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APR 18 2001

RECEIVED

April 18, 2001

APR 26 2001

Telecom Division  
International Bureau

**BY HAND**

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

Re: Section 214 Application: Optical Telephone Corporation

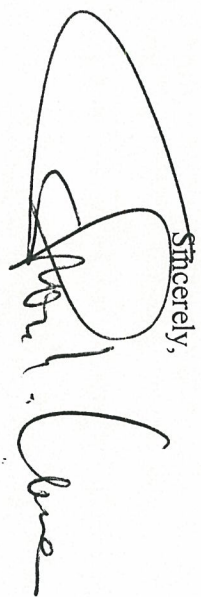
Dear Sir or Madam:

Please find enclosed an original and six (6) copies of Optical Telephone Corporation's Application for Section 214 authorization.

Also enclosed is FCC Form 159 and a check in the amount of \$815.00 payable to the "Federal Communications Commission" to cover the requisite filing fee. Please file-stamp and return the extra copy of this filing in the self-addressed, stamped envelope enclosed for this purpose.

Questions regarding this filing should be directed to the undersigned.

Sincerely,



Thomas K. Crowe  
C. Jeffrey Tibbels,  
Counsel for Optical  
Telephone Corporation

Enclosures

RECEIVED

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

APR 26 2001  
Telecom Division  
International Bureau

In the Matter of  
**OPTICAL  
TELEPHONE CORPORATION**

Streamlined  
OPTICAL TELEPHONE CORPORATION

ITC-214-20010418-00247

Application for Authority Pursuant to  
Section 214 of the Communications Act  
of 1934, as Amended, to Provide  
International Facilities-Based Services,  
and International Switched Resale  
Services, on a Global Basis

APPLICATION OF OPTICAL TELEPHONE CORPORATION

Optical Telephone Corporation (“Optical” or “Applicant”) hereby applies for authority pursuant to Section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214 (2000) (“Act”), and Section 63.18 of the Commission’s Rules, 47 C.F.R. § 63.18 (2000), for authority to provide international facilities-based services and international switched resale services on a global basis.

A grant of this application will enable Optical to enter into the global competitive telecommunications marketplace. This will further the Commission’s pro-competitive policies and serve the public interest by bringing the benefits of increased customer choice and alternative services by new entrants to the international marketplace. *RCA Communications, Inc. v. F.C.C.*, 346 U.S. 86 (1953); and *Telocator Network of America v. F.C.C.*, 691 F.2d 525 (D.C. Cir. 1982).

Optical is eligible for streamlined processing under Section 63.12 of the Commission’s Rules, 47 C.F.R. § 63.12 (2000), and has no affiliation within the meaning of Section 63.18(i) with a foreign carrier, 47 C.F.R. § 63.18(i) (2000).

As required by Section 63.18 of the Commission's Rules, Optical submits the following information:

- (a) Name, address and telephone number of Applicant:  
Optical Telephone Corporation  
600 Boulevard South, Suite 104  
Huntsville, AL 35802  
(256) 705-3522

(b) Applicant is organized under the laws of the State of Alabama.

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

Thomas K. Crowe  
C. Jeffrey Tibbels  
Law Offices of Thomas K. Crowe, P.C.  
2300 M Street, N.W., Suite 800  
Washington, D.C. 20037  
(202) 973-2890 Telephone

with a copy to:

Mark Frost, President  
Optical Telephone Corporation  
600 Boulevard South, Suite 104  
Huntsville, AL 35802  
(256) 705-3522

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

(e) (1) Global Facilities-Based Authority:

(i) Optical requests authority to operate as a facilities-based carrier

pursuant to the terms and conditions of Section 63.18(e)(1), 47 C.F.R. § 63.18(e)(1) (2000). The authority requested is to acquire interests in all appropriately licensed U.S. common carrier and non-common carrier facilities, and any necessary overseas connecting facilities as needed, to provide international basic, switched, private line, data, television and business services to all international

points, except to those points indicated on the Commission's exclusion list.

(ii) Not applicable.

(iii) See attached Certification.

(e) (2) Global Resale Authority:

(i) Optical requests authority to resell the international services of

authorized U.S. common carriers for the provision of international basic switched, private line, data, television and business services to all international points pursuant to the terms and conditions of

Section 63.18(e)(2), 47 C.F.R. § 63.18(e)(2) (2000).

(ii) Not applicable.

(iii) See attached Certification.

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

(g) Not applicable.

(h) The following individuals or entities hold a ten percent (10%) or greater ownership

interest in Optical:

<u>Name/Address</u>	<u>% of Shares</u>	<u>Citizenship</u>	<u>Principal Occupation/Business</u>
Mark Frost	100%	U.S.A.	President of Optical

(i) See attached Certification.

(i) See attached Certification.

(k) Not applicable.

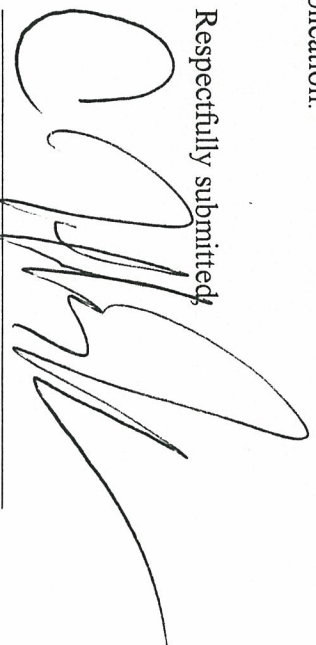
(l) Not applicable.

(m) Not applicable.

- (n) See attached Certification.
- (o) See attached Certification.
- (p) Optical requests and qualifies for streamlined processing pursuant to Section 63.12, 47 C.F.R. § 63.12 (2000).

For the reasons stated herein, Optical respectfully submits that the public interest, convenience and necessity would be furthered by grant of this application.

Respectfully submitted,



By:

Thomas K. Crowe  
C. Jeffrey Tibbels,  
LAW OFFICES OF THOMAS K. CROWE,  
P.C.  
2300 M Street, N.W., Suite 800  
Washington, D.C. 20037  
(202) 973-2890 Telephone

COUNSEL FOR  
OPTICAL TELEPHONE CORPORATION

April 18, 2001

**CERTIFICATIONS OF APPLICANT**

On behalf of Optical Telephone Corporation. ("Optical") and in accordance with Sections 1.2001-1.2003 of the Commission's Rules, 47 C.F.R. §§ 1.2001-1.2003 (2000), I hereby certify that neither Optical, its officers and directors, or any party with a five percent or greater interest in Optical, is subject to a denial of the Federal benefits requested herein pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988. See 21 U.S.C. § 853(a) (2000). I also hereby certify that the statements in the foregoing application are true, complete, and correct to the best of my knowledge and are made in good faith.

Optical has not agreed to accept any concessions directly or indirectly from any foreign carrier or administration with respect to traffic or revenue flow between the United States and various international points under the authority granted under Section 214 of the Communications Act of 1934, as amended, and the Commission's Rules, and has not agreed to enter into such agreements in the future.

Pursuant to Section 63.18(i) of the Commission's Rules, 47 C.F.R. § 63.18(i) (2000), I certify that Optical is neither a foreign carrier nor affiliated with a foreign carrier as defined by the Commission's Rules.

Further, pursuant to Section 63.18(j) of the Commission's Rules, 47 C.F.R. § 63.18(j) (2000), I certify that Optical does not intend to provide international telecommunications services to a destination country for which: (1) Optical is a foreign carrier in that country; or (2) Optical controls a foreign carrier in that country; or (3) any entity that owns more than 25 percent of Optical controls a foreign carrier in that country; or (4) two or more foreign carriers (or parties that control foreign carriers) own, in the aggregate, more than 25 percent of Optical and are parties to, or the beneficiaries of, a contractual relation (e.g., a joint venture or market alliance) affecting the provision or marketing of international basic telecommunications services in the United States.

**OPTICAL TELEPHONE CORPORATION**

By: *Mark Frost*

Name: Mark Frost

Title: President

Date: 4-17-01

CERTIFICATE OF SERVICE

I, Hilary Taylor, a legal assistant with the Law Offices of Thomas K. Crowe, P.C., certify that on April 18, 2001, a copy of the foregoing Application was served by first class U.S. mail, postage prepaid, on the parties listed below.

Breck Blalock  
Chief, Policy and Facilities Branch  
International Bureau  
Telecommunications Division  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Room 6-A767  
Washington, D.C. 20554

Frances Eisenstein  
International Bureau  
Telecommunications Division  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Room 6-C866  
Washington, D.C. 20554

Donald Abelson  
Chief, International Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Room 6-A767  
Washington, D.C. 20554

U.S. Coordinator and Director  
Office of International Communications  
Policy (EB-TD)  
Department of State  
21<sup>st</sup> and C Streets, N.W.  
Washington, D.C. 20305-2000  
Attn: Code 15

Deputy Assistant Secretary of Defense  
(Telecommunications)  
Office of the Assistant Secretary of Defense  
Pentagon, Room 3E160  
Washington, D.C. 20401

National Telecommunications and Information  
Administration  
14<sup>th</sup> & Constitution Avenue, N.W.  
Room H4717  
Washington, D.C. 20320

National Security Agency  
G042, NSA, EMC Center  
Room 1C166  
9800 Savage Road  
Fort George Meade, MD 20755

Chief Regulatory Counsel  
Defense Communications Agency  
Washington, D.C. 20305-2000  
Attn: Code 115

  
Hilary Taylor

OPTICAL TELEPHONE CORPORATION  
600 BOULEVARD SOUTH, SUITE 104  
HUNTSVILLE, AL 35802

64-137/611

© HARLAND 2000

PAY TO THE ORDER OF FEDERAL COMMUNICATIONS COMMISSION DATE 4/17/2001

eighthundredfifteen and 00/100 \$ 815.00

**Regions Bank**  
Georgia

DOLLARS



FOR FCC CERTIFICATION

⑆061101375⑆ 65 5654 6293⑈

MP



READ INSTRUCTIONS CAREFULLY  
BEFORE PROCEEDING

FEDERAL COMMUNICATIONS COMMISSION  
REMITTANCE ADVICE

Approved by OMB  
3060-0589  
Page No.    of   

(1) LOCKBOX # 358115

A PAYER INFORMATION

SPECIAL USE  
FCC USE ONLY

(2) PAYER NAME (if paying by credit card, enter name exactly as it appears on your card) (3) TOTAL AMOUNT PAID (U.S. Dollars and cents)  
O P T I C I A L I T E L E P H O N E C O R P O R A T I O N 811511010

(4) STREET ADDRESS LINE NO. 1  
6 0 0 B O U L E V A R D S O U T H

(5) STREET ADDRESS LINE NO. 2  
S U I T E 1 0 4

(6) CITY H U N T S V I L L E (7) STATE (8) ZIP CODE  
A L 3 5 8 0 2

(9) DAYTIME TELEPHONE NUMBER (include area code) (10) COUNTRY CODE (if not in U.S.A.)  
2 5 6 - 7 0 5 - 3 5 2 2

FCC REGISTRATION NUMBER (FRN) AND TAX IDENTIFICATION NUMBER (TIN) REQUIRED

(11) PAYER (FRN) (12) PAYER (TIN)  
6 3 - 1 2 7 2 1 3 9

IF PAYER NAME AND THE APPLICANT NAME ARE DIFFERENT, COMPLETE SECTION B  
IF MORE THAN ONE APPLICANT, USE CONTINUATION SHEETS (FORM 159 C)

(13) APPLICANT NAME

(14) STREET ADDRESS LINE NO. 1

(15) STREET ADDRESS LINE NO. 2

(16) CITY (17) STATE (18) ZIP CODE

(19) DAYTIME TELEPHONE NUMBER (include area code) (20) COUNTRY CODE (if not in U.S.A.)

FCC REGISTRATION NUMBER (FRN) AND TAX IDENTIFICATION NUMBER (TIN) REQUIRED

(21) APPLICANT (FRN) (22) APPLICANT (TIN)

COMPLETE SECTION C FOR EACH SERVICE. IF MORE BOXES ARE NEEDED, USE CONTINUATION SHEET

(23A) CALL SIGN/OTHER ID (24A) PAYMENT TYPE CODE (25A) QUANTITY

(26A) FEE DUE FOR (PTC) (27A) TOTAL FEE FCC USE ONLY  
8 1 5 . 0 1 0 1 8 1 5 . 0 1 0 1

(28A) FCC CODE 1 (29A) FCC CODE 2

(23B) CALL SIGN/OTHER ID (24B) PAYMENT TYPE CODE (25B) QUANTITY

(26B) FEE DUE FOR (PTC) (27B) TOTAL FEE FCC USE ONLY

(28B) FCC CODE 1 (29B) FCC CODE 2

SECTION D CERTIFICATION

(30) CERTIFICATION STATEMENT  
I, C. Jeffrey Tibbels, certify under penalty of perjury that the foregoing and supporting information is true and correct to the best of my knowledge, information and belief. SIGNATURE [Signature] DATE 04/18/01

SECTION E CREDIT CARD PAYMENT INFORMATION

(31)  MASTERCARD MASTERCARD/VISA ACCOUNT NUMBER:

EXPIRATION

VISA

I hereby authorize the FCC to charge my VISA or MASTERCARD for the service(s)/authorization herein described. SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_