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

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

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MONTH YEAR	MASTERCARD
CREDIT CARD PAYMENT INFORMATION EXPIRATION DATE:	MASTERCARDIVISA ACCOUNT NUMBER:
nd belief. SIGNATURE	Ĭ
, Certify under penalty of perjury that the foregoing and supporting information	ZINT NAME)
E - CERTIFICATION	SECTION STATEMENT
APPLICANT TIN 0 3 3 0 9 0 9 5 3 8	PAYER TIN 0 1 3 1 6 6 2 1 0 5
R INFORMATION (REQUIRED)	SECTION D - TAXPAYER
(24D) FCC CODE 2	(23D) FCC CODE 1
(21D) FEE DUE FOR (PTC) IN BLOCK 20D FCC USE ONLY	GNIOTHER ID (20D) PAYMENT TYPE CODE (PTC)
(24C) FCC CODE 2	(23C) FCC CODE 1
(21C) QUANTITY (22C) FEE DUE FOR (PTC) IN BLOCK 20C FCC USE ONLY \$	GNIOTHER ID (20C) PAYMENT TYPE CODE (PTC)
	(23B) FCC CODE 1
(ZIB) HOWMITT (ZIB) FEE DUE FOR (PTG) IN BLOCK ZIB FCG USE CIRET	CALL SIGNOTHER ID (208) PAYMENT TYPE CODE (PTC)
(24A) FCC CODE 2	מספר המעובים מספר המקרא
COMPLETE SECTION C FOR EACH SERVICE, IF MORE BOXES ARE NEEDED, USE CONTINUATION SHEETS (FORM 159-C) SECTION C - PAYMENT INFORMATION [2304] FCC CALL SIGNIOTHER ID [2304] PAYMENT TYPE CODE (PTC) [2304] PAYMENT [12204] FEE DUE FOR (PTC) IN BLOCK 2004 [FCC USE ONLY] [2404] FCC CALL SIGNIOTHER ID [2304] PAYMENT TYPE CODE (PTC) [2304] PAYMENT [12204] FEE DUE FOR (PTC) IN BLOCK 2004 [FCC USE ONLY]	(19A) FCC CALL SIGNOTHER ID (20A) PAYMENT TYPE CODE (PTC) (20A)
(10) COURIER CODE (IIIIO III O.S.A.)	(949) 474-1001
(15) STATE (16) ZIP CODE (16)	Newport Beach
	Suite 410
	credit card, enter name exactly as it appears on your card)
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	IF PAYER NAME AND THE APPLICANT, IF MORE THAN ONE APPLICANT, SECTION B - /
(10) COUNTRY CODE (if not in U.S.A.)	(9) DAYTIME TELEPHONE NUMBER (Include area code) (202) 223-7300
DC (9) ZIP CODE 20036	Washington
	(s) STREET ADDRESS LINE NO. 2 Suite 1300
	(4) STREET ADDRESS LINE NO. 1 1615 L Street, N.W.
(3) TOTAL AMOUNT PAID (dollars and cents) \$ 780.00	(2) PAYER NAME(if paying by credit card, enter name exactly as it appears on your card) Paul, Weiss, Rifkind, Wharton & Garrison
VEB INEOBMATIO	empril
PAGE NO. 1 OFMAY 2 5 2000 FCC USE ONLY	
	BEFORE PROCEEDING FEDERAL CO
APPROVED BY OMB 3060-0589	READ INSTRUCTIONS CAREFULLY

PAUL. WEISS. RIFKIND. WHARTON ගා CARRISON

TELEPHONE (202) 223-7300 z \$

kmerski@paulweiss.com

(2020 223-7327 WRITER'S DIRECT E-MAIL ADDRESS

WRITER'S DIRECT DIAL NUMBER

WASHINGTON, DC 20036-5694
FACSIMILE (202) 223-7420

1285 AVENUE OF THE AMERICAS NEW YORK, NY 10019-6064 TELEPHONE (212) 373-3000 FACSIMILE (212) 757-3990

62. RUE DU FAUBOURG SAINT-HONORÉ 75008 PARIS, FRANCE TELEPHONE (33 1) 53 43 14 14 FACSIMILE (33 1) 53 43 00 23

FUKOKU SEIMEI BUILDING
2-2. UCHISAIWAICHO 2-CHOME
2-2. UCHISAIWAICHO 2-CHOME
CHIYODA-KU, TOKYO 100-0011, J
TELEPHONE (81-3) 3597-8120
FACSIMILE (81-3) 3597-8120

JAPAN

2916 CHINA WORLD TOWER II
NO. I JIANGUOMENWAI DAJIE
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FACSIMILE (86-10) 6505-6830

12TH FLOOR, HONG KONG CLUB BUILDING 3A CHATER ROAD, CENTRAL HONG KONG TELEPHONE (652) 2536-9633 FACSIMILE (652) 2536-9622

May 24, 2000

VIA BARRY BEST

445 12th Street, S.W., Room TW-B204 Washington, D.C. 20554 The Portals Federal Communications Commission Secretary Magalie Roman Salas

Re: Application for Section 214 Authorization NDNT, Inc.

Dear Ms. Salas:

Form 159 and an application filing fee of \$780. copies of the above-captioned application. On behalf of NDNT, Inc., please find enclosed an original and five We have also attached the requisite FCC

application should be addressed to the undersigned. enclosed self-addressed, stamped envelope. Any questions regarding the enclosed Please date-stamp the extra copy of this application and return it in the

Respectfully submitted,

Kira Attorney for NDNT, Inc Kira A. Merski a. Mushi

Enclosures

BEFORE THE FEDERAL COMMUNICATIONS COMMISSION Washington, D.C. 20554

NDNT, INC and to provide such service via resale U.S. common carrier and non-common carrier for global authority to acquire and operate Application pursuant to Section 214 of the In the Matter of United States and all permissible foreign points common carrier service between the facilities for the provision of international Communications Act of 1934, as amended, File No. I-T-C-

APPLICATION

amended (the "Act"), and Section 63.18 of the Commission's Rules and authority, pursuant to Section 214 of the Communications Act of 1934, as non-common carrier facilities previously and subsequently authorized by the Regulations (the "Rules"), to: (1) acquire and operate U.S. common carrier and not been found by the Commission to provide equivalent resale opportunities for the provision of international basic switched services to countries that have authorized U.S. common carriers -- excluding the resale of private line services and all permissible foreign points, and (2) resell the international services of Commission to provide telecommunications services between the United States to all international points NDNT, Inc. ("NDNT" or "the Company"), hereby applies for

submits the following information in support of its application In accordance with Section 63.18 of the Rules, the Company

(a) principal place of business is: 4400 MacArthur Blvd., Suite 410 The applicant is NDNT, Inc. The address of the Company's

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address is (949) 474-1001. Newport Beach, California 92660. The phone number at that

- (b) NDNT is a California corporation
- <u>O</u> Correspondence concerning this Application should be directed to:

Mr. Dan Gee
President and C.E.O.
NDNT, Inc.
4400 MacArthur Blvd., Suite 410
Newport Beach, California 92660
(949) 474-1001

With a copy to:

Jeffrey H. Olson, Esq.
Paul, Weiss, Rifkind, Wharton & Garrison
1615 L Street, N.W., Suite 1300
Washington, D.C. 20036
(202) 223-7300

<u>a</u> provide facilities-based and resold switched and private lines services between the United States and all international points. 11 DirectNet to resell other carriers' public-switched services2 and In addition, DirectNet holds Section 214 certificates authorizing DirectNet is presently authorized under Section 214 of the Act to Telecommunications, a Limited Liability Co. ("DirectNet"). NDNT has not received authority previously under Section 214 of NDNT is a wholly-owned subsidiary of DirectNet

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¹ Section 214 Authorization"). See DirectNet Telecommunications, A Limited Liability Company, File No. ITC-97-094, DA 97-938 (International Bureau, May 6, 1997) ("DirectNet

telecommunications between the U.S. and various international points on January 23, 1994. DirectNet received a Section 214 certification to resell international switched See File No. I-T-C-94-053, I-6917 (Common Carrier Bur., (continued...)

to own and operate facilities to provide a full range of

and public-switched basis.3 international telecommunications services on both a private line

- **@** NDNT hereby requests global Section 214 authority:
- Ξ pursuant to the terms and conditions of Section 63.18(e)(1) the Rules applicable hereto; and of the Rules, as well as to any and all other provisions of to operate as a facilities-based international carrier between the United States and all permissible points

 $\frac{2}{2}$ (...continued)

Jan. 26, 1994)

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via Intersputnik for the provision of public switched services between the FCC Rcd 2668 (1993) (authorization to establish and operate up to 60 circuits under File No. I-T-C-91-153, American Telephone and Telegraph Company, private-line services between the United States and the Soviet Union) and assignment from Miralite Communications, Inc., under File No. I-T-C-93-119-United States and the Russian Federation). establish and operate up to 90 circuits via Intersputnik for the provision of Miralite Communications, Inc., 6 FCC Rcd 5040 (1991) (authorization to by assignment from DirectNet Ltd, which had received such authorization by public switched services between the United States and the Russian Federation establish and operate up to 60 circuits via Intersputnik for the provision of private-line services between the United States and the Soviet Union and to establish and operate up to 90 circuits via Intersputnik for the provision of Under File No. I-T-C-94-140-AL, DirectNet received an authorization to Miralite had received these authorizations under File No. I-T-C-91-056,

Telecommunications, a Limited Liability Company, 10 FCC Rcd 6560 (1995). of authorized services -- on both a public-switched and private line basis --CANTAT-III Cable System between Canada and Denmark, for the provision and operate three E-1 circuits in the CANUS-1 cable system between the between the United States and various points in Europe and Asia. United States and Canada, and a one-half interest in three E-1 circuits in the Under File No. I-T-C-95-132, DirectNet received an authorization to establish DirectNet

switched and private line basis -- between the United States and the operate a one-half interest in one E-1 circuit in the HGPT, APC and TPC-4 Under File No. I-T-C-95-478, DirectNet received an authorization to lease and Philippines. Cable Systems, for the provision of authorized services -- on both a public-FCC Rcd 12604 (1995). DirectNet Telecommunications, a Limited Liability Company, 10

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3 any and all other provisions of the Rules applicable hereto conditions of Section 63.18(e)(2) of the Rules, as well as and all permissible points pursuant to the terms and to resell international services, between the United States

switched voice and data and private line services, between the provide a full range of telecommunications services, including The authorization sought in this application will be used to

(f) Not applicable.

United States and all permissible foreign points

- (g) Not applicable.
- (h) NDNT is a wholly-owned subsidiary of

DirectNet Telecommunications, a Limited Liability Co. 4400 MacArthur Blvd., Suite 410
Newport Beach, CA 92660
Nevada Limited Liability Company
Principal Business: Telecommunications

wholly-owned subsidiary of: DirectNet Telecommunications, a Limited Liability Co. is a

DirectNet Telecommunications, Inc. / 4400 MacArthur Blvd., Suite 410 Newport Beach, CA 92660 Nevada Corporation Principal Business: Telecommunications

Telecommunications, Inc. are as follows: The 10% or greater direct or indirect equity owners of DirectNet

Sector Capital Fund Limited
c/o International Private Equity Services Ltd.
P.O. Box 431
13-15 Victoria Road
St. Peter Port
Guernsey
Channel Islands
CY1 3 ZD
United Kingdom
Principal Business: Investments
29% ownership of DirectNet Telecommunications, Inc.

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Andresen Family Trust

Frederick R. Andresen and Betty R. Andresen,

Trustees of the Andresen Family Trust dated January 9, 1995

541 Hazel Drive

Corona del Mar, CA 92625

Citizenship: USA

Principal Business: Investments

15% ownership of DirectNet Telecommunications, Inc.

Fourcher Family Trust

Fredric J. Fourcher and Adriana Fourcher, Trustees,

Fourcher Family Trust U/D/T October 29,

507 Larkspur

Corona del Mar, CA 92625

Citizenship: USA

Principal Business: Investments

20% ownership of DirectNet Telecommunications, Inc

25200 La Paz Road, Suite 210 Telecom Investment Group, LLC

Laguna Hills, CA 92653

Principal Business: Investments Citizenship:

USA

17% ownership of DirectNet Telecommunications, Inc

 \odot NDNT hereby certifies, under penalty of perjury, that -- with the

exception of DirectNet - ZAO Russian Joint Stock Company

("DirectNet - ZAO"), an entity incorporated in the Russian

Federation and fully-owned by DirectNet4/ -- NDNT has no

affiliations with foreign carriers. NDNT has no interlocking

directorates with foreign carriers, except those with DirectNet

ZAO. DirectNet - ZAO holds licenses from the Russian

Federation permitting it to (1) operate as an "overlay carrier

i.e., to terminate traffic to, and to originate traffic from, licensed

4/DirectNet is Such transfer will not materially affect this application or the proposed operations of NDNT in the process of transferring ownership of DirectNet - ZAO to NDNT.

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carriers. 5/ ZAO lacks the ability to discriminate against unaffiliated U.S previously determined that a predecessor company to DirectNet -Internet and voice over IP services. Network, (4) provide frame relay services, and (5) provide channels, (3) interconnect with the Public-Switched Telephone users on a private-line basis, (2) operate point-to-point data The Commission has

- \odot ZAO, a carrier in the Russian Federation. to the Russian Federation. NDNT seeks to provide international telecommunications services NDNT is affiliated with DirectNet -
- F bottleneck services or facilities in the Russian Federation unaffiliated U.S. international carriers through control of DirectNet - ZAO does not have the ability to discriminate against which it holds a license to provide international services. country, including the Russian Federation, the one country not own or control any telecommunications facilities in any foreign carrier with which it is affiliated, DirectNet - ZAO, does NDNT hereby certifies, under penalty of perjury, that the only
- \odot DirectNet -- whose facilities-based services it proposes to resell affiliation with any U.S. carriers -- other than its parent company, NDNT hereby certifies, under penalty of perjury, that it has no

ıγ

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See DirectNet Section 214 Authorization, ¶ 8. determined lacked the ability to discriminate against unaffiliated U.S. carriers -ZAO Russian Joint Stock Company is NDNT's current foreign affiliate DirectNet -DirectNet Russian Joint Stock Company -- has since changed its name to ZAO Russian Joint Stock Company. The entity that the Commission As stated above, DirectNet -

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- (E) in the Russian Federation, NDNT should be considered nonlacks the ability to discriminate against unaffiliated U.S. carriers dominant Commission has previously determined that DirectNet - ZAO is affiliated with a foreign carrier. Because, as noted above, the and resale international carrier between the United States and the NDNT seeks to operate as a non-dominant U.S. facilities-based Russian Federation, the only destination country in which NDNT
- (authority granted pursuant to Part 47 of the Rules the U.S. and any foreign country that NDNT may serve under the administration with respect to traffic or revenue flows between concessions directly or indirectly from any foreign carrier agreed to accept -- nor will it agree to accept -- special NDNT hereby certifies, under penalty of perjury, that it has not
- <u></u> FCC benefits pursuant to section 5301 of the Anti-Drug Abuse application is subject to a denial of Federal benefits that includes certification attached hereto, NDNT certifies that no party to this Pursuant to Sections 1.2001 through 1.2003 of the Rules, by Act of 1988
- **g** only foreign carrier with which NDNT is affiliated -- DirectNet and because the Commission has previously determined that the a non-dominant carrier pursuant to Section 63.10 of the Rules, the Commission's streamlined processing rules because NDNT is Under Section 63.12 of the Rules, this application is subject to

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BEFORE THE FEDERAL COMMUNICATIONS COMMISSION Washington, D.C. 20554

common carrier service between the facilities for the provision of international for global authority to acquire and operate Application pursuant to Section 214 of the NDNT, Inc. U.S. common carrier and non-common carrier Communications Act of 1934, as amended In the Matter of File No. I-T-C-

CERTIFICATION OF APPLICANT

and to provide such service via resale.

United States and all permissible foreign points

2000 benefits that includes FCC benefits pursuant to section 5301 of the Anti-Drug applicant nor any party to this application is subject to a denial of Federal Abuse Act of 1988, 21 U.S.C. Section 853a. I hereby certify, under penalty of perjury, that neither the Executed on this 22 day of May,

NDNT, INC.

Dan Gee

By:

President and C.E.O.

NDNT, Inc.

4400 MacArthur Blvd., Suite 410 Newport Beach, California 92660

(949) 474-1001

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