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A LIMITED LIABILITY PARTNERSHIP

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Streamlined
GATEWAY NETWORKS MULTI-SERVICE CARRIER
NETWORK, INC.

ITC-214-20001107-00677

NOV 07 2000

November 7, 2000

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VIA COURIER

Federal Communications Commission
International Bureau - Telecommunications
P.O. Box 358115
Pittsburgh, PA 15251-5115

RECEIVED
NOV 14 2000
Telecom Division
International Bureau

**Re: Application of Gateway Networks multi-service carrier network, Inc.
Under Section 214 of the Communications Act of 1934, as
Amended, to Operate As a Facilities-Based Carrier and as a
Resale Carrier for the Provision of International Switched
And Private Line Services to Various Points**

Dear Sir/Madam:

On behalf of Gateway Networks multi-service carrier network, Inc., enclosed please find an original and five (5) copies of the above-captioned Application, together with a check in the amount of \$815.00 for the filing fee, and FCC Form 159.

Also enclosed is a duplicate copy of this filing and a return envelope. Please date-stamp the duplicate upon receipt and return it in the envelope provided. Please do not hesitate to contact me at (202) 887-1232 if you have any questions.

Kind regards,

Erin R. Swansiger
Erin R. Swansiger

encls.

RECEIVED

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

NOV 14 2000
Telecom Division
International Bureau

In the Matter of)	
)	
Gateway Networks multi-service)	
carrier network, Inc.)	
)	
)	
Application for Authority Under)	
Section 214 of the Communications)	Docket No. _____
Act of 1934, as Amended, to Operate)	
As a Facilities-Based Carrier and as a)	
Resale Carrier for the Provision of)	
International Switched and Private)	
Line Services to Various Points)	

APPLICATION

Gateway Networks multi-service carrier network, Inc. (“Gateway Networks” or “Applicant”), by its attorneys and pursuant to Section 214 of the Communications Act of 1934, as amended (the “Act”), 47 U.S.C. § 214, hereby requests authority to (1) operate as a facilities-based carrier pursuant to the terms and conditions of Section 63.18(e)(1) of the Commission’s Rules, and (2) operate as a resale carrier pursuant to the terms and conditions of Section 63.18(e)(2) of the Commission’s Rules.¹

Gateway Networks is not a foreign carrier, but is affiliated, within the meaning of Section 63.09(e) of the Commission’s Rules, 47 C.F.R. § 63.09(e), with Gateway Telephone Limited (“Gateway Telephone”), a telecommunications carrier authorized to provide local exchange service in Canada. Gateway Telephone is not a dominant provider of telecommunications services in

¹ With respect to the provision of switched services over private lines, Gateway Networks seeks authority in this Application to provide such services only to those particular locations specifically approved by the Commission for the provision of such services.

Canada. Thus, Gateway Networks lacks sufficient market power on the foreign end of these routes to affect competition adversely in the U.S. telecommunications market. As a result, Gateway Networks qualifies for the presumption of non-dominance under Section 63.10(a)(3) of the Commission's Rules, 47 C.F.R. § 63.10(a)(3), and its application is eligible for streamlined processing.

Applicant believes that grant of the authority requested herein will position it to offer a variety of innovative and competitively priced services to U.S. and other customers. As such, grant of this Application will further the public interest.

Pursuant to Section 63.18 of the Commission's Rules, Gateway Networks sets forth the following information in support of this Application:

- (a) The name, address, and telephone number of the Applicant is:

Gateway Networks multi-service carrier network, Inc.
7700 N Capital of Texas Highway #427
Austin, Texas 78731-1135
512-502-1994

- (b) Gateway Networks is a corporation organized under the laws of the State of Delaware.

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

Amedeo A. Bernardi
Vice President, Regulatory Affairs and Intercarrier Relations
Gateway Networks multi-service carriers network, Inc.
7700 N Capital of Texas Highway #427
Austin, Texas 78731-1135
512-502-1994

with copies to:

Jonathan E. Canis, Esq.
Candice M. Turner, Esq.
KELLEY DRYE & WARREN, LLP
1200 19th Street, NW
Washington, DC 20036
(202) 955-9600

(m) As described in Section (l) above, Gateway Networks qualifies for non-dominant treatment for the provision of all U.S. international telecommunications services, pursuant to Section 63.10 of the Commission's Rules.

(n) As evidenced by the certification provided in *Attachment A*, Gateway Networks has not agreed to accept special concessions directly or indirectly from any foreign carrier with respect to any U.S. international route where the foreign carrier possesses sufficient market power on the foreign end of the route to affect competition adversely in the U.S. market and will not enter into such agreements in the future.

(o) As evidenced by the certification provided in *Attachment A*, 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.

(p) Gateway Networks requests streamlined processing pursuant to Section 63.12 of the Commission's Rules. Gateway Networks qualifies for streamlined processing pursuant to Section 63.12(c)(1)(ii), because, as set forth above in Section (l), the Applicant qualifies for the presumption of non-dominance under Section 63.10(a)(3) of the Commission's Rules with respect to its foreign affiliation.

For these reasons, Gateway Networks requests that the Commission grant this Application.

Respectfully Submitted,

GATEWAY NETWORKS MULTI-SERVICE
CARRIER NETWORK, INC.

By: 

Ron Zager
Chief Financial Officer
GATEWAY NETWORKS MULTI-SERVICE
CARRIER NETWORK, INC.
7700 N Capital of Texas Highway #427
Austin, Texas 78731-1135
512-502-1994


Jonathan E. Canis, Esq.
Candice M. Turner, Esq.
KELLEY DRYE & WARREN LLP
1200 19th Street, N.W.
Suite 500
Washington, D.C. 20036
(202) 955-9600

Date: 11/1/00

CERTIFICATE

The undersigned hereby certifies, on behalf of Gateway Networks multi-service carrier network, Inc. ("Gateway Networks") with respect to the foregoing application for authority to provide international service, that:

1. Gateway Networks is not a foreign company but is affiliated in Canada with Gateway Telephone Limited, a Canadian company.
2. Gateway Networks seeks to provide international telecommunications services in Canada.
3. Gateway Networks will comply with the terms and conditions contained in Sections 63.21, 63.22, and 63.23 of the Commission's Rules.
4. Gateway Networks has not agreed to accept special concessions directly or indirectly from any foreign carrier with respect to any U.S. international route where the foreign carrier possesses sufficient market power on the foreign end of the route to affect competition adversely in the U.S. market and will not enter into such agreements in the future.
5. No party to this application is subject to a denial for Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 853(a).

By: 
Title: Chief Financial Officer

Date: November 1, 2000

KELLEY DRYE & WARREN LLP
1200 19TH STREET, N.W.
WASHINGTON, DC 20036

006384

15-122/540
BRANCH 00480

DATE October 31, 2000

PAY
TO THE
ORDER OF

Federal Communications Commission

\$ 815.00

DOLLARS



Eight Hundred Fifteen And No/100-----

FIRST
UNION

First Union National Bank
R/T 054001220

Stewart K. Hendrix
MP

⑆00006384⑆ ⑆054001220⑆ 2000034690853⑆

DETACH AND RETAIN THIS STATEMENT
THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW. IF NOT CORRECT PLEASE NOTIFY US IMMEDIATELY. NO RECEIPT DESIRED.
KELLEY DRYE & WARREN LLP

DATE	DESCRIPTION	AMOUNT
10/31/00	Charge 012631.0001 for FCC Filing Fee for Gateway Networks	\$815.00