject to regulatory forbearance. WST is legally, financially, and technically qualified to provide the service proposed in the instant application.

In support of WST's request for authorization, the following information is set forth pursuant to Section 63.01 of the Commission's rules and regulations:

(a) Name of Corporation:

Western States Teleport

Address:

21 C Orinda Way, Suite 122
Orinda, California 94563

Telephone:

(925) 258-9828

(b) WST is a corporation organized under the laws of the state of California.

(c) The name, address, citizenship, and principal business of the shareholders owning 10% or more of WST's common stock are as follows:

Name: G. Clark Smith

Street Address: 21 C Orinda Way, #122

City/State/Zip: Orinda, California 94563

Citizenship: U.S.A.

Principal Business: Telecommunications

Name: Gayland P. Smith

Street Address: 2822 F Street, Suite E

City/State/Zip: Bakersfield, California 93301

Citizenship: U.S.A.

Principal Business: Telecommunications

Name: James A. Smith

Street Address: 1842 Jefferson Street, Suite 304

City/State/Zip: San Francisco, California 94123

Citizenship: U.S.A.

Principal Business: Telecommunications

(d) Correspondence concerning this Application should be addressed to:

Name: G. Clark Smith
Title: President & Chairman of the Board
Address: As above.
Telephone: (925) 258-9828

Copies of all such correspondence should also be sent to WST's regulatory counsel:

Charles H. Helein, Esq.
The Helein Law Group, P.C.
8180 Greensboro Drive, Suite 700
McLean, Virginia 22102
(703) 714-1300

- (e) WST has not previously received Section 214 authority.
- (f) Applicant is requesting Section 214 authority to operate as a resale carrier pursuant to the terms and conditions of 47 C.F.R. §63.18(e)(2).
- (g) The authority sought by this Application will be used to provide switched voice services from points within the United States to international points on a resale, non-facilities based basis by purchasing and reselling the international switched voice message toll services provided by facilities-based carriers.
- (h) WST does not have any affiliation with any U.S. carrier(s) whose facilities-based services will be resold.
- (i) WST is not seeking authorization for physical facilities.
- (j) WST is not directly or indirectly controlled by any foreign carrier nor does it have a controlling interest in any foreign carrier or in any entity that directly or indirectly controls or is controlled by a foreign carrier. WST has no affiliation with any foreign carrier.

- (k) As President & Chairman of the Board of WST, I certify that WST 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 United States and any foreign country which Applicant may serve under the authority granted under Part 63 of the Rules and will not enter into such agreements in the future.
- (l) As President & Chairman of the Board of WST, I certify that neither the Applicant, nor any officer, director, or shareholder holding 5% or more of the outstanding voting and/or non-voting stock of the corporate applicant is subject to a denial of federal benefits, including FCC benefits, pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 853a.

[REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

CONCLUSION

WST submits that the public interest, convenience, and necessity would be served by a grant of the authority requested in this Section 214 Application. Accordingly, WST respectfully requests that the Commission allow it to provide resold international switched voice telecommunications service pursuant to 47 C.F.R. § 63.18(e)(2).

Respectfully submitted,
Western States Teleport

By: 

G. Clark Smith
President & Chairman of the Board

Dated: 12/29/99

Charles H. Helein
The Helein Law Group, P.C.
8180 Greensboro Drive, Suite 700
McLean, Virginia 22102
Telephone: (703) 714-1300
Facsimile: (703) 714-1330