

Categories of Services for 214 Applications
(Streamlined/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: _____

AK
Susan

READ INSTRUCTIONS CAREFULLY
BEFORE PROCEEDING

FEDERAL COMMUNICATIONS COMMISSION
REMITTANCE ADVICE

APPROVED BY OMB 3060-0589

(1) LOCKBOX #

PAGE NO. _____ OF _____

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) **Octet Communications, Inc.** (3) TOTAL AMOUNT PAID (dollars and cents) \$ _____

(4) STREET ADDRESS LINE NO. 1 **c/o FondElec Group**

(5) STREET ADDRESS LINE NO. 2 **333 Ludlow Street**

(6) CITY **Stamford** (7) STATE **Connecticut** (8) ZIP CODE **06902**

(9) DAYTIME TELEPHONE NUMBER (include area code) **(+1) (203) 326-4570** (10) COUNTRY CODE (if not in U.S.A.) _____

RECEIVED
AUG 24 2000
Telecom Division
Internal Billing Bureau

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) **Octet Group, Inc.**

(12) STREET ADDRESS LINE NO. 1 **c/o FondElec Group**

(13) STREET ADDRESS LINE NO. 2 **333 Ludlow Street**

(14) CITY **Stamford** (15) STATE **Connecticut** (16) ZIP CODE **06902**

(17) DAYTIME TELEPHONE NUMBER (include area code) **(+1) (203) 326-4570** (18) COUNTRY CODE (if not in U.S.A.) _____

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 **C U T 1** (20A) PAYMENT TYPE CODE (PTC) **1** (21A) QUANTITY **1** (22A) FEE DUE FOR (PTC) IN BLOCK 20A **\$780** FCC USE ONLY

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

(19C) FCC CALL SIGN/OTHER ID _____ (20C) PAYMENT TYPE CODE (PTC) _____ (21C) QUANTITY _____ (22C) FEE DUE FOR (PTC) IN BLOCK 20C \$ _____ FCC USE ONLY

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

(19E) FCC CALL SIGN/OTHER ID _____ (20E) PAYMENT TYPE CODE (PTC) _____ (21E) QUANTITY _____ (22E) FEE DUE FOR (PTC) IN BLOCK 20E \$ _____ FCC USE ONLY


(19F) FCC CALL SIGN/OTHER ID _____ (20F) PAYMENT TYPE CODE (PTC) _____ (21F) QUANTITY _____ (22F) FEE DUE FOR (PTC) IN BLOCK 20F \$ _____ FCC USE ONLY

(19G) FCC CALL SIGN/OTHER ID _____ (20G) PAYMENT TYPE CODE (PTC) _____ (21G) QUANTITY _____ (22G) FEE DUE FOR (PTC) IN BLOCK 20G \$ _____ FCC USE ONLY

SECTION D - TAXPAYER INFORMATION (REQUIRED)

(23) PAYER TIN **061575445** (24) COMPLETE THIS BLOCK ONLY IF APPLICANT NAME IS DIFFERENT FROM PAYER NAME IN A-3

APPLICANT TIN **N A**

(27) CERTIFICATION STATEMENT I, **THOMAS CALDCHOLIS**, 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 

(PRINT NAME)

SECTION E - CERTIFICATION

SECTION F - CREDIT CARD PAYMENT INFORMATION

(28) MASTERCARD/VIISA ACCOUNT NUMBER: _____ EXPIRATION DATE: _____

MASTERCARD/VIISA AUTHORIZED SIGNATURE: _____ DATE: _____

SEE PUBLIC BURDEN ESTIMATE ON REVERSE

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

In the Matter of)
Octet Communications Inc.)
Application for Authority Pursuant)
to Section 214 of the Communications Act)
of 1934, as amended, for Global Authority)
to Operate as an International)
Facilities-Based and Resale Carrier)
_____)

File No. I.T.C. 00-_____

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AUG 24 2000

Telecom Division
International Bureau

I. Application

Octet Communications, Inc. ("Octet") hereby requests authority, pursuant to Section 214 of the Communications Act of 1934, as amended, 47 U.S.C. Section 214 (1982), and to Section 63.18 of the Commission's Rules, 47 C.F.R. Section 63.18, to provide global international facilities-based and resale services between the United States and international points.

Octet is a Cayman Islands corporation, and a wholly-owned subsidiary of Octet Group, LLC, a Delaware corporation. Octet Group is controlled 100% by the FondElec Essential Services Fund, L.P., a Cayman Corporation. Octet was organized to provide international telecommunications services. Octet intends 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 U.S. consumers by increasing service options and lowering prices. Thus, the public interest will be served by the grant of Section 214 authority to Octet.

II. Section 63.18 Information

The following information is submitted, as required by Section 63.18 of the Commission's Rules, in support of Octet's request for authorization.

- (a) The name, address, and telephone number of the applicant are as follows:
- Octet Communications, Inc.
c/o FondElec Group
333 Ludlow Street
Stamford, Ct. 06902 USA
Tel: (+1) (203) 326-4570

- (b) Octet is a corporation organized under the laws of the Cayman Islands.

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

Dennis L. Gundy, President
or
Thomas G. Cauchois, Chairman
Octet Group LLC
c/o FondElec Group
333 Ludlow Street
Stamford, Ct. 06902 USA
(+1) (203) 326-4570

and

Lawrence J. Spiwak, Esq.
The Pareto Group, Inc.
5335 Wisconsin Avenue, NW
Suite 440
Washington, D.C. 20015
+1 (202) 274-0217

(d) Octet has not received authority previously under Section 214 of the Communications Act.

(e) Octet requests global facilities-based and resale Section 214 authority pursuant to the terms and conditions of Section 63.18(e)(1) and (e)(2) of the Commission's Rules. Octet certifies that it will comply with the terms and conditions contained in Sections 63.21, 63.22 and 63.23 of the Commission's Rules.

(f) At this time, Octet seeks no other authorization available under Section 63.18(e).

(g) Not applicable.

(h) Pursuant to Section 47 C.F.R. § 63.18(h), the name, address, citizenship and principal businesses of any person that directly or indirectly owns at least ten percent of the equity of Octet, and the percentage owned by each of those entities (to the nearest one percent), are as follows:

CMS Electric & Gas Company
320 Town Center Drive, Suite 1100
Dearborn MI 48126
Equity Ownership: 37.28%
Principal Business: Electric utility
Citizenship: United States
CMS Electric & Gas Company is a wholly-owned subsidiary of CMS Enterprises Company. CMS Enterprises Company is a wholly-owned subsidiary of CMS Energy Corporation. CMS Enterprises Company and CMS Energy Corporation are also U.S. corporations.

Istituto Nazionale delle Assicurazioni S.p.A (INA)
Via Sallustiana, 51

01187 Rome, ITALY

Equity Ownership: 10.65%

Principal Business: Insurance

Citizenship: Italy

The Chuo Mitsui Trust and Banking Company, Limited (formerly Mitsui Trust and Banking Company Limited)

2-1-1, Nihonbashi-Muromachi

Equity Ownership: 10.65%

Chuo-ku, Tokyo Japan 103 8323

Principal Business: Investment Banking

Citizenship: Japan

TPC Capital, Inc.

c/o Tomen America Inc.

1285 Avenue of the Americas

New York NY 10019

Equity Ownership: 10.65%

Principal Business: Investment Banking

Citizenship: TPC Capital, Inc., is a Delaware corporation. TPC Capital is a 100% subsidiary of Tomen Power Corporation, a California corporation. Tomen Power Corporation is a 100% subsidiary of Tomen Corporation, a Japanese corporation.

(i) Octet certifies that the only foreign carrier it is affiliated with is Octet Brasil Ltda., a Brazilian corporation. Octet Brasil Ltda. is currently seeking, but has not yet obtained, a Specialized Network Service License from Anatel, the Brazilian regulator.

(j) Octet seeks to provide international telecommunications services to Brazil via Octet Brasil Ltda. Octet Group, which owns 100% of Octet, also owns 100% of Octet Brasil Ltda.

(k) Pursuant to 47 C.F.R. § 63.18(k), Octet points out that Brazil is a Member of the WTO. Moreover, Octet Brasil Ltda. is a non-dominant foreign carrier under the

Commission's Rules. Octet Brasil Ltda. is a new entrant in the Brazilian market, and it lacks 50 percent market share in the international transport and the local access markets on the foreign end of the US-Brazilian route. In addition, Octet Brasil Ltda. neither owns nor controls any bottleneck facilities in Brazil. As such, Octet Brasil Ltda. lacks market power in both the Brazilian destination market and on the Brazilian-U.S. route.

(l) Octet certifies that it has not agreed and will not agree in the future to accept any direct or indirect special concessions from a foreign carrier or administration with regards to traffic or revenue flows between the United States and any foreign countries the company is authorized to serve.

(m) Octet certifies that no party to this application has been denied federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988.

III. Request for Streamlined Processing

Octet respectfully requests that the Commission streamline the processing of its application. Octet is not affiliated with a foreign facilities-based carrier who is dominant in a destination market, and Brazil is a Member State of the WTO.

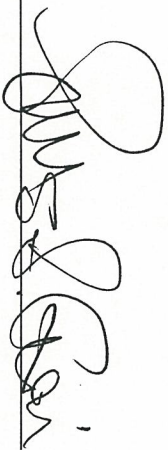
IV. Conclusion

In conclusion, Octet certifies that all of the information in this application is accurate and correct.

For these reasons, Octet respectfully requests that the Commission grant this application on a streamlined basis.

Respectfully submitted,

Octet Communications, Inc.

By: 

Thomas G. Cauchois
Director
Octet Communications, Inc.
c/o FondElec Group
333 Ludlow Street
Stamford, Ct. 06902 USA
Tel: 203-326-4570

Date: 8.19.00