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FCC/MELLON

SEP 08 2000

September 8, 2000

**VIA COURIER**

Ms. Magalie Roman Salas, Esq.

Secretary

Federal Communications Commission

International Bureau Telecommunications Division

Box 358115

Pittsburgh, PA 15251-5115

RECEIVED

SEP 13 2000

Telecom Division  
International Bureau

Re: Application of GiantLoop Telecom, Inc. for Global Authority Pursuant to Section 214 of the Communications Act of 1934, As Amended, to Operate as an International Facilities-based Carrier and Resale Carrier between the United States and various International Points

Dear Ms. Salas:

Enclosed for filing with the Commission are an original and six (6) copies of the application of GiantLoop Telecom, Inc. requesting global authority, pursuant to Section 214 of the Communications Act of 1934, as amended, to operate as an international facilities-based carrier and as an international resale carrier between the United States and various International Points.

As required by the Commission's Rules, a check in the amount of \$780.00 is enclosed. Please date-stamp the extra copy of this application and return it in the enclosed self-addressed, stamped envelope. Any questions regarding the enclosed application should be addressed to me at (202) 424-7742.

Respectfully submitted,



Jennifer Schneider\*

Counsel for GiantLoop Telecom, Inc.

\* Admitted to Practice in New York Only

Enclosures

cc: Tom Giacchetto (GiantLoop)



## **II. PUBLIC INTEREST CONSIDERATIONS**

By granting this application, the Commission will serve the public interest, convenience and necessity by promoting competition in the international service market. Competition will benefit U.S. consumers by increasing service options and lowering prices. Thus the public interest will be served by grant of Section 214 authority to GiantLoop Telecom, Inc.

## **III. INFORMATION REQUIRED BY SECTION 63.18**

GiantLoop Telecom, Inc. 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:
- GiantLoop Telecom, Inc.  
52 Second Avenue, Suite 100  
Waltham, Massachusetts 02451  
Tel: (781) 290-3700  
Fax: (781) 290-3898

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

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

Jennifer Schneider  
SWIDLER BERLIN SHEREFF FRIEDMAN, LLP  
3000 K Street, N.W., Suite 300  
Washington, D.C. 20007  
Tel: (202) 424-7742  
Fax: (202) 424-7645

with a copy to:

Thomas A. Giacchetto  
Senior Vice President & General Counsel  
GiantLoop Telecom, Inc.  
52 Second Avenue, Suite 100  
Waltham, Massachusetts 02451  
Tel: (781) 584-1033  
Fax: (781) 290-3883

(d) Applicant has not previously received authority under Section 214 of the Act. Upon grant of this Application, GiantLoop Telecom, Inc. 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) Applicant requests Section 214 authority to operate as a facilities-based carrier pursuant to Section 63.18(e)(1) of the Commission's Rules. GiantLoop Telecom, Inc. requests such authorization for all international routes authorized by the Commission. Applicant certifies that it will comply with the terms and conditions of Sections 63.21 and 63.22 of the Commission's Rules.

(2) Applicant 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. Applicant requests such authorization for all international routes authorized by the Commission. Applicant certifies that it will comply with the terms and conditions contained in Section 63.21 and 63.23 of the Commission's Rules.

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

(g) Because GiantLoop Telecom, Inc. is not seeking facilities-based authority pursuant to Section 63.18(e)(4) of the Commission's Rules, this Section is not applicable.

(h) Information regarding GiantLoop Telecom, Inc.'s 10% or greater direct or indirect shareholders is as follows:

|                     |   |
|---------------------|---|
| Name:               | GiantLoop Network, Inc.                                     |
| Address:            | 52 Second Avenue, Suite 100<br>Waltham, Massachusetts 02451 |
| Percentage Held:    | 100%  |
| Citizenship:        | United States (Delaware corporation)                        |
| Principal Business: | Holding Company   |

The following persons or entities hold a direct ownership interest in GiantLoop Network, Inc. and a ten percent (10%) or greater indirect ownership interest in GiantLoop Telecom, Inc.

Name: Exubero LLC  
Address: c/o The Bollard Group LLC  
One Joy Street  
Boston, MA 02108  
Percentage Held: 53%  
Citizenship: United States (Massachusetts limited liability company)  
Principal Business: Investment Company

The following persons or entities hold a direct ownership interest in GiantLoop Network, Inc. and a ten percent (10%) or greater indirect ownership interest in GiantLoop Telecom, Inc.

Name: HRD Family Trust  
Trustees: Juliet J. Dixon and Donna Dixon Stone  
Address: 71 Meadowbrook Drive  
Weston, Massachusetts 02193  
Percentage: 70%  
Citizenship: United States  
Principal Business: Management of Trust

No other entity holds a ten percent (10%) or greater direct or indirect ownership interest in GiantLoop Telecom, Inc.

GiantLoop Telecom, Inc. certifies that it does not have any interlocking officers or directors.

(i) GiantLoop Telecom, Inc. certifies that it is neither a foreign carrier nor affiliated with any foreign carrier.

(j) GiantLoop Telecom, Inc. seeks to provide international telecommunications services to all global points, except those points on the Commission's Exclusion List. GiantLoop Telecom, Inc. is not a foreign carrier or affiliated with a foreign carrier.

(k) Given that GiantLoop Telecom, Inc. is not affiliated with any foreign carriers, this Section is not applicable.

(l) Given that GiantLoop Telecom, Inc. is not affiliated with any foreign carriers, this Section is not applicable.

- (m) As described above, GiantLoop Telecom, Inc. presumptively qualifies for non-dominant treatment for the provision of all international telecommunications services.
- (n) GiantLoop Telecom, Inc. 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.
- (o) GiantLoop Telecom, Inc. 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.
- (p) GiantLoop Telecom, Inc. qualifies for streamlined processing pursuant to Section 63.12(a-b) of the Commission's Rules because, as set forth above in Section (1), GiantLoop Telecom, Inc. qualifies for a presumption of non-dominance under Section 63.10(a)(1) of the Commission's Rules.

IV. CONCLUSION

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

Respectfully submitted,

By:



Jennifer A. Schneider  
SWIDLER BERLIN SHEREFF FRIEDMAN, LLP  
3000 K Street, N. W., Suite 300  
Washington, DC 20007  
Tel: (202) 424-7742  
Fax: (202) 424-7645

Counsel for GiantLoop Telecom, Inc.

Dated: September 8, 2000

**CERTIFICATION OF APPLICANT**

On behalf of Giantloop Telecom, Inc., 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 and are made in good faith.

**GIANTLOOP TELECOM, INC.**

By:



Name:

Thomas A. Giacchetti

Title:

General Counsel & Secretary

Date:

August 29, 2007



## SWIDLER BERLIN SHEREFF FRIEDMAN, LLP

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NEW YORK, NY 10174

September 15, 2000

### VIA FACSIMILE

Fran Eisenstein  
International Bureau  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

Re: Application of GiantLoop Telecom, Inc. for Global Authority Pursuant to Section 214 of the Communications Act of 1934. As Amended, to Operate as an International Facilities-based Carrier and Resale Carrier between the United States and Various International Points (filed September 8, 2000)

Dear Ms. Eisenstein:

Pursuant to our telephone conversation yesterday, this letter is submitted to clarify the ownership information for GiantLoop Telecom, Inc. ("GiantLoop") as provided in the above-referenced application.

As noted in GiantLoop's application, GiantLoop Network, Inc. owns a 100% ownership interest in GiantLoop. Exubero LLC has a 53% ownership interest in GiantLoop Network, Inc. The following entity has a 10% or greater ownership interest in Exubero LLC:

|                     |   |
|---------------------|---|
| Name:               | HRD Family Trust  |
| Trustees:           | Juliet J. Dixon and Donna Dixon Stone                                   |
| Address:            | 71 Meadowbrook Drive<br>Weston, Massachusetts 02193                     |
| Percentage:         | 70%   |
| Citizenship:        | Members of the HRD Family Trust and trustees are United States citizens |
| Principal Business: | Trust   |

No other entity holds a ten percent (10%) or greater indirect ownership interest in GiantLoop Telecom, Inc.

Please feel free to contact me should you have any questions or need additional information regarding this matter.

Very truly yours,



Jennifer Schneider\*

Counsel for GiantLoop Telecom, Inc.

Admitted to Practice in New York Only