

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: \_\_\_\_\_

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*IBI*



**COPY**

LAW OFFICES OF

**PAUL, HASTINGS, JANOFSKY & WALKER LLP**

A LIMITED LIABILITY PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

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March 9, 2000

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12-32, AKASAKA 1-CHOME  
MINATO-KU, TOKYO 107, JAPAN  
TELEPHONE (03) 3586-4711

WRITER'S DIRECT ACCESS

OUR FILE NO.

(202) 508-9530

30635.96845

**BY SAME DAY DELIVERY COURIER**

Federal Communications Commission  
International Bureau Telecommunications Division  
Post Office Box 358115  
Pittsburgh, Pennsylvania 15251-5115

Re: Application of CATEL U.S., LLC for Global Authority Pursuant to  
Section 214 of the Communications Act of 1934, as amended,  
for Global Facilities-Based and Global Resale Authority

Dear Sirs or Mesdames:

We represent CATEL U.S., LLC ("CATEL"), which requests authority pursuant to Section 214 of the Communications Act, 47 U.S.C. § 214, and Section 63.18 of the Commission's Rules, 47 C.F.R. § 63.18, for global facilities-based and global resale authority to provide international telecommunications services.

On behalf of CATEL, we respectfully submit herewith for filing with the Commission one original and six (6) copies of an Application pursuant to Section 214 and the Commission's Rules. In addition, CATEL requests streamlined treatment of this Application pursuant to 47 C.F.R. § 63.12. A completed FCC Form 159 ("Remittance Advice") is also enclosed.

On behalf of CATEL, there is also enclosed with this letter a check made payable to the order of the Commission in the amount of Seven Hundred Eighty Dollars and No Cents (\$780.00). The check constitutes payment in full of the processing fee for the Application herewith submitted for filing.

WDC/119593.1

PAUL, HASTINGS, JANOFSKY & WALKER LLP

Federal Communications Commission  
March 9, 2000  
Page 2

Please date stamp the extra copy of this application as having been received by the Commission's application processing fee payment facility at the Mellon Bank in Pittsburgh, Pennsylvania as of the date of such receipt, and return the date-stamped "File Copy" of this letter to our messenger.

In the event that the Commission or its staff should have any questions concerning the Application herewith submitted for filing, kindly refer them to CATTEL's undersigned counsel.

Very truly yours,



Michelle W. Cohen  
for PAUL, HASTINGS, JANOFSKY & WALKER LLP

Enclosures





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

CATEL U.S., LLC  
755 Dotterel Road  
Suite 1311  
Delray Beach, FL 33444  
(561) 279-4539 (telephone)

(b) CATEL is a limited liability company organized under the laws of the state of Florida.

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

CATEL U.S., LLC  
755 Dotterel Road  
Suite 1311  
Delray Beach, FL 33444  
Attention: Per Øystein Herberg  
(561) 279-4539 (telephone)

with a copy to:

Paul, Hastings, Janofsky & Walker LLP  
1299 Pennsylvania Avenue, NW  
10th Floor  
Washington, D.C. 20004  
Attention: Michelle W. Cohen, Esq.  
(202) 508-9530 (telephone)  
(202) 508-9700 (facsimile)

(d) CATEL has not previously applied for nor been granted authority under Section 214 of the Communications Act.

(e)(i) CATEL is requesting global Section 214 authority to operate as a facilities-based carrier pursuant to the terms and conditions of Section 63.18(e)(1) of the Commission's Rules. There are no countries for which the applicant does not request authorization. CATEL certifies that it will comply with the conditions contained in Sections 63.21 and 63.22 of the Commission's Rules.

(ii) CATEL is also requesting global Section 214 authority to resell the international services of authorized U.S. common carriers pursuant to the terms and

conditions of Section 63.18(e)(2) of the Commission's Rules. There are no countries for which the applicant does not request authorization. CATEL certifies that it will comply with the conditions contained in Sections 63.21 and 63.23 of the Commission's Rules.

(f) As set forth above, applicant is applying for global authority under Sections 63.18(e)(1) and 63.18(e)(2) of the Commission's Rules.

(g) Not applicable.

(h) The name, address, citizenship, and principal businesses of CATEL's ten percent or greater direct and indirect shareholders or other equity holders, and the percentage of equity owned by each shareholder are as follows:

Name: Joachim Piper  
Address: Wächters Dacher Str. 83, D-60386, Frankfurt/M  
Citizenship: German  
Principal Business: Telecommunications  
Percentage Equity: 49.9%

Name: Catel Carrier und Telekommunikationsbörse.  
Address: Frankfurt AG, Wächters Dacher Str. 83, F-60386,  
Frankfurt/M Germany  
Citizenship: German company  
Principal Business: Telecommunications  
Percentage Equity: 50.1%

The name, address, citizenship, principal business and percentage equity of Catel Carrier und Telekommunikationsbörse's shareholders are:

Name: Christiane Piper  
Address: Wächters Dacher Str. 83, D-60386, Frankfurt/M  
Citizenship: German  
Principal Business: Telecommunications  
Percentage Equity: 33 $\frac{1}{3}$ %

Name: Joachim Piper  
Address: Wächters Dacher Str. 83, D-60386, Frankfurt/M  
Citizenship: German  
Principal Business: Telecommunications  
Percentage Equity: 33 $\frac{1}{3}$ %

Name: Dieter Klenner  
Address: Wächters Dacher Str. 83, D-60386, Frankfurt/M  
Citizenship: German  
Principal Business: Telecommunications  
Percentage Equity: 33 1/3 %

Mr. Joachim Piper is a director of Catel Carrier und  
Telekommunikationsbörse.

(i) By this certification, CATEL certifies that it is affiliated with the following non-dominant foreign carrier: Catel Carrier und Telekommunikationsbörse Frankfurt AG, Wächters Dacher Str. 83, F-60386, Frankfurt/M Germany.

(j) CATEL seeks to provide international telecommunications services to the following destination in which CATEL is affiliated with a foreign carrier: Germany.

(k) The named foreign country in paragraph (j) above, is a Member of the World Trade Organization. In addition, the applicant's affiliated foreign carrier lacks market power in the named foreign country.

(l) CATEL may resell the international switched services of unaffiliated U.S. carriers for the purpose of providing international telecommunications services to Germany, where it is affiliated with a non-dominant foreign carrier. However, pursuant to Section 63.10(a)(3) of the Commission's Rules, the affiliated foreign carrier is not a monopoly provider of communications services in the relevant market in the destination country.

(m) CATEL seeks to be classified as non-dominant on all routes, as it is affiliated with a non-dominant foreign carrier and meets the standard set forth in Section 63.10(a)(3) of the Commission's Rules.

(n) CATEL certifies that it has not agreed to accept special concessions (as defined in Section 63.14(b) of the Commission's Rules) directly or indirectly, from



any foreign carrier with respect to any U.S. international route where the foreign carrier possesses market power on the foreign end of the route and will not enter into such agreements in the future.

(o) Pursuant to Sections 1.2001 through 1.2003 of the Commission's Rules, this 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.

(p) The applicant qualifies for streamlined treatment of this application pursuant to Section 63.12 in that there are no affiliations with dominant foreign carriers.

### CONCLUSION

The Commission has recognized that increased competition in international markets is beneficial and that those markets will support additional carriers. Additional market entry will promote lower prices, innovative services, increased customer choice, and efficient utilization of telecommunications resources. CATEL expects to support these goals through the provision of high-quality, competitive international communications services. A grant of CATEL's application, therefore, will serve the public interest, convenience and necessity.



Respectfully submitted,

CATEL U.S., LLC

By:   
Per Øystein Herberg

Title: CEO

Dated: March 7, 2000

PAUL, HASTINGS,

JANOFSKY & WALKER LLP

555 South Flower Street • Los Angeles, CA 90071 • 213-683-6000  
Operating Account

BANK OF AMERICA  
Community Development Bank  
1500 Newell Avenue, Suite 200, Walnut Creek, CA 94596

90-4182  
1211

SEVEN HUNDRED EIGHTY AND 00/100

CHECK NO. 52065

PAY

DATE 03-08-00

CHECK NO. 52065

AMOUNT \$780.00

TO THE ORDER OF  
FEDERAL COMMUNICATIONS COMMISSION

16098

PAUL, HASTINGS, JANOFSKY & WALKER LLP

⑆0000052065⑆ ⑈1121141821⑈ 73138⑈00624⑈

PAUL, HASTINGS,

JANOFSKY & WALKER LLP

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

INVOICE DATE	INVOICE NO.	DESCRIPTION	ACCOUNT NO.	AMOUNT
03-08-00	030800HC	Section 214 Filing Fee		780.00
<b>TOTAL AMOUNT</b>				<b>780.00</b>



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)  
Paul, Hastings, Janofsky & Walker LLP

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

(4) STREET ADDRESS LINE NO. 1  
Attention: Michelle W. Cohen, Esq.

(5) STREET ADDRESS LINE NO. 2  
1299 Pennsylvania Avenue, N.W., Tenth Floor

(6) CITY Washington (7) STATE D.C. (8) ZIP CODE 20004

(9) DAYTIME TELEPHONE NUMBER (include area code) (10) COUNTRY CODE (if not in U.S.A.)  
(202) 508-9530

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)  
CATEL U.S., LLC

(12) STREET ADDRESS LINE NO. 1  
755 Dotterel Road

(13) STREET ADDRESS LINE NO. 2  
Suite 1311 (14) CITY Delray Beach (15) STATE FL (16) ZIP CODE 33444

(17) DAYTIME TELEPHONE NUMBER (include area code) (18) COUNTRY CODE (if not in U.S.A.)  
(561) 279-4539

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 (20A) PAYMENT TYPE CODE (PTC) (21A) QUANTITY (22A) FEE DUE FOR (PTC) IN BLOCK 20A (24A) FCC CODE 2  
C U T 1 \$ 780.00

(19B) FCC CALL SIGN/OTHER ID (20B) PAYMENT TYPE CODE (PTC) (21B) QUANTITY (22B) FEE DUE FOR (PTC) IN BLOCK 20B (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 (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 (24D) FCC CODE 2  
\$

(230) FCC CODE 1 (240) FCC CODE 2

SECTION D - TAXPAYER INFORMATION (REQUIRED)

(25) PAYER TIN 0952209675 (26) COMPLETE THIS BLOCK ONLY IF APPLICANT NAME IN B-11 IS DIFFERENT FROM PAYER NAME IN A-21  
APPLICANT TIN 0560961868

(27) CERTIFICATION STATEMENT (PRINT NAME) Michelle W. Cohen  
I, Michelle W. Cohen, 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 Michelle W. Cohen

(28) MASTERCARD/VISA ACCOUNT NUMBER SECTION F - CREDIT CARD PAYMENT INFORMATION

Mastercard/VISA account number grid

MASTERCARD VISA AUTHORIZED SIGNATURE DATE MONTH YEAR

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