

## Before the Federal Communications Commission Washington, D.C. 20554

TCC/RELLOW

| Global Blanket Application Pursuant to ) Section 214 of the Communications ) Act of 1934, as Amended, for Authority to ) Operate as an International Facilities-Based ) and Resale Carrier ) | In the Matter of ) EPIK Communications Incorporated ) |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|
| Streamlined ITC-214-20010810-00427<br>EPIK COMMUNICATIONS INCORPORATED                                                                                                                       | File No. ITC-214                                      |

## GLOBAL BLANKET APPLICATION FOR SECTION 214 AUTHORITY

under Section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and "Commission") exclusion list. Specifically, Applicant requests authority to provide facilitiesthose countries listed on the Federal Communications Commission's ("FCC" or the Section 63.18 of the Commission's Rules, 47 C.F.R. §§ 63.18, to operate as an international switched and resold interconnected and non-interconnected private line services on either a based switched and facilities-based non-interconnected and interconnected private line, resold facilities-based and resale carrier between the United States and all international points, except EPIK Communications Incorporated ("EPIK" or "Applicant") hereby requests authority

<sup>63.23(</sup>d)(1)-(d)(2). in the country at the foreign end of the private line. See 47 C.F.R. §§ 63.22(e)(1)-(e)(2), facilities or resold basis, to foreign destinations previously or hereafter approved by the Commission for international simple resale ("ISR") or to foreign carriers that lack market power EPIK will restrict its provision of interconnected private line services, on either a

points on the Commission's exclusion list facilities or resold basis between the United States and all international destinations, except those

prices for international services, and permit more efficient use of existing international telecommunications facilities Applicant's entrance into the U.S. international services market will promote competition, lower facilities-based and resale carrier will further the public interest, convenience, and necessity EPIK's request for global blanket authority to provide international services as

operating in any international market of non-dominance on all routes under Section 63.10(a)(1) of the Commission's Rules, 47 C.F.R 63.10(a)(1). It has no affiliation with any foreign carrier, and is not itself a foreign carrier EPIK requests to be classified as non-dominant. Applicant is entitled to a presumption

of the Commission's Rules, 47 C.F.R. § 63.18 based and resold services, Applicant submits the following information pursuant to Section 63.18 In support of its request for global blanket Section 214 authorization to provide facilities-

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

EPIK Communications Incorporated 3501 Quadrangle Blvd.
Suite 225
Orlando, FL 32817
(407) 482-8400

- **(** Applicant is organized under the laws of the state of Delaware
- <u>O</u> Correspondence concerning this application should be addressed to:

John E. Welch
Executive Vice President & General Counsel
EPIK Communications Incorporated

3501 Quadrangle Blvd. Suite 225 Orlando, FL 32817

Please send copies of any correspondence to:

Jeffrey S. Linder
John F. Papandrea
Wiley Rein & Fielding LLP
1776 K Street, NW
Washington, D.C. 20006
202-719-7000

- (d) Applicant has not received any prior Section 214 authorizations.
- will comply with the terms and conditions contained in sections 63.21, 63.22, and 63.23 of the destinations, except those countries listed on the FCC's exclusion list. Applicant certifies that it to operate as a facilities-based and resale carrier between the United States and all international Commission's Rules, 47 C.F.R. §§ 63.18(e)(1)-(e)(2), Applicant requests Section 214 authority Commission's Rules, 47 C.F.R. §§ 63.21, 63.22, 63.23 (e)(1), (2), (f) Pursuant to the terms and conditions of sections 63.18(e)(1) and 63.18(e)(2) of the
- (g) Not applicable.
- (h) The name, address, citizenship, and principal business of the Applicant's ten percent or

greater shareholders are:

Florida East Coast Industries, Inc.
(a company organized under the laws of Florida)
1 Malaga Street
P.O. Drawer 1048
St. Augustine, FL 32085-1048

East Coast Railway, L.L.C., Florida Express Carriers, Inc., and EPIK, Florida East Coast Principal Business: Through four subsidiaries, Flagler Development Company, Florida industries. Industries, Inc. is involved in the telecommunications, transportation, and real estate

Ownership interest: 100 percent

The entities that own 10 percent or more of the equity in Florida East Coast Industries, Inc. are:

Alfred I. Dupont Testamentary Trust 1650 Prudential Drive

Jacksonville, FL 32207 Principal Business: Testamentary Trust

Ownership Interest: 31.4%

Citizenship: U.S.A

Principal Business: Investment Firm Short Hills, NJ 07078 51 John F. Kennedy Parkway Franklin Mutual Advisors, LLC

Ownership Interest: 13.7%

Citizenship: U.S.A.

- definitions of "foreign carrier" and "affiliated." See 47 C.F.R. §§ 63.09(d),(e).  $\Xi$ Applicant certifies that it is not affiliated with any foreign carriers under the Commission's
- controls nor is affiliated with any foreign carrier  $\odot$ Applicant further certifies that it is not a foreign carrier in any country, and that it neither
- S Not applicable
- $\odot$ Not applicable
- $\Xi$ Applicant is not affiliated with a foreign carrier on any route
- possesses sufficient market power on the foreign end of the route to affect competition adversely  $\Xi$ in the U.S. market and will not enter into such agreements in the future from any foreign carrier with respect to any U.S. international route where the foreign carrier Applicant certifies that it has not agreed to accept special concessions directly or indirectly
- <u></u> Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 853(a) 47 C.F.R. §§ 1.2001-1.2003, that it is not subject to a denial of Federal benefits pursuant to Applicant certifies pursuant to Section 1.2001 through 1.2003 of the Commission's Rules.

affiliation with any foreign carriers. dominant. Applicant is not a foreign carrier in any destination market, and Applicant has no Commission's Rules, 47 C.F.R. §§ 63.10 (a)(1), because Applicant is presumptively non-(p) This application qualifies for streamlined processing under Section 63.10(a)(1) of the

## CONCLUSION

international points. authorization to offer facilities-based and resale services between the United States and all For the foregoing reasons, EPIK requests that the Commission grant it Section 214

Respectfully submitted,

EPIK Communications Incorporated

Ву:

John E. Welch

Executive Vice President and General Counsel EPIK Communications Incorporated

August 10, 2001

|      | DATE                                                                                                                                                            | SIGNATURE                                                      |
|------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|
|      | I hereby authorize the FCC to charge my VISA or MASTERCARD for the service(s)/authorization neteril described.                                                  | I hereby authorize th                                          |
|      |                                                                                                                                                                 | MASTERCARD                                                     |
|      | MASTERCARD/VISA ACCOUNT NUMBER:                                                                                                                                 | (31) MASTERC                                                   |
|      | SECTION E - CREDIT CARD PAYMENT INFORMATION  EXPIRATION                                                                                                         |                                                                |
|      | SIGNATURE WINN THE DATE DATE OF THE SIGNATION                                                                                                                   | the best of my knowledge, information and belief.              |
|      | hat the foregoing and                                                                                                                                           | (30) CERTIFICATION STATEMENT I, John Papandrea                 |
|      | SECTION D - CERTIFICATION                                                                                                                                       |                                                                |
|      | (29B) FCC CODE 2                                                                                                                                                | (28B) FCC CODE 1                                               |
|      | (27B) TOTAL FEE FCC USE ONLY                                                                                                                                    | (26B) FEE DUE FOR (PTC)                                        |
|      | (24B) PAYMENT TYPE CODE (25B) QUANTITY                                                                                                                          | (23B) CALL SIGN/OTHER ID                                       |
|      | (29A) FCC CODE 2                                                                                                                                                |                                                                |
|      | \$815.00 FCC USE ONLY                                                                                                                                           | (26A) FEE DUE FOR (PTC)                                        |
|      | (24A) PAYMENT TYPE CODE (25A) QUANTITY  CUT 1                                                                                                                   | (23A) CALL SIGN/OTHER ID                                       |
|      | 59-35/5654                                                                                                                                                      | COATE THE SECTION O                                            |
|      | (22) APPLICANT (TIN)                                                                                                                                            | (21) APPLICANT (FRN)                                           |
|      | FCC REGISTRATION NUMBER (FRN) AND TAX IDENTIFICATION NUMBER (TIN) REQUIRED                                                                                      | 07) 482-8                                                      |
|      | (20) COUNTRY CODE (if not in U.S.A.)                                                                                                                            | (19) DAYTIME TELEPHONE NUMBER (include area code)              |
|      | FL 32817 -                                                                                                                                                      | (16) CITY                                                      |
| ion  | Telecom Divis                                                                                                                                                   | REET ADDRESS LINE I                                            |
| 2001 | AUG 15                                                                                                                                                          | REET ADDRESS LINE NO. 1<br>Ouadrangle Blvd                     |
|      | 1                                                                                                                                                               | (13) APPLICANT NAME EPIK Communications                        |
|      | IF PAYER NAME AND THE APPLICANT NAME ARE DIFFERENT, COMPLETE SECTION B  IF MORE THAN ONE APPLICANT, USE CONTINUATION SHEETS (FORM 159-C)  PECHY                 | IF PA                                                          |
|      | 0521289988                                                                                                                                                      | -4                                                             |
|      | FCC REGISTRATION NUMBER (FIX) AND TAX IDENTIFICATION.                                                                                                           | (11) PAYER (FRN)                                               |
|      | TION NUMBER (TIN) REQUIRED                                                                                                                                      | (202) 719-700                                                  |
|      | (10) COUNTRY CODE (if not in U.S.A.)                                                                                                                            | Washington                                                     |
|      | (7) STATE   (8) ZIP CODE -                                                                                                                                      | (6) CITY                                                       |
|      |                                                                                                                                                                 | (5) STREET ADDRESS LINE NO. 2                                  |
|      |                                                                                                                                                                 |                                                                |
|      | PAYER NAME (if paying by credit card, enter name exactly as it appears on your card)  -ey Rein & Fielding LLP  (3) TOTAL AMOUNT PAID (U.S. Dollars and \$815.00 | (2) PAYER NAME (if paying by credit card Wiley Rein & Fielding |
|      | SECTION A - PAYER INFORMATION                                                                                                                                   | 358115                                                         |
|      | FCC USE ONLY                                                                                                                                                    | (I) LUCKBUA#                                                   |
|      | SPECIAL USE                                                                                                                                                     |                                                                |
|      | FEDERAL COMMUNICATIONS COMMISSION  Page No 1 of 1                                                                                                               | BEFORE PROCEEDING                                              |
|      | Approved by OMB                                                                                                                                                 | EAD INSTRUCTIONS CAREFULLY                                     |

## RECEIVED

Telecom Division International Bureau

This check is GREEN

140994

WILEY REIN &FIELDING LLP 1776 K Street, N.W. Washington, DC

**Operating Account** 

Amount

08/10/2001 Date

\*\*\*\*\*\*\*\*815.00

Pay Eight Hundred Fifteen and 00/100 Dollars ONLY

To the Order of FCC

Bank of America, N.A. Washington, DC

(Two Signatures Required For Amounts Over \$1,000.00)

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