

Categories of Services for 214 Applications
(Streamline/Non-streamline)

- LIMITED/GLOBAL RESALE SERVICE
- LIMITED/GLOBAL FACILITIES-BASED SERVICE
- LIMITED/GLOBAL FACILITIES-BASED/RESALE SERVICE
- INDIVIDUAL FACILITIES-BASED SERVICE
- INTERCONNECTED PRIVATE LINE RESALE SERVICE
- INMARSAT AND MOBILE SATELLITE SERVICE
- INTERNATIONAL SPECIAL PROJECT
- SWITCHED RESALE SERVICE
- TRANSFER OF CONTROL
- ASSIGNMENT OF LICENSE
- PRO FORMA TRANSFER/ASSIGNMENT
- SPECIAL TEMPORARY AUTHORITY
- SUBMARINE CABLE LANDING LICENSE

Description of Application: _____

5132

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December 20, 1999

VIA COURIER

Federal Communications Commission
c/o Mellon Bank
Three Mellon Bank Center
525 William Penn Way
27th Floor, Room 153-2713
Pittsburgh, PA 15259-0001

Attn: Wholesale Lock Box Shift Supervisor
International Bureau – Telecommunications Division
Box 358115

Re: In the Matter of
EASTON TELECOM SERVICES, INC.
Application for Transfer from Robert E. Mocas to Teligent, Inc. of Control of
authority pursuant to Section 214 of the Communications Act of 1934, as
amended, to provide service in accordance with the provisions of Section
63.18(e)(2) of the Commission's Rules.

Attached herewith are an original and five copies of the above-referenced Application for
Transfer of Control. In addition, enclosed herewith is a completed FCC Form 159 and a check in
the amount of \$780.00 for the necessary filing fee. Please date stamp and return to me in the
enclosed envelope the extra copy that has been included. If you have any questions or require
additional information, please call me at (202) 626-6884.

Respectfully submitted,



Robert E. Stup, Jr.
Counsel to Teligent

Baltimore • Brussels • Budapest • Cleveland • Columbus • Hong Kong • Houston
Jacksonville • Kyoto • London • Madrid • Miami • Moscow • New York • Phoenix • Prague • Taipei

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

In the Matter of

EASTON TELECOM SERVICES, INC.

File No. _____

Application for Transfer from Robert E. Mocas to Teligent, Inc. of Control of authority pursuant to Section 214 of the Communications Act of 1934, as amended, to provide service in accordance with the provisions of Section 63.18(e)(2) of the Commission's Rules.

**Transfer of Control Application
Streamline Processing Requested**

Robert E. Mocas ("Mocas") and Teligent, Inc., and its subsidiaries ("Teligent"), pursuant to Section 63.18(e)(2) of the Commission's Rules, hereby request Commission consent to the transfer of control of Easton Telecom Services, Inc.'s ("Easton") Section 214 authority to provide global resale of public switched services. Teligent and Mocas are negotiating the terms of an agreement whereby Teligent will ultimately acquire indirect ownership and control of 100 percent of the equity of Easton. This acquisition will be accomplished through a proposed reverse triangular merger involving Winston I Corp. ("Merger Sub"), a wholly-owned subsidiary of Teligent created solely to effectuate the merger. Easton will ultimately become a wholly-owned subsidiary of Teligent Services, Inc. ("TSI"), a subsidiary of Teligent. Pursuant to the proposed merger agreement, Merger Sub will be merged with and into Easton, with Easton the surviving entity, and wholly-owned by Teligent.¹ Teligent will then contribute the stock to TSI, resulting in Easton becoming a wholly-owned subsidiary of TSI and an indirect wholly-owned

¹ Immediately prior to the merger, Mocas may transfer his Easton stock to a trust, of which he is the sole trustee. The trust would then transfer the Easton stock to Teligent.

subsidiary of Teligent. The qualifications of Teligent to own or control Section 214 authority are a matter of Commission record as Teligent already has Section 214 authority to operate as a global facilities-based carrier and also to provide global resale service.²

By granting this Application, the Commission will serve the public interest, convenience and necessity by promoting competition in the international services market. Competition will benefit U.S. consumers by increasing service options and lowering prices. Thus, the public interest will be served by the grant of the Commission's consent to the transfer to Teligent of ultimate control of Easton's Section 214 authority.

Section 63.18 Information

The following information is submitted, as required by Section 63.18 of the Commission's Rules, in support of this request for Commission consent to the transfer to Teligent of control of Easton's Section 214 authority.

(a)	<u>Transferor:</u>	<u>Transferee:</u>
	Robert E. Mocas	Teligent, Inc.
	Easton Telecom Services, Inc.	8065 Leesburg Pike
	4646 W. Streetsboro Road	Suite 400
	Post Office Box 550	Vienna, VA 22182
	Richfield, OH 44286	

(b) Mr. Mocas is a resident of the State of Ohio. Teligent is a corporation organized under the laws of the state of Delaware. Easton is a corporation organized under the laws of the state of Ohio.

² Teligent will make a *pro forma* assignment of its Section 214 authorization to TSI in the near future and will notify the Commission thereafter in compliance with FCC rules.

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

Transferor:

Mr. Robert E. Mocas
President
Easton Telecom Services, Inc.
4646 W. Streetsboro Road
Post Office Box 550
Richfield, OH 44286
Telephone: (330) 659-6700
Toll Free: 1-800-227-8420

Transferee:

Terri B. Natoli, Esq.
Vice President, Regulatory Affairs
and Public Policy
Teligent, Inc.
8065 Leesburg Pike, Suite 400
Vienna, VA 22182
Telephone: (703) 762-5183
Facsimile: (703) 762-5584
Email: terri.natoli@teligent.com

(d) Easton holds Section 214 authority to provide global resale of public switched services.

The Commission's approval of Easton's Section 214 authority is stated in File No. I-T-C-95-585 (January 17, 1996). Teligent holds Section 214 authority to provide global facilities-based and resale services. The Commission's approval of Teligent's Section 214 authority is stated in File No. I-T-C-97-783 (January 23, 1998).³ The Commission has also granted the transfer of control of the Section 214 authority of Association Communications, Inc. (d/b/a Network ACI) to Teligent, as stated in File No. I-T-C-T/C-19990719-00438 (August 26, 1999).

(e) Mocas requests Commission consent to the transfer to Teligent of control of Easton's Section 214 authority to provide global resale services pursuant to Section 63.18(e)(2) of the Commission's Rules.

(f) At this time, neither Mocas, Easton nor Teligent seek any other authorization available under Section 63.18.

(g) Not applicable.

(h) Teligent certifies that it is not a foreign carrier nor does it have an affiliation, as defined in Section 63.18(h), with a foreign carrier. In support of its required certification, the names and

³ The Commission has also granted authority for Teligent and its subsidiaries to increase their level of indirect foreign ownership up to a 49.9 percent non-controlling level. See File No. ISP-19980818-00008 (October 30, 1998).

addresses of the 10% or greater shareholders of Teligent, a publicly traded corporation, are: The Associated Group, Inc.;⁴ and Dr. Rajendra Singh and Mrs. Neera Singh.

The name, address, citizenship and principal businesses of the 10% or greater shareholders of Teligent are as follows:

The Associated Group, Inc.

The Estate of Jack N. Berkman (Miles P. Berkman, Donald H. Jones and Lillian R. Berkman, trustees)
c/o Miles P. Berkman
The Associated Group, Inc.
200 Gateway Towers
Pittsburgh, PA 15222
Citizenship: United States (all)
Principal Business: Communications holding company
Percentage of ownership: Approximately 39%
Ownership interests held through Microwave Services, Inc., an affiliate of The Associated Group, Inc.

Dr. Rajendra Singh and Mrs. Neera Singh

c/o Telcom Ventures, L.L.C.
200 North Union Street
Suite 300
Alexandria, VA 22201
Citizenship: United States (both)
Principal Business: Communications
Percentage of ownership: Approximately 31%
Ownership interests held through Telcom-DTS Investors, L.L.C., an affiliate of Telcom Ventures, L.L.C.

Teligent further certifies that it does not seek to provide international telecommunications services to any destination country for which: (1) it is a foreign carrier in that country;

(2) Teligent controls a foreign carrier in that country; (3) any entity that owns more than 25

⁴ On May 28, 1999, Liberty Media Corporation and The Associated Group, Inc., the largest single shareholder of Teligent, entered into Agreement and Plan of Merger whereby The Associated Group, Inc. will be merged with and into Liberty Media Corporation.

percent of Teligent, or that controls Teligent, controls a foreign carrier in that country;⁵ or (4) two or more foreign carriers, or parties that control foreign carriers, own, in the aggregate, more than 25 percent of Teligent and are parties to, or the beneficiaries of, a contractual relation affecting the provision or marketing of international basic telecommunications services in the United States.

In addition, Teligent's qualifications to control the subject Section 214 authority are a matter of Commission record because Teligent already holds Section 214 authority to provide global facilities-based and resale services.

(i) Teligent certifies that it has not agreed to accept special concessions directly or indirectly from any foreign carrier with respect to any United States international route where the foreign carrier possesses market power on the foreign end of the route and will not enter into such agreements in the future.

(j) Teligent certifies that no party to this application has been denied federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988.

(k) Teligent desires streamline processing of this application pursuant to Section 63.12 of the Commission's Rules. The streamlined processing procedures are appropriate because Teligent: (1) is not affiliated with a foreign carrier in a destination market; (2) is not affiliated with a dominant United States carrier whose international switched or private line services the applicant seeks authority to resell (either directly or indirectly through the resale of another reseller's services); or (3) does not seek authority to provide switched basic services over private lines to a

⁵ Nippon Telegraph and Telephone Corp., through its indirect wholly owned subsidiary, NTTA&T Investment, Inc. ("NTTA&T"), owns approximately 10.7 percent of Teligent common stock, however, Teligent is not deemed to have an affiliation with either NTT or NTTA&T, as defined in Section 63.18(h) because the level of ownership is below 25 percent.

country for which the Commission has not previously authorized the provision of switched services over private lines.

Conclusion

For these reasons, Mocas and Teligent respectfully request that the Commission grant this application.

Respectfully submitted,



Robert E. Stup, Jr.
Squire, Sanders & Dempsey L.L.P.
P.O. Box 407
Washington, DC 20044-0407
(202) 626-6884 – Telephone
(202) 626-6780 – Facsimile
Rstup@ssd.com – Email

Date: December 20, 1999

AFFIDAVIT

STATE OF VIRGINIA §
 §
COUNTY OF FAIRFAX §

I, Terri B. Natoli, being first duly sworn, depose and state that I am Vice President of Teligent and Teligent Services, Inc. and Assistant Secretary of Teligent, Inc., Teligent Services, Inc., and Winston I Corp. I swear or affirm that I have read the foregoing and that the facts stated therein are true and correct to the best of my knowledge, information, and belief.


Terri B. Natoli

Subscribed and sworn to me this 15th day of December 1999.


Heather L. Buchanan

Notary Public In and For the Commonwealth of Virginia.
My Commission expires May 31, 2002

AFFIDAVIT

STATE OF OHIO §
COUNTY OF SUMMIT §

I, Robert E. Moccas, being first duly sworn, depose and state that I am the President and sole shareholder of Easton Telecom Services, Inc. I swear or affirm that I have read the foregoing and that the facts stated therein are true and correct to the best of my knowledge, information, and belief.

Robert Moccas
Robert E. Moccas

Subscribed and sworn to me this 16th day of December 1999.

Connie E Sprouse
Notary Public



CONNIE E. SPROUSE, Notary Public
STATE OF OHIO
Resident of Summit County
My Commission Expires November 23, 2003