

APR 07 2000

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BRENT F. DILLE

April 6, 2000

Via Overnight Delivery

Ms. Magalie R. Salas, Esq., Secretary  
Federal Communications Commission  
445 12th Street S.W., Room TWD 204  
Washington, D.C. 20554

RE: Oration Technologies Holdings, L.L.C.- Section 214 Application

Dear Ms. Salas,:

Enclosed are an original and five (5) copies of Oration Technologies Holdings, L.L.C.'s Application for Global Facilities-Based Authority, Switched Service Resale and Private-Line Resale Authority ("Application"), filed pursuant to Section 214 of the Communications Act of 1934, as amended, 47 U.S.C. Section 214, and Section 63.18 of the Rules of the Federal Communications Commission ("FCC"), 47 C.F.R. Section 63.18.

Also enclosed is a completed Fee Processing Form, FCC Form 159, and check made payable to the FCC in the amount of \$780.00 to cover the cost of filing this Application. This filing has been delivered via overnight delivery to the Federal Communications Commission c/o the Mellon Bank, Three Mellon Bank Center, 525 William Penn Way, 27<sup>th</sup> Floor, Room 153-2713, Pittsburgh, PA 15259-0001, Attention: Wholesale Lockbox Shift Supervisor. A separate copy of the Application for the International Bureau is enclosed.

Please acknowledge receipt of this filing by file-stamping the additional copy of the first page of the Application and returning it in the self-addressed stamped envelope provided for this purpose. Should you have any questions regarding this Application, please feel free to contact me.

Very truly yours,

Miller Isar, Inc.

  
Brent F. Dille  
Director – Regulatory Compliance

Enclosures

BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C.

In the Matter of

Oration Technologies Holdings, L.L.C.

Streamlined  
ITC-214-20000407-00204  
ORATION TECHNOLOGIES HOLDINGS, L.L.C.

Application Pursuant to Section 214 of the )  
Communications Act of 1934, as amended, for )  
Global Authority to Acquire and Operate )  
Facilities of Authorized U.S. Carriers and to )  
Resell Switched and Private Line Services of )  
Authorized U.S. Carriers for the Provision of )  
International Service to all Permissible )  
International Points )

APPLICATION FOR SECTION 214 CERTIFICATION

Oration Technologies Holdings, L.L.C. (“Applicant” or “Oration”) hereby requests authority, pursuant to Section 214 of the Communications Act of 1934, as amended, (“the Act”), 47 U.S.C. § 214 and § 63.18 *et seq.* of the rules and regulations of the Federal Communications Commission (“Commission”), to acquire and operate facilities of all U.S. common carriers and non-common carriers previously and subsequently authorized by the Commission, including any necessary foreign connecting facilities, for the purpose of providing telecommunications services between the United States and all foreign points permitted by the Commission. Applicant further requests authority to resell the international switched services and private-line services of authorized U.S. common carriers for the provision of international service to all permissible international points deemed by the Commission to afford equivalent resale opportunities to U.S. carriers. Applicant will operate the facilities it acquires and resells only in accordance with the Commission’s rules and regulations applicable thereto, particularly §§ 63.18(e)(1) and (2).

Pursuant to § 63.18 of the Commission's rules, 47 C.F.R. § 63.18, Applicant submits the following information in support of its Application for authority:

1. § 63.18(a). The name, address, telephone number and facsimile number of the Applicant are:

Oration Technologies Holdings, L.L.C.  
13540 Discovery Drive  
Omaha, Nebraska 68137

Telephone: (402) 522-1930  
Facsimile: (402) 522-1899

2. § 63.18(b). The Applicant was organized under the laws of the State of Nebraska on December 6, 1999.

3. § 63.18(c). Correspondence concerning this Application should be addressed to:

Mr. Brent F. Dille, Esq.  
Harbor Consulting Group Inc.  
3220 Uddenberg Lane, Suite 4  
Gig Harbor, Washington 98335

Telephone: 253.851.6700  
Facsimile: 253.851.6474

and

Ms. Gail Jones  
Oration Technologies Holdings, L.L.C.  
13540 Discovery Drive  
Omaha, Nebraska 68137

Telephone: (402) 522-1930  
Facsimile: (402) 522-1899

4. § 63.18(d). The Applicant has not previously received authority under Section 214 of the Act.
5. § 63.18(e)(1) through (5). Applicant requests authority to operate as a facilities-based international carrier, pursuant to Section 214 of the Act and the Commission's Foreign Carrier Entry Order<sup>1</sup>. The Applicant would acquire and operate international facilities for the provision of international switched service to those countries found by the Commission to provide equivalent resale opportunities. It will operate those facilities in accordance with the terms and conditions of §§ 63.18(e)(1) and 63.21 of the rules, as well as any other applicable rules and regulations of the Commission.
- Applicant further requests authority pursuant to Section 214 of the Act to resell the international switched and private line services of authorized U.S. common carriers for the provision of international switched and basic private line services to all permissible international points deemed by the Commission to afford equivalent resale opportunities to U.S. carriers.
6. § 63.18(f). This Application is subject to the Commission's streamlined processing rules. The Applicant is a non-dominant carrier which qualifies for non-dominant regulation pursuant to § 63.12, 47 C.F.R. § 63.12, as it is not affiliated with a foreign carrier within the meaning of § 63.18(h)(1)(i) in a destination market for its facilities-based or resold services as set forth below.

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<sup>1</sup> In the Matter of Market Entry and Regulation of Foreign-Affiliated Entities ("Report and Order"), IB Docket No. 95-22, FCC 95-475, 11 FCC Rcd. 3873 (1995).

7. § 63.18(g). Not applicable.

8. § 63.18(h)(1) and (3). By its executed certification attached hereto, Applicant hereby certifies that: it has no affiliation with foreign carriers, as defined in §§ 63.18(h)(1)(i) and (ii) of the Commission's Rules.

9. § 63.18(h)(2). Applicant's ownership is as follows:

Name: Charles L. Smith  
Address: 13540 Discovery Drive  
Omaha, Nebraska 68137

Ownership: 57.5 percent  
(a Citizen of the United States)

Name: Waitt Telephone, L.L.C.  
Address: 13906 Gold Circle, Suite 201  
Omaha, Nebraska 68144

Ownership: 22.5 percent  
(a U.S. Limited Liability Company)

Name: Underwood Limited Partnership  
Address: 13522 Parker Street  
Omaha, Nebraska 68154

Ownership: 20 percent  
(a U.S. Limited Partnership)

10. § 63.18(i). Applicant further certifies that it has not accepted, nor will it agree to accept, special concessions directly or indirectly from any foreign carrier or administration with respect to traffic or revenue flows between the U.S. and any foreign country which Applicant may serve under the authority granted pursuant to this Application.

11. § 63.18(i). Pursuant to 47 C.F.R. §§ 1.2001 through 1.2003, by certification attached hereto, Applicant certifies that no party to the Application is subject to denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act on 1988, 21 U.S.C. § 853a.

12. Applicant will comply with the accuracy requirements of this section if authorized to provide international communications service.

13. As demonstrated herein, Applicant is legally and technically qualified to provide the services for which it requests authority. For the reasons stated above, Applicant submits that the public interest, convenience and necessity would be furthered by a grant of this Section 214 Application.

WHEREFORE, Oration Technologies Holdings, L.L.C. respectfully requests that the Commission issue the requested Section 214 authorization for the purpose of providing global facilities-based telecommunications services and resold international switched and private-line services of authorized U.S. common carriers for the provision of international service to all permissible international points deemed by the Commission to afford equivalent resale opportunities to U.S. carriers.

Respectfully submitted, this 29<sup>th</sup> day of March, 2000.

Oration Technologies Holdings, L.L.C.

By:   
Gail Jones

Vice President/General Manager

Oration Technologies Holdings, L.L.C.  
13540 Discovery Drive  
Omaha, Nebraska 68137

Telephone: (402) 522-1930  
Facsimile: (402) 522-1899

Harbor Consulting Group Inc.  
3220 Uddenberg Lane, Suite 4  
Gig Harbor, Washington 98335

Telephone: 253.851.6700  
Facsimile: 253.851.6474

Applicant's Regulatory Consultants

CERTIFICATION OF APPLICANT

I hereby certify that the statements in the foregoing Application for Section 214 authority are true, complete and correct to the best of my knowledge, information and belief and are made in good faith. I hereby certify that Oration Technologies Holdings, L.L.C. ("Oration") is not affiliated with any foreign carrier and is not affiliated with any facilities-based carrier whose services Oration Technologies Holdings, L.L.C. intends to resell. I hereby certify that Oration Technologies Holdings, L.L.C. will not accept special concessions directly or indirectly from any foreign carrier or administration with respect to traffic or revenue flows between the U.S. and any foreign country which Oration Technologies Holdings, L.L.C. may serve under the authority granted under this part. I also hereby certify that no party to the foregoing Application is subject to denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act on 1988, 21 U.S.C. § 853a.

Dated this 29<sup>th</sup> day of March, 2000.

Oration Technologies Holdings, L.L.C.

By: Gail Jones

Gail Jones  
Vice President/General Manager  
Oration Technologies Holdings, L.L.C.  
13540 Discovery Drive  
Omaha, Nebraska 68137

Subscribed and sworn to before me this 29<sup>th</sup> day of March, 2000.

Mary Jean Griencwic

Printed Name: MARY JEAN GRIENCWIC

Notary Public in and for the State of Nebraska

Residing at \_\_\_\_\_

My commission expires: March 17, 2002

