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

Des					0008
Description of Application:	SPECIAL TEMPORARY AUTHORITY SUBMARINE CABLE LANDING LICENSE	H I	INTERNATIONAL SPECIAL PROJECT SWITCHED RESALE SERVICE TRANSFER OF CONTROL	INTERCONNECTED PRIVATE LINE RESALE SERVICE INMARSAT AND MOBILE SATELLITE SERVICE	LIMITED/GLOBAL RESALE SERVICE LIMITED/GLOBAL FACILITIES-BASED SERVICE LIMITED/GLOBAL FACILITIES-BASED/RESALE SERVICE INDIVIDUAL FACILITIES-BASED SERVICE

(28) (27) CERTIFICATION STATEMENT (25)(19D) FCC CALL SIGN/OTHER ID (19B) FCC CALL SIGN/OTHER ID **PAYER TIN** (19C) FCC CALL SIGN/OTHER ID (23B) FCC CODE 1 (19A) FCC CALL SIGN/OTHER ID (718) 707-8800 (PRINT NAME) (PRINT NAME) the best of my knowledge, information and belief. SIGNATURE (23C) FCC CODE 1 45-18 Court Square, Suite 403 (12) STREET ADDRESS LINE NO. Broadview Networks, Inc. (11) APPLICANT NAME (if paying by credit card, enter name exactly as it appears on your card) The state of the s Long Island City (202) 424-7500 (9) DAYTIME TELEPHONE NUMBER (include area code) Washington Suite 300 3000 K Street, N.W. (2) PAYER NAME (If paying by credit card, solve name stacely as it appears on Swidler Berlin Shereff Friedman LLP (1) LOCKBOX # 358115 REABLINSTENCTIONS CAREFULLY MASTERCARD VISA COMPLETE SECTION C FOR EACH SERVICE, IF MORE BOXES ARE NEEDED, USE CONTINUATION SHEETS (FORM 159:C) hereby authorize the FCC to chargo my VISA or MASTERCARD for the service(strontzition(s) herein described. MASTERCARD/VISA ACCOUNT NUMBER: 0 IF PAYER NAME AND THE APPLICANT NAME ARE DIFFERENT, COMPLETE SECTION BIF MORE THAN ONE APPLICANT, USE CONTINUATION SHEETS (FORM 159-C) SECTION (20D) PAYMENT TYPE CODE (PTC) (20C) PAYMENT TYPE CODE (PTC) (20B) PAYMENT TYPE CODE (PTC) (20A) PAYMENT TYPE CODE (PTC) C ω SEE PUBLIC BURDEN ESTIMATE ON REVERSE N N O FEDERAL COMMUNICATIONS COMMISSION C 6 SECTION B - APPLICANT INFORMATION . SECTION C - PAYMENT INFORMATION SECTION A - PAYER INFORMATION TAXPAYER INFORMATION leune 7 REMITTANCE ADVICE 7 SECTION F - CREDIT CARD PAYMENT INFORMATION 9 SECTION E - CERTIFICATION 0 certify under penalty of perjury that the foregoing and supporting information are true and correct to 6 1 JAN 2 8 (21D) QUANTITY (21C) QUANTITY (21B) QUANTITY Ϋ́ D.C (24D) FCC CODE 2 (24B) FCC CODE 2 APPLICANT TIN (26) COMPLETE THIS BLOCK ONLY IF APPLICANT NAME IN B-11 IS DIFFERENT FROM PAYER NAME IN A-2 (24A) FCC CODE 2 2000 (22C) FEE DUE FOR (PTC) IN BLOCK 20A (228) FEE DUE FOR (PTC) IN BLOCK 20A \$780.00 11101 (3) TOTAL AMOUNT PAID (dollars and cents) \$780.00 20007-5116 (REQUIRED) FCC USE ON EXPIRATION DATE: MONTH 0 \_\_ YEAR 0 FCC USE ONLY FCC USE ONLY FCC USE ONLY FCC USE ONLY -4 0 \_ 0 œ

CHECK NO.: D 119029

CUSTOMER NO.	Safeguara	108315	REF. #
R NO.		ST012800-10	INV.#
		01-28-00	DATE
			INVC
		780.00	INVOICE AMOUNT
			INVOICE DESCRIPTION
		780.00	AMOUNT PAII

SWIDLER BERLIN SHEREFF FRIEDMAN, LLP
3000 K STREET, N.W. SUITE 300
WASHINGTON, DC 20007

A CORIGINAL DOCUMENT IS PRINTED ON CHEMICAL REACTIVE TAPER 2 HAS A MICROPHINTED BORDER O

CHECK DATE 01/28/00

Citibank DC Operating 1775 Pennsylvania Avenue, NW Suite 440 Washington, DC 20006

CHECK NO. D 119029

780.00\*\*\*\*\*\*

CHECK AMOUNT

OPERATING ACCOUNT

TWO SIGNATURES REQUIRED ON CHECK

PAY TO THE ORDER OF

FCC

SEVEN HUNDRED EIGHTY AND 00/100 Dollars

## SWIDLER BERLIN SHEREFF FRIEDMAN, LLP

3000 K STREET, NW, SUITE 300 WASHINGTON, DC 20007-5116 TELEPHONE (202) 424-7500 FACSIMILE (202) 424-7645

New York Office 919 Third Avenue New York, NY 10022-9998

January 28, 2000

#### VIA COURIER

Magalie Roman Salas, Secretary
Federal Communications Commission
International Bureau, Telecommunications Division
P.O. Box 358115
Pittsburgh, PA 15251-5115

Attention: George Li, International Bureau

Application of Broadview Networks, Inc. for Global Authority Pursuant to Section 214 of the Communications Act of 1934, as amended, to Operate as an International Resale Carrier

Dear Ms. Salas:

States and various international points. Broadview Networks, Inc. ("Broadview") requesting global authority, pursuant to Section 214 of the Communications Act of 1934, as amended, to operate as an international resale carrier between the United Enclosed for filing with the Commission are an original and six (6) copies of the application of

provided. Please contact Jeanne Stockman at (202) 295-8392 if you have any questions regarding the date-stamp the extra copy of this application and return it in the enclosed self-addressed, stamped envelope enclosed application. As required by the Commission's Rules, a check in the amount of \$780.00 is enclosed. Please

Respectfully submitted.

Richard M. Rindler Jeanne W. Stockman

Counsel for Broadview Networks, Inc.

**Enclosures** 

cc: Breck Blaylock (FCC)
George Li (FCC)
Steve Andreassi

Michael Romano

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

In the Matter of

BROADVIEW NETWORKS, INC.

Application for Global Authority Pursuant to Section 214 of the Communications Act

File No. ITC-214-2000-

Section 214 of the Communications Act of 1934, as amended, to Operate as an International Resale Carrier
Between the United States and Various International Points

#### APPLICATION

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

#### . The Applicant

S presumption of non-dominance under Section 63.10(a)(1) of the Commission's Rules, 47 C.F.R. C.F.R. § 63.12. carrier in a particular country to which it provides service, Broadview Networks qualifies for the below, because Broadview Networks is not affiliated with a foreign carrier and is not a foreign Commission's Rules, 47 C.F.R. § 63.09(e), with a foreign carrier. Broadview 63.10(a)(1), and therefore, this Application is eligible for streamlined processing pursuant to 47 Broadview Networks is a corporation organized under the laws of the State of New York. Networks SI. not affiliated, within the meaning of Section As described in greater detail 63.09(e) of the

#### II. Public Interest Considerations

of this Application will further the public interest. competitive pricing and increased availability of a variety of service options. Therefore, a grant market will benefit the consumers of United States-overseas services. Broadview Networks believes that the added competition its entry will bring These benefits include to the

#### III. Information Required by Section 63.18

the Commission's rules, in support of its request for Section 214 authorization: Broadview Networks submits the following information, as required by Section 63.18 of

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

Long Island City, NY 11101 Tel: (718) 707-8800 45-18 Court Square, Suite 403 Broadview Networks, Inc.

(718) 706-9575

- **(** Applicant is incorporated under the laws of the State of New York.
- **©** Correspondence concerning this application should be sent to:

Tel: 3000 K Street, N.W., Suite 300 Washington, D.C. 20007 SWIDLER BERLIN SHEREFF FRIEDMAN, LLP Jeanne W. Stockman, Esq. Richard M. Rindler, Esq. (202) 424-7500

Fax: (202) 424-7643

with a copy to

Steve Andreassi, Managing Director - Regulatory Broadview Networks, Inc.

45-18 Court Square, Suite 403 Long Island City, NY 11101

(718) 707-8800 (718) 706-9575

**(a)** its compliance with Section 63.21(i) of the Commission's Rules, 47 telecommunications services to all permissible points on a resale basis pursuant to Broadview Networks SI authorized to provide Section 214 C.F.R. § global

and the Commission's Rules. reseller with global authority in its own right pursuant to Section 214 of the Act Application, 214 authority in its own right, independent from BNHI. upon notice to the Commission. At this time, Broadview Networks seeks Section Section 214 services by virtue of its parent-subsidiary relationship with BNHI and Pursuant to Section 63.21(i), Broadview Networks is authorized to provide such services to all permissible points on a resale basis, FCC File No. ITC-96-458. Inc. ("BNHI") holds Section 214 authority to provide global telecommunications Networks Holdings, Inc. (f/k/a Coaxicom, Inc.). Broadview Networks Holdings, Broadview Networks is a wholly owned subsidiary of Broadview Broadview Networks will become an authorized non-dominant Upon grant of this

- @ is not applicable. authority pursuant to Section 63.18(e)(1) of the Commission's rules, this Section Because Broadview Networks is not seeking global facilities-based
- contained in Section 63.21 and 63.23 of the Commission's Rules. authorization for all international routes authorized by the 63.18(e)(2) of the Commission's Rules. Broadview Networks requests such Broadview Networks certifies that it will comply with the terms and conditions international services of authorized U.S. common carriers pursuant to Section Broadview Networks requests Section 214 authority to Commission.
- $(\mathfrak{F})$ under subparagraph (e)(2) of Section 63.18 of the Commission's Rules Broadview Networks seeks the authority to provide only the services referenced
- (8) to Section 63.18(e)(4) of the Commission's Rules, this Section is not applicable. Given that Broadview Networks is not seeking facilities-based authority pursuant
- (E) shareholders is as follows: Information regarding Broadview Networks' 10% or greater direct or indirect

Address: 45-18 Court Square, Suite 403 Broadview Networks Holdings, Inc. (f/k/a Coaxicom, Inc.)

Long Island City, NY 11101

Percentage Held: 100% (direct) Citizenship: Delaware

Principal Business: Telecommunications Services

See Letter to Magalie Roman Salas from Scott Matukas filed August 31, 1999

Information regarding BNHI's 10% or greater direct or indirect shareholders is as

Address: Baker Communications Fund 540 Madison Ayenue

New York, NY 10022

Percentage Held: 25.4%

Principal Business: Citizenship: United States

Private investment firm

Name: Address: New Enterprise Associates 1 Freedom Square

11951 Freedom Drive, Suite 1240

Reston, VA 20190

Percentage Held:

Citizenship: United States

Principal Business: Private investment firm

Com Ventures

Address: 505 Hamilton Avenue, Suite 1240

Palo Alto, CA 94301

Percentage Held: 12.6%

Citizenship: United States

Principal Business: Private investment firm

Name: Address: Weiss, Peck & Greer Venture Partners

San Francisco, CA 94104 555 California Street

Percentage Held:

Citizenship: United States

Principal Business: Private investment firm

to report. Broadview Networks has no interlocking officers or directors with foreign carriers

- $\Xi$ Rules, 47 C.F.R. § 63.09(d). a foreign carrier within the meaning of Section 63.09(d) of the Commission's Broadview Networks certifies that it is neither a foreign carrier nor affiliated with
- 9 carrier in that country; and (4) two or more foreign carriers, or parties that control Broadview Networks, or that controls Broadview Networks, controls a foreign Broadview Networks certifies that it is not seeking to provide international foreign carriers, own, in the aggregate, more than 25% of Broadview Networks foreign carrier in that country; (3) any entity that owns more than 25% of Networks is a foreign carrier in that country; (2) Broadview Networks controls a telecommunications services to any destination country where (1) Broadview

provision or marketing or international basic telecommunications services in the and are parties to, or the beneficiaries of, a contractual relation affecting the

- 图 foreign carrier, this Section is not applicable Because Broadview Networks is neither a foreign carrier nor affiliated with a
- $\odot$ foreign carrier, this Section is not applicable. Because Broadview Networks is neither a foreign carrier nor affiliated with a
- $(\mathbb{B})$ 63.10(a)(1) of the Commission's Rules, 47 C.F.R. § 63.10(a)(1), because carrier in a particular country to which it provides service. Broadview Networks has no affiliation with a foreign carrier and is not a foreign Broadview Networks should be classified as non-dominant pursuant to Section
- (n) market power on the foreign end of the route and will not enter into such directly or indirectly from any foreign carrier where the foreign carrier possesses Broadview Networks certifies that it has not agreed to accept special concessions agreements in the future.
- <u></u> pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988. Commission's Rules (implementing the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 3301), that no party to its application is subject to a denial of Federal benefits Broadview Networks certifies, pursuant to Sections 1.2001 through 1.2003 of the
- **(b)** set forth above in Section (1), Broadview Networks qualifies for a presumption of 63.12(c)(1)(ii) of the Commission's Rules, 47 C.F.R. § 63.12(c)(1)(ii), because, as non-dominance under Section 63.10(a)(1) of the Commission's Rules Broadview Networks qualifies for streamlined processing pursuant to Section

#### IV. CONCLUSION

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

Respectfully submitted,

By:

Richard M. Rindler,

Jeanne W. Stockman

3000 K Street, N.W., Suite 300 Washington, DC 20007 (202) 424-7500 (telephone) (202) 424-7643 (facsimile) SWIDLER BERLIN SHEREFF FRIEDMAN, LLP

Counsel for Broadview Networks, Inc.

Dated: January 28, 2000

17.

### CERTIFICATION OF APPLICANT

Section 5301 of the Anti-Drug Abuse Act of 1988. See 21 U.S.C. § 853a. 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 knowledge and are made in good faith. In addition, in accordance with Section 1.2001-1.2003 of On behalf of Broadview Networks, Inc., I hereby certify that the statements in the foregoing Application for Section 214 authority are true, complete, and correct to the best of my

### BROADVIEW NETWORKS, INC.

Date:	Title:	Name:	Ву:
1/27/00===	UP-Apministamion	Scott M. MTTUKE	Sid Will