

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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APPLICATION OF EVEREST BROADBAND NETWORKS  
TO PROVIDE INTERNATIONAL TELECOMMUNICATIONS  
SERVICES ON A RESALE BASIS

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

In the Matter of

EVEREST BROADBAND NETWORKS

Application for authority pursuant

File No. I.T.C. - \_\_\_\_\_

to Section 214 of the Communications  
Act of 1934, as amended, for global  
authority to operate as an international  
resale carrier

**APPLICATION**

Everest Broadband Networks (“Everest Broadband”) hereby requests authority, pursuant to Section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214 (the “Act”), and Section 63.18 of the Commission’s Rules, 47 C.F.R. § 63.18, to provide global international resale services between the United States and international points.

Everest Broadband is a United States company organized to provide telecommunications services, including international telecommunications services on a resale basis. Everest Broadband has no foreign affiliations. Everest Broadband seeks to serve business customers throughout the United States.

By granting this application, the Commission will serve the public interest, convenience and necessity by promoting competition in the international services market. Competition will benefit United States consumers by increasing service options and lowering prices. Thus, the public interest will be served by the grant of Section 214 authority to Everest Broadband.

**SECTION 63.18 INFORMATION**

The information provided below is submitted, as required by Section 63.18 of the Commission’s Rules, in support of Everest Broadband’s request for authorization. The information is organized by the subsection of Section 63.18 to which it pertains.

§ 63.18(a)- Everest Broadband Networks

One Executive Drive, Suite 170  
Fort Lee, New Jersey 09024  
(201) 944-6477

§ 63.18(b)- Everest Broadband is incorporated under the laws of Delaware.

§ 63.18(c)- Joseph Varello, Vice President  
Everest Broadband Networks  
One Executive Drive, Suite 170  
Fort Lee, New Jersey 07024  
(201) 944-6477

and

Dale E. Thomas  
Sidley & Austin  
Bank One Plaza  
10 S. Dearborn  
Chicago, Illinois 60603  
(312) 853-7787

§ 63.18(d)- Everest Broadband has not received previous authority under Section 214 of the Act.

§ 63.18(e)(2)- Everest Broadband is applying for authority to resell the international services of authorized U.S. carriers subject to Section 63.23 of the Commission's Rules; therefore Everest Broadband: (1) requests Section 214 authority to operate as a resale carrier pursuant to Section 63.18(e)(2) of the Commission's Rules; (2) requests authorization to resell to all countries; and (3) certifies that it will comply with the terms and conditions contained in Sections 63.21 and 63.23 of the Commission's Rules.

§ 63.18(g) Not Applicable.

§ 63.18(h)- The entities listed below are the only persons or entities that own at least ten percent (10%) of Everest Broadband.

Pequot Capital Management Inc. -	26.91% ownership through various
500 Nyala Farm Road	holdings
Westport, Connecticut 06880	

Softbank Technology Ventures V, L.P. -	17.42% ownership through various
200 West Evelyn Street, Suite 200	holdings
Mountain View, California 94043	

Everest Broadband has no interlocking directorates with a foreign carrier. \*

§ 63.18(i) Everest Broadband certifies that it is not affiliated with any foreign carrier.

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\* There is one member of Everest Broadband's board of directors who is also a director of Asia Online, a foreign entity. However, Asia Online primarily provides internet service and related data services, and is not a telecommunications carrier.

§ 63.18(j) Everest Broadband certifies that:

- (1) Everest Broadband is not a foreign carrier in any country;
- (2) Everest Broadband does not control a foreign carrier in any country;
- (3) no entity that controls, or owns more than 25% of, Everest Broadband controls any foreign carrier; and
- (4) no foreign carrier or combination of carriers (or parties that control foreign carriers) own more than 25% of Everest Broadband.

§ 63.18(k) Not applicable on account of information provided pursuant to Section 63.18(j).

§ 63.18(l) Everest Broadband is not a foreign carrier and is not affiliated with a foreign carrier.

§ 63.18(m) Not applicable because Everest Broadband is not a foreign carrier and is not affiliated with a foreign carrier.

§ 63.18(n) Everest Broadband certifies that:

- (1) it has not entered into any agreements to accept special concessions 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
- (2) it will not enter into any agreements referred to in part (1) above in the future.

§ 63.18(o) Everest Broadband certifies, pursuant to Sections 1.2001 through 1.2003 of the Commission's Rules, 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. § 853a.

§ 63.18(p) Everest Broadband requests streamlined processing of this application pursuant to Section 63.12 of the Commission's Rules. Everest Broadband qualifies for streamlined processing because:

- (1) Everest Broadband is not affiliated with a foreign carrier in a destination market;
- (2) Everest Broadband has no affiliation with a dominant U.S. carrier; and
- (3) Everest Broadband seeks authority to provide service as a resale carrier, and therefore does not seek authority to provide switched basic services over private lines.

## CONCLUSION

In conclusion, Everest Broadband certifies that all of the information in this application is current and correct.

For these reasons, Everest Broadband respectfully requests that the Commission grant this application.

Respectfully submitted,

EVEREST BROADBAND NETWORKS

By: \_\_\_\_\_

Title: *Executive Vice President*

Everest Broadband Networks  
One Executive Drive, Suite 170  
Fort Lee, New Jersey 07024

Date: \_\_\_\_\_

*4/12/00*

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May 2, 2000

**VIA FACSIMILE**

Ms. Fran Eisenstein  
Federal Communications Commission  
International Bureau  
445 12<sup>th</sup> St., S.W.  
Washington, D.C. 20554

Re: Everest Broadband Networks Section 214 Application

Dear Ms. Eisenstein:

Provided below is the additional information requested regarding the Section 214 application of Everest Broadband Networks (Everest Broadband) with respect to the entities that possess a greater than 10% ownership interest in Everest Broadband.

1) Everest Broadband indicated on its Section 214 application that Pequot Capital Management, Inc. owns 26.91% of Everest Broadband. Masco Capital, an investment company, is the only entity with a greater than 10% ownership interest in Pequot Capital Management, Inc. Masco Capital is a wholly owned subsidiary of Masco Corporation, a home improvement products company located at 21001 Van Born Road, Taylor, MI 48180.

2) Everest Broadband indicated on its Section 214 application that Softbank Technology Ventures V, L.P. owns 17.42% of Everest Broadband. SB Sweden AB, an investment company, is the only entity with a greater than 10% ownership interest in Softbank Technology Ventures V, L.P. SB Sweden AB is a wholly owned subsidiary of Softbank Corporation, a Japanese Internet investment company located at 24-1, Nihonbashi-hakozaki-ch Chuo-ku, Tokyo 103, Japan.

Neither Masco Corporation nor Softbank Corporation is a telecommunications carrier.


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Ms. Fran Eisenstein  
May 2, 2000  
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It is my understanding that upon your receipt of this information, the required notice with respect to Everest Broadband's Section 214 will be published at the next available time. Please call me if you have any questions or need additional information.

Sincerely yours,



Brian A. McAleenan

cc: Dale E. Thomas