

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: _____

READ INSTRUCTIONS CAREFULLY
BEFORE PROCEEDING

FEDERAL COMMUNICATIONS COMMISSION
REMITTANCE ADVICE

FCC/MELLON JUL 26 2000

Approved by OMB
3060-0589
Page No 1 of 1

(1) LOCKBOX # 358115

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) O M E L L I O N & M Y E R S L L P (3) TOTAL AMOUNT PAID (U.S. Dollars and cents) 7 8 0 . 0 0

(4) STREET ADDRESS LINE NO. 1 5 5 5 1 3 T H S T N W

(5) STREET ADDRESS LINE NO. 2 W E S T

(6) CITY W A S H I N G T O N (7) STATE D C (8) ZIP CODE 2 0 0 0 4 - 1 1 0 9

(9) DAYTIME TELEPHONE NUMBER (include area code) 2 0 2 3 8 3 5 3 0 0 (10) COUNTRY CODE (if not in U.S.A.)

FCC REGISTRATION NUMBER (FRN) AND TAX IDENTIFICATION NUMBER (TIN) REQUIRED

(11) PAYER (FRN) (12) PAYER (TIN) 0 9 5 1 0 6 6 5 9 7

IF PAYER NAME AND THE APPLICANT NAME ARE DIFFERENT, COMPLETE SECTION B
IF MORE THAN ONE APPLICANT, USE CONTINUATION SHEETS (FORM 159-C)

(13) APPLICANT NAME F I B E R S A T C O R P

(14) STREET ADDRESS LINE NO. 1 5 0 C H A R L E S L I N D B E R G H B L V D

(15) STREET ADDRESS LINE NO. 2 S U I T E 4 0 0

(16) CITY U N I O N D A L E (17) STATE N Y (18) ZIP CODE 1 1 5 5 3

(19) DAYTIME TELEPHONE NUMBER (include area code) (20) COUNTRY CODE (if not in U.S.A.)

FCC REGISTRATION NUMBER (FRN) AND TAX IDENTIFICATION NUMBER (TIN) REQUIRED

(21) APPLICANT (FRN) (22) APPLICANT (TIN)

COMPLETE SECTION C FOR EACH SERVICE, IF MORE BOXES ARE NEEDED, USE CONTINUATION SHEET

(23A) CALL SIGN/OTHER ID (24A) PAYMENT TYPE CODE (25A) QUANTITY (24B) PAYMENT TYPE CODE (25B) QUANTITY

(26A) FEE DUE FOR (PTC) 7 8 0 (27A) TOTAL FEE 7 8 0 (29A) FCC CODE 2 FCC USE ONLY

(28A) FCC CODE 1 (29A) FCC CODE 2

(23B) CALL SIGN/OTHER ID (24B) PAYMENT TYPE CODE (25B) QUANTITY

(26B) FEE DUE FOR (PTC) (27B) TOTAL FEE FCC USE ONLY

(28B) FCC CODE 1 (29B) FCC CODE 2

SECTION D - CERTIFICATION

(30) CERTIFICATION STATEMENT
I, Todd Rosenberg, certify under penalty of perjury that the foregoing and supporting information is true and correct to the best of my knowledge, information and belief. SIGNATURE Todd Rosenberg DATE 7/26/00

SECTION E - CREDIT CARD PAYMENT INFORMATION

(31) MASTERCARD MASTERCARD/VISA ACCOUNT NUMBER: VISA EXPIRATION

I hereby authorize the FCC to charge my VISA or MASTERCARD for the service(s)/authorization herein described. SIGNATURE _____ DATE _____

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

In the Matter of)
)
)

FiberSat Corp.)

File No. ITC-214-2000-_____

Application for Global Authority Pursuant)
to Section 214 of the Communications Act)
of 1934, as Amended, to Operate as an)
International Facilities-Based and Resale Carrier)
Between the United States and All International)
Points, Except Those on the Commission's)
Exclusion List)
)

APPLICATION

FiberSat Corp. (“FiberSat” or “Applicant”), by its undersigned counsel, hereby requests global facilities-based authority and global resale authority, under Section 214 of the Communications Act of 1934, as amended (the “Act”), 47 U.S.C. § 214, and Section 63.18 of the Commission’s Rules, 47 C.F.R. § 63.18, to provide international telecommunications services between the United States and international points.

I. The Applicant

FiberSat is a corporation organized under the laws of the State of Delaware. FiberSat is not affiliated, within the meaning of Section 63.09(e) of the Commission’s Rules, 47 C.F.R. § 63.09(e), with a foreign carrier. Given that FiberSat has no affiliation with, and that itself is not, a foreign carrier in a relevant market in a destination country, FiberSat qualifies for the presumption of non-dominance under Section 63.10(a)(1) of the Commission’s Rules, 47 C.F.R. § 63.10(a)(1), and therefore this Application is eligible for streamlined processing.

II. Public Interest Considerations

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

III. Information Required by Section 63.18

FiberSat submits the following information, as required by Section 63.18 of the

Commission's Rules, in support of its request for Section 214 authorization:

(a) Name, address and telephone number of Applicant:
FiberSat Corp.
50 Charles Lindbergh Blvd.
Suite 400
Uniondale, New York 11553

(b) Applicant is incorporated under the laws of Delaware.

(c) Correspondence concerning this Application should be sent to:
Dana Frix, Esq.
Todd D. Rosenberg, Esq.
O'Melveny & Myers LLP
555 13th Street, N.W.
Suite 500 West
Washington, DC 20004-1109
(202) 424-7500 (Telephone)
(202) 424-7643 (Facsimile)

with a copy to:

Carlos Mariscal
Secretary and Treasurer
FiberSat Corp.
50 Charles Lindbergh Blvd.
Suite 400
Uniondale, New York 11553

(d) FiberSat has not previously received authority under Section 214 of Act. Upon grant of this Application, FiberSat will become an authorized non-dominant facilities-based carrier and reseller with global authority, pursuant to Section 214 of the Act and the Commission's Rules.

- (e) (1) FiberSat requests Section 214 authority to operate as a facilities-based carrier pursuant to Section 63.18(e)(1) of the Commission's Rules. FiberSat requests such authorization for all international routes authorized by the Commission. FiberSat certifies that it will comply with the terms and conditions of Sections 63.21 and 63.22 of the Commission's Rules.
- (2) FiberSat also requests Section 214 authority to resell the international services of authorized U.S. common carriers pursuant to Section 63.18(e)(2) of the Commission's Rules. FiberSat requests such authorization for all international routes authorized by the Commission. FiberSat certifies that it will comply with the terms and conditions contained in Section 63.21 and 63.23 of the Commission's Rules.

(f) FiberSat seeks the authority to provide only the services referenced under paragraph (e) of Section 63.18 of the Commission's Rules.

(g) Given that FiberSat is not seeking facilities-based authority pursuant to Section 63.18(e)(4) of the Commission's Rules, this Section is not applicable.

(h) (1) Information regarding FiberSat's 10% or greater direct or indirect shareholders is as follows:

Name:	Anthony Argila
Address:	c/o FiberSat Corp. 50 Charles Lindbergh Blvd. Suite 400 Uniondale, NY 11553
Percentage Held:	100%
Citizenship:	U.S.
Principal Business:	Telecommunications and Foreign Casino Operations

(i) FiberSat certifies that it is not a foreign carrier and that it is not affiliated with a foreign carrier.

(j) FiberSat seeks to provide international telecommunications services to all global points, except those points on the Commission's Exclusion List. In particular, FiberSat seeks authority to provide international telecommunications services to countries in the Caribbean and Latin America.

(k) FiberSat certifies that it has not agreed to accept special concessions directly or indirectly from any foreign carrier where the foreign carrier possesses market power on the foreign end of the route and will not enter into such agreements in the future.

(l) Fibersat certifies, pursuant to Sections 1.2001 through 1.2003 of the 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 pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988.

(m) Fibersat qualifies for streamlined processing pursuant to Section 63.12(a) of the Commission's Rules because, as set forth above in Section (l), Fibersat qualifies for a presumption of nondominance under Section 63.10(a)(1) of the Commission's Rules.

IV. Conclusion

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

Respectfully submitted,

By: 

Dana Frix, Esq.

Todd D. Rosenberg, Esq.

O'Melveny & Myers LLP

555 13th Street, N.W.

Suite 500 West

Washington, DC 20004-1109

(202) 383-5354 (tel)

(202) 383-5414 (fax)

Counsel for Fibersat Corp.


Dated: July 25, 2000

CERTIFICATION OF APPLICANT

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

To the extent required by the Commission's Rules, FiberSat Corp. has not agreed to accept any special concessions directly or indirectly from any foreign carrier or administration with respect to traffic or revenue flow between the United States and various international points under the authority granted under Section 214 of the Communications Act of 1934, as amended, and the Commission's Rules, and has not agreed to enter into such agreements in the future.

FiberSat Corp.

By: 
Name: Carlos Mariscal
Title: Secretary and Treasurer
Date: July 13, 2000