KELLEY DRYE & WARREN LLP

A LIMITED LIABILITY PARTNERSH

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SUITE 500

WASHINGTON, D.C. 2003

(202) 955-9600

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(202) 955-9792

Streamlined

NETWORK, INC.

GATEWAY NETWORKS MULTI-SERVICE CARRIER ITC-214-20001107-00677

November 7, 2000

RECEIVED

International Bureau Telecom Division

VIA COURIER

P.O. Box 358115 International Bureau - Telecommunications Federal Communications Commission

Pittsburgh, PA 15251-5115

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

Dear Sir/Madam:

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

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

Kind regards,

Erin R. Swansiger J. Suransus

encls.

	SIGNATURE DATE	
	VISA I hereby authorize the FCC to charge my VISA or MASTERCARD for the service(s)/authorization herein described.	
— ž	MASTERCARD/VISA ACCOUNT NUMBER: MASTERCARD MASTERCARD EXPIRATION	(31)
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Before the FEDERAL COMMUNICATIONS COMMISSION Washington, D.C. 20554

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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

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

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

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.

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

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

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

(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
- <u>O</u> 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

- 田田 As described in Section (1) 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.
- Ξ market and will not enter into such agreements in the future. market power on the foreign end of the route to affect competition adversely in the U.S respect to any U.S. international route where the foreign carrier possesses sufficient agreed to accept special concessions directly or indirectly from any foreign carrier with As evidenced by the certification provided in Attachment A, Gateway Networks has not
- 0 Act of 1988. is subject to a denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse As evidenced by the certification provided in Attachment A, no party to this Application
- **(b)** qualifies for the presumption of non-dominance under Section 63.10(a)(3) of the to Section 63.12(c)(1)(ii), because, as set forth above in Section (1), the Applicant Commission's Rules with respect to its foreign affiliation. Commission's Rules. Gateway Networks qualifies for streamlined processing pursuant Gateway Networks requests streamlined processing pursuant to Section 63.12 of the

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

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: 11/11/00

CERTIFICATE

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

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

By:

Title:

Chief Financial Officer

Date: November 1, 2000

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

PAY TO THE ORDER OF

Federal Communications Commission

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DATE

October 31,

2000

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DETACH AND RETAIN THIS STATEMENT THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW. IF NOT CORRECT PLEASE NOTIFY KELLEY DRYE & WARREN LLP

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