

INTERNATIONAL SECTION 214 APPLICATION
FCC FORM 214
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APPLICANT INFORMATION

Enter a description of this application to identify it on the main menu:

M5 Networks, Inc. – Application for Approval to Provide International Switched and Private Line Services on a Facilities and Resale Basis

| | | | |
|-------------------|-----------------------------|----------------------|-------------------|
| 1. Applicant | | | |
| Name: | M5 Networks, Inc. | Phone Number: | 646-230-5000 |
| DBA Name: | | Fax Number: | |
| Street: | 245 West 17th Street 9th Fl | E-Mail: | phillip@m5net.com |
| City: | New York | State: | NY |
| Country: | USA | Zipcode: | 10011 – |
| Attention: | Mr Phillip Kim | | |

2. Contact

| | | | |
|-------------------|----------------------------|----------------------|---------------------------------|
| Name: | Katherine Barker Marshall | Phone Number: | 202-857-6104 |
| Company: | Arent Fox LLP | Fax Number: | 202857-6395 |
| Street: | 1050 Connecticut Avenue NW | E-Mail: | marshall.katherine@arentfox.com |
| City: | Washington | State: | DC |
| Country: | USA | Zipcode: | 20036 - |
| Attention: | | Relationship: | Legal Counsel |

3. Place of Incorporation of Applicant Delaware

4. Other Company(ies) and Place(s) of Incorporation
None

5. Service Type(s) (check all that apply)

- Global or Limited Global Facilities–Based Authority (Section 63.18(e)(1))
- Global or Limited Global Resale Authority (Section 63.18(e)(2))
- Individual Facilities–Based Service (Section 63.18(e)(3))
- Individual Switched Resale Service (Section 63.18(e)(3))
- Individual Facilities–Based and Resale Service (Section 63.18(e)(3))
- Switched Services over Private Lines (ISR) (Section 63.16 and/or 63.18 (e)(3))
- Inmarsat and Mobile Satellite Service (Section 63.18(e)(3))
- Overseas Cable Construction (Section 63.18(e)(3))
- Individual Non–Interconnected Private Line Resale Service (Section 63.18(e)(3))
- Other (Section 63.18(e)(3))

6a. Is a fee submitted with this application?

- If Yes, complete and attach FCC Form 159. **If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114).**
- Governmental Entity Noncommercial educational licensee
- Other (please explain):

6b. Fee Classification CUT – Section 214 Authority

7. Destination Country(ies) (e.g., "Country X", "All international points", "All international points except Country X and Country Y" or "Countries X, Y, and Z only".) All international points.

8. Caption (description of authority requested, e.g., Application for Authority to Provide International Facilities-Based and Resold Services to All International Points Except Country X)

(If the complete description does not appear in this box, please go to the end of the form to view it in its entirety.)

Application Under Section 214 of the Communications Act of 1934, as amended, for the Provision of resold and Facilities-Based International Switched and Private Line Services Between the United States and International Points

9. Does the applicant request streamlined processing pursuant to 47 C.F.R. Section 63.12? If yes, include in Attachment 1 a statement of how the application qualifies for streamlined processing. Yes No

10. If applying for authority to provide switched services over private lines pursuant to Section 63.16, provide the required showing in Attachment 1.

Applicant certifies that its responses to questions 11 through 17 are true:

11. If the applicant is a foreign carrier, or is affiliated (as defined in 47 C.F.R. Section 63.09(e)) with a foreign carrier, provide in Attachment 1 the information and certifications required by Section 63.18(i) through (m).

12. Does the applicant seek authority to provide service to any destination described in paragraphs (1) through (4) of Section 63.18(j)? If yes, list those destinations in Attachment 1 as a response to question 12. Yes No

13. Does the applicant seek authority to provide service to any destinations other than those listed in response to question 12 where it has an affiliation with a foreign carrier? If yes, list those destinations in Attachment 1 as a response to question 13.

Yes

No

14. [Section 63.18(h)] In Attachment 2, provide the name, address, citizenship and principal business of the applicant's ten percent or greater direct and indirect shareholders or other equity holders, and identify any interlocking directorates.

15. In Attachment 2, respond to paragraphs (d), (e)(3) and (g) of Section 63.18.

16. By checking Yes, the undersigned certifies that neither applicant nor any other party to the application is subject to a denial of Federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Act of 1988, 21 U.S.C. Section 862, because of a conviction for possession or distribution of a controlled substance. See 47 CFR 1.2002(b) for the meaning of "party to the application" for these purposes.

Yes

No

17. By checking Yes, the applicant certifies that it has not agreed to accept special concessions directly or indirectly from a 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.

Yes

No

CERTIFICATION

| | | | | |
|---|---|---------------------|----------------|----|
| 18. Typed Name of Person Signing (Must be a Corporate Officer) Philip Kim | 19. Title of Person Signing Executive Vice President | | | |
| WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND / OR IMPRISONMENT (U.S. Code, Title 18, Section 1001), AND/OR REVOCATION OF ANY STATION AUTHORIZATION (U.S. Code, Title 47, Section 312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503). | | | | |
| <table border="1" style="width: 100%;"><tr><td data-bbox="281 529 795 581">20. 1: Attachment A</td><td data-bbox="795 529 1310 581">2: Attachment2</td><td data-bbox="1310 529 1824 581">3:</td></tr></table> | | 20. 1: Attachment A | 2: Attachment2 | 3: |
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