

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

In the Matter of )  
 )  
Optivon, Inc., a Florida Corporation, )  
Application Under Section 214 ) File No. \_\_\_\_\_  
of the Communications Act of 1934 )  
for Global Authority for the )  
Provision of Resold International )  
Long Distance Service Between the U.S. )  
and international points )

**APPLICATION**

Optivon, Inc., a Florida corporation (“Optivon FL”), by its attorneys and pursuant to Section 214 of the Communications Act of 1934, as amended (the “Act”), 47 U.S.C. § 214, hereby requests authority to operate as a resale carrier of international long distance service pursuant to the terms and conditions of Section 63.18 of the Commission’s Rules, 47 C.F.R. § 63.18, between the U.S. mainland and international points as authorized by the Commission. The public interest, convenience and necessity will be served by grant of this Application because it will permit Optivon FL to provide competitive services in the respective markets, which will provide additional choices of services and lower prices for the telecommunications consumers of Florida.

Optivon FL was organized under the laws of Florida and all the persons and entities that have a 10% or more ownership interest in Optivon FL or its affiliates are U.S. citizens. Moreover, Optivon FL is not affiliated with a monopoly provider of communications services in any relevant market in Florida, nor is it affiliated with any dominant U.S. carrier whose services Optivon FL may sell. Thus, according to Section

63.10(a) of the Commission's Rules, 47 C.F.R. § 63.10(a), Optivon FL should be classified as a non-dominant carrier in its provision of international service on its requested route. Furthermore, as explained herein, this Application is entitled to streamlined processing under Section 63.12 of the Commission's Rules. 47 C.F.R. § 63.12. Payment in the amount of \$1,130.00 (Fee Code CUT) is being concurrently made. See 47 C.F.R. § 1.1107(2)(c).

In support of its request for authority, Optivon FL submits the following information pursuant to Section 63.18 of the Commission's Rules:

(a) Name, address and telephone number of Optivon FL:

Optivon, Inc.  
9040 Town Center Parkway  
Lakewood Ranch, FL 34202  
(813) 600-6060

(b) Optivon FL is a corporation organized under the laws of Florida.

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

Frederick M. Joyce, Esq.  
Venable LLP  
575 7<sup>th</sup> Street, NW  
Washington, DC 20004-1601  
(202) 344-4653  
rjoyce@venable.com

with copies to:

Luis G. Romero Font, President & CEO  
Optivon, Inc.  
9040 Town Center Parkway  
Lakewood Ranch, FL 34202  
(813) 600-6060  
lromero@optivon.net

(d) Optivon FL has not previously received Section 214 authority from the Commission.

(e) Optivon FL is applying to operate as an international resale carrier pursuant to Section 63.18(e)(2) of the Commission's Rules, 47 C.F.R. § 63.18(e)(2). Optivon FL requests authority to provide resold services between the U.S. mainland and international points. As evidenced by the certification provided in Attachment A, Optivon FL will comply with the terms and conditions contained in Sections 63.21 and 63.23 of the Commission's Rules. 47 C.F.R. §§ 63.21 and 63.23.

(f) At this time, Optivon FL does not seek authority to provide any service not referenced under paragraph (e) of Section 63.18 of the Commission's Rules. 47 C.F.R. § 63.18(e).

(g) Not applicable: Optivon FL proposes to provide only resold services.

(h) Optivon FL is 100% owned by Optivon, Inc., a corporation created under the laws of the Commonwealth of Puerto Rico ("Optivon PR"). Optivon FL, headquartered at 9040 Town Center Parkway, Lakewood Ranch, FL 34202, is a U.S. company providing telecommunications and information services. All of the persons and entities owning 10% or more of the equity of Optivon FL are listed as follows:

Name: Optivon, Inc., a Puerto Rican corporation  
Address: P.O. Box 11032, San Juan, PR 00923  
Citizenship: U.S.  
Principal Business: Telecommunications & Information Services  
Ownership Share: 100%

(i) As evidenced by the certification attached hereto as Attachment A, Optivon FL is 100% owned by a U.S. company, all the entities that indirectly own 10% or more in Optivon FL are U.S. citizens, and Optivon FL was organized under the laws of Florida.

(j) As evidenced by the certification attached hereto as Attachment A, Optivon FL is a U.S. resale carrier.

(k) All destination countries are members of the World Trade Organization. Additionally, as shown in paragraph (m) herein, Optivon FL lacks market power.

(l) Optivon FL seeks to resell the services of long distance services of iBasis, AT&T, Optivon PR (Puerto Rico-based parent company), and others to be determined. Optivon FL is unaffiliated with iBasis and AT&T. Neither Optivon FL nor any of its affiliated entities have sufficient market power to affect competition adversely in the U.S. market. See 47 C.F.R. § 63.10(a)(3). This is illustrated by the information provided in paragraph (m) of this Application.

(m) Pursuant to Section 63.10(a)(3) of the Commission's Rules, Optivon FL qualifies as a non-dominant carrier; Optivon FL and its affiliated entities lack 50% market share in the local access and international transport markets in the foreign end of the subject route, countries which are members of the World Trade Organization. 47 C.F.R. § 63.10(a)(3).

(n) As evidenced by the certification provided in Attachment A, Optivon FL has not agreed to accept any special concessions directly or indirectly from any foreign carrier with respect to any U.S. international route 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 a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988. 21 U.S.C. § 853(a).

(p) Optivon FL respectfully requests streamlined processing of this Application pursuant to Section 63.12 of the Commission's Rules. 47 C.F.R. § 63.12. This Application qualifies for streamlined processing for the following reasons: (1) Optivon FL is a 100% U.S. owned company, and it qualifies for a presumption of non-dominance under 47 C.F.R. § 63.10(a)(3); (2) Optivon FL is not affiliated with any dominant U.S. carrier whose international switched or private lines services it seeks to resell; and (3) Optivon FL is not requesting authority to provide switched service over private lines to countries not previously authorized for service by the Commission.

WHEREFORE, Optivon FL respectfully requests that the Commission grant it authority to provide international telecommunications services on a resale basis between the U.S. mainland and international points pursuant to Section 214 of the Communications Act of 1934, as amended.

Respectfully submitted,

Optivon, Inc., a Florida corporation

By: \_\_\_\_\_  
Luis G. Romero Font, President & CEO

November 20, 2014

**Optivon, Inc., a Florida Corporation**  
**Application Under 47 U.S.C. § 214**  
**Attachment A**

**CERTIFICATION**

The undersigned hereby certifies, on behalf of Optivon, Inc., a Florida corporation (“Optivon FL”), with respect to the foregoing application for authority to provide international services, that:

1. Optivon FL is 100% owned by a U.S. company, all the entities that indirectly own 10% or more in Optivon FL are U.S. citizens, and Optivon FL was organized under the laws of Florida.
2. Optivon FL will comply with the terms and conditions of Sections 63.21 and 63.23 of the Commission’s Rules. 47 C.F.R. §§ 63.21 and 63.23.
3. Optivon FL is a U.S. resale carrier. Optivon FL is entitled to presumptive non-dominant status, as provided in 47 C.F.R. § 63.10.
4. Optivon FL 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 adversely affect competition in the U.S. market and will not enter into such agreements in the future.
5. No party to this application is subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988. 21 U.S.C. § 853(a).

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_