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JAN 24 2001

Telecom Division
International Bureau

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

SCMELLON

JAN 17 2001

In the Matter of

DYNEGY CLEC COMMUNICATIONS, INC.
Application for Authority 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 All International Points

)
)
) Streamlined ITC-214-20010117-00023
) DYNEGY CLEC COMMUNICATIONS, INC.

Docket No.

APPLICATION

Dynergy CLEC Communications, Inc. ("Dynergy" or "Applicant"), by its attorneys and pursuant to Section 214 of the Communications Act, as amended ("the Act"), 47 U.S.C. §214, hereby requests authority to (1) operate as a facilities-based carrier pursuant to Section 63.18 (e)(1) of the Commission's Rules on all routes; and (2) operate as a resale carrier pursuant to 63.18 (e) of the Commission's Rules on all routes.

By granting this Application, the Commission will serve the public interest by promoting competition in the international telecommunications services market, which, in turn, should result in an increased number and variety of international service offerings as well as lower prices for U.S. consumers. Thus, the public interest will be served by a grant of international Section 214 authority to Dynergy.

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

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

Dynergy CLEC Communications, Inc.
2821 South Parker Road, Suite 700
Aurora, CO 80014
Telephone: 303-256-6100

(b) Dynegy is a corporation organized under the laws of Delaware.

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

David A. Bryson
Senior Manager, Telecommunications Regulatory Affairs
Dynegy CLEC Communications, Inc.
2821 South Parker Road, Suite 700
Aurora, CO 80014
(303) 256-6100

with copies to:

Steven A. Augustino
Melissa S. Conway
Katherine E. Barker
Kelley, Drye & Warren, LLP
1200 19th Street, NW, Suite 500
Washington, DC 20036
(202) 955-9600

(d) Dynegy has never applied nor has been granted authority under Section 214.

(e) For all locations for which authority is requested in this Application, Dynegy is applying for authority to operate as a facilities-based carrier pursuant to Section 63.18 (e)(1) of the Commission's Rules, and as a resale carrier pursuant to Section 63.18 (e)(2) of the Commission's Rules. Dynegy requests to serve all countries possible under a grant of global authority. As evidenced by the certification provided in Attachment A, Dynegy 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) No response required.

(g) Dynegy will use previously authorized facilities to provide its facilities based services and thus this Application is categorically excluded from environmental assessment pursuant to Section 1.1306 of the Commission's Rules.

(h) The following persons or entities directly or indirectly hold ten percent or greater interest in Dynegy CLEC Communications, Inc.:

Dynegy Global Communications, Inc.
1000 Louisiana, Suite 5300
Houston, TX 77002-5050
713-507-6400
800-922-2104
Citizenship – United States
Principal Business: Telecommunications
Ownership Percentage: 100%

The following persons or entities either directly or indirectly hold ten percent or greater interest in Dynegy Global Communications, Inc.:

Dynegy, Inc.
1000 Louisiana, Suite 5300
Houston, TX 77002-5050
713-507-6400
800-922-2104
Citizenship – United States
Principal Business: Energy
Ownership Percentage: 100%

The following persons or entities either directly or indirectly hold ten percent or greater interest in Dynegy, Inc.:

Chevron U.S.A., Inc.
Chevron Tower
1301 McKinney
Houston, TX 77010
713-754-2000
Citizenship – United States
Principal Business: Energy
Ownership Percentage: 24.6%

No other persons or entities either directly or indirectly hold ten percent or greater interest in Dynegy, Inc.

There are no interlocking directorates with foreign carriers in the countries for which authority is requested.

- (i) As evidenced by the certification provided in Attachment A, Dynegy is not affiliated with any foreign carriers.
- (j), (k), (l), and (m):
Not applicable; Dynegy is not affiliated or otherwise related to any foreign carrier on any of the routes Dynegy proposes to serve in this Application.
- (n) As evidenced by the certification provided in Attachment A, Dynegy 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 denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1998, as set forth in 21 U.S.C. §862.

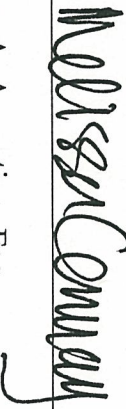
(p) This Application qualifies for streamlined treatment under Section 63.12 of the Commission's Rules because Dynegy is not affiliated with any foreign carriers on any route for which authority is sought, nor is Dynegy affiliated with any dominant U.S. carriers whose international services Dynegy is seeking to resell. In addition, this Application is eligible for streamlined processing because Dynegy is not requesting authority to provide switched access services over private lines to countries not previously authorized for this service. As a result, the requirements of Section 63.12 (c) are satisfied.

CONCLUSION

For all the foregoing reasons, Dynegy respectfully requests that the Commission grant the request for international section 214 authorization requested in this Application.

Respectfully submitted,

DYNEGY CLEC COMMUNICATIONS, INC.

By: 

Steven A. Augustino, Esq.

Melissa S. Conway, Esq.

Katherine E. Barker, Esq.

Kelley, Drye & Warren, LLP

1200 19th Street NW, Suite 500

Washington, DC 20036

(202) 955-9600

Its Attorneys

Dated: January 17, 2001

ATTACHMENT A

CERTIFICATE

The undersigned hereby certifies, on behalf of Dynegy CLEC Communications, Inc. ("Dynegy"), with respect to the foregoing application for authority to provide international service that:

1. Dynegy is not affiliated with any foreign carrier in any of the countries to which Dynegy proposes to provide service in the foregoing application.
2. Dynegy will comply with the terms and conditions contained in Sections 63.21, 63.22, and 63.23 of the Commission's Rules.
3. Dynegy 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.
4. No party to this Application is subject to denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. §862.

By: _____



David A. Bryson
Senior Manager,
Telecommunications Regulatory Affairs
Dynegy CLEC Communications, Inc.
2821 South Parker Road, Suite 700
Aurora, CO 80014

READ INSTRUCTIONS CAREFULLY
BEFORE PROCEEDING

FEDERAL COMMUNICATIONS COMMISSION
REMITTANCE ADVICE

APPROVED BY OMB

3060-0589

(1) LOCKBOX # 358115

PAGE NO. 1 OF 1

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)
Kelley Drye & Warren LLP

(3) TOTAL AMOUNT PAID (dollars and cents)
\$ 815.00

(4) STREET ADDRESS LINE NO. 1
1200 19th Street, N.W.

(5) STREET ADDRESS LINE NO. 2
Suite 500

(6) CITY
Washington

(7) STATE
DC

(9) ZIP CODE
20036

(9) DAYTIME TELEPHONE NUMBER (include area code)
(202) 955-9600

(10) COUNTRY CODE (if not in U.S.A.)

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)

Dynegy CLEC Communications, Inc.

(12) STREET ADDRESS LINE NO. 1
2821 South Parker Rd., Suite 700

(13) STREET ADDRESS LINE NO. 2

(14) CITY
Aurora

(15) STATE
CO

(16) ZIP CODE
80014

(17) DAYTIME TELEPHONE NUMBER (include area code)
(303) 256-6100

(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

(20A) PAYMENT TYPE CODE (PTC)

(21A) QUANTITY

(22A) FEE DUE FOR (PTC) IN BLOCK 23A

FCC USE ONLY

(23A) FCC CODE 1

C

U

T

1

\$ 815.00

(24A) FCC CODE 2

(19B) FCC CALL SIGN/OTHER ID

(20B) PAYMENT TYPE CODE (PTC)

(21B) QUANTITY

(22B) FEE DUE FOR (PTC) IN BLOCK 23B

FCC USE ONLY

(23B) FCC CODE 1

(24B) FCC CODE 2

(19C) FCC CALL SIGN/OTHER ID

(20C) PAYMENT TYPE CODE (PTC)

(21C) QUANTITY

(22C) FEE DUE FOR (PTC) IN BLOCK 23C

FCC USE ONLY

(23C) FCC CODE 1

(24C) FCC CODE 2

(19D) FCC CALL SIGN/OTHER ID

(20D) PAYMENT TYPE CODE (PTC)

(21D) QUANTITY

(22D) FEE DUE FOR (PTC) IN BLOCK 23D

FCC USE ONLY

(23D) FCC CODE 1

(24D) FCC CODE 2

SECTION D - TAXPAYER INFORMATION (REQUIRED)

(29) PAYER TIN

0 1 3 5 3 3 5 1 0 7

APPLICANT TIN

SECTION E - CERTIFICATION

(27) CERTIFICATION STATEMENT
I, Winafred R. Brantl, 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 *Winafred R. Brantl*

(28) CERTIFICATION STATEMENT
I, _____, 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 _____

(23) MASTERCARD/VISA ACCOUNT NUMBER: _____

EXPIRATION DATE:

MONTH YEAR

MASTERCARD
VISA

AUTHORIZED SIGNATURE

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

SEE PUBLIC BURDEN ESTIMATE ON REVERSE

KELLEY DRYE & WARREN LLP

1200 19TH STREET, N.W.
WASHINGTON, DC 20036

006517


15-122/540
BRANCH 00480

DATE 1/17/01

PAY
TO THE
ORDER OF Federal Communications Commission

\$ 815.00

Eight hundred fifteen and no/100----- DOLLARS

 Security features included. Details on back.



First Union National Bank

R/T 054001220

Alfred K. Lambert ^{MP}

⑈00006517⑈ ⑆054001220⑆ 2000034690853⑈

DETACH AND RETAIN THIS STATEMENT
THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW. IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED.

KELLEY DRYE & WARREN LLP

DATE	DESCRIPTION	AMOUNT
1/17/01	Charge 013146.0001/04/16 for Dynegy CLEG Communications, Inc.--214 application FRN: 0004-2595-94	\$815.00