

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: \_\_\_\_\_

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PICKNET, INC.

ITC-TAO-19991206-00753

## THELEN REID & PRIEST LLP

ATTORNEYS AT LAW

NEW YORK  
SAN FRANCISCO  
WASHINGTON, D.C.  
LOS ANGELES  
SAN JOSE

MARKET SQUARE, SUITE 800  
701 PENNSYLVANIA AVENUE, N.W.  
WASHINGTON, D.C. 20004-2608  
TEL (202) 508-4000 FAX (202) 508-4321  
www.thelenreid.com

NANCY J. ESKENAZI  
202-508-4388  
neskenazi@thelenreid.com

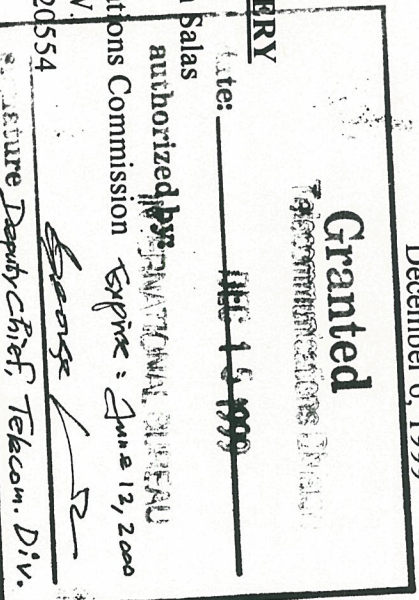
RECEIVED

December 6, 1999

DEC - 8 1999

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

**BY HAND DELIVERY**



Ms. Magalie Roman Salas  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

Re: Request for Special Temporary Authority to Transfer Ownership and Control of PICKNet, Inc. to Lebow Investments Ltd. Pursuant to Section 214 of the Communications Act of 1934, as Amended

Dear Ms. Salas:

PICKNet, Inc. ("PICKNet") and Lebow Investments Ltd. ("Lebow"), hereby request Special Temporary Authority ("STA") to transfer ownership and control of PICKNet to Lebow in accordance with Section 214(a) of the Communications Act, as amended, 47 U.S.C. §214(a) and Section 63.04 of the Commission's Rules, 47 C.F.R. §63.04. The Section 214 application for transfer of ownership and control from PICKNet to Lebow was filed with the Commission on December 6, 1999 and is attached hereto.

PICKNet and Lebow request this STA in order to expedite completion of the sale and transfer of control of PICKNet to Lebow. We further request that commencing on the date of grant of the STA, such STA be effective until disposition of the Section 214 transfer application by the Commission. Upon approval of this STA, PICKNet will continue to hold and operate as a global reseller pursuant to its existing Section 214 authorization.<sup>1</sup> Lebow will replace Pick Communications Corp. as PICKNet's owner. Lebow is a privately held company wholly-owned by GulfSat Communications Company, a corporation organized under the laws of Kuwait.<sup>2</sup>

<sup>1</sup> See, *Pro Forma* Assignment of 214 Authority for Global Resale Service from Pick Communications Corp. to its Wholly-Owned Subsidiary, PICKNet, Inc. (TTC-214-19970320-00157), November 2, 1999.

<sup>2</sup> See, Application of PICKNet, Inc, Transferor and Lebow Investments Ltd., Transferee, for Authority to Transfer Ownership and Control Pursuant to Section 214 of the Communications Act of 1934, as Amended, December 6, 1999. As defined under Section 63.09, 47 C.F.R. §63.09, of the Commission's Rules, GulfSat is a small foreign carrier primarily providing data services between Kuwait and points outside Kuwait. GulfSat does not have a fifty percent market share in the international transport and local access markets on the Kuwaiti end of the

THELEN REID & PRIEST LLP

December 6, 1999

Page 2

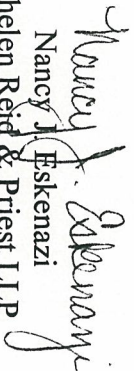
The public interest is served by enabling PICKNet to complete the transaction prior to Commission approval of the Section 214 transfer application because PICKNet will be able to continue operations, remain competitive in the market, and avoid the risk of disruption of service to its customer base. Further, it is critical that this STA be granted to enable expedited completion of the transaction and to avoid inherent risks caused by delays associated with such a transaction.

Upon grant of the STA, PICKNet will continue to provide those global resale services that it is presently authorized to provide in accordance with its Section 214 authorization. PICKNet presently serves, and will continue to serve, customers through the resale of the facilities of unaffiliated U.S. carriers' international switched services.

For the reasons stated herein, PICKNet and Lebow respectfully request that the Commission grant this request for STA to allow the proposed transfer of ownership and control as soon as possible until final disposition of the Section 214 transfer application by the Commission.

Respectfully Submitted,

THELEN REID & PRIEST LLP

  
Nancy J. Eskenazi  
Thelen Reid & Priest LLP  
701 Pennsylvania Avenue, NW  
Washington, DC 20004-2608  
Tel: (202) 508-4388  
Fax: (202) 508-4321

Counsel to Lebow Investments Ltd.

Dated: December 6, 1999

Attachment

cc: Breck Blalock

---

route, Kuwait is a WTO Member country, and PICKNet's customers will be served through the resale of the facilities of unaffiliated U.S. carriers' international switched services.

READ INSTRUCTIONS CAREFULLY BEFORE PROCEEDING

FEDERAL COMMUNICATIONS COMMISSION  
**REMITTANCE ADVICE**

APPROVED BY OMB 3060-0539

SPECIAL USE

FCC USE ONLY

(1) LOCKBOX # 358115

PAGE NO. 1 OF 1

**SECTION A - PAYER INFORMATION**

(2) PAYER NAME (if paying by credit card, enter name exactly as it appears on your card)  
Thelen Reid & Priest

(2) TOTAL AMOUNT PAID (dollars and cents)

(4) STREET ADDRESS LINE NO. 1

701 Pennsylvania Avenue, NW

(6) STREET ADDRESS LINE NO. 2

Suite 800

(8) CITY

Washington, DC

(7) STATE

DC

(9) ZIP CODE

20004-2608

(9) DAYTIME TELEPHONE NUMBER (include area code)

(202) 508-4000

(19) COUNTRY CODE (if not in U.S.A.)

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

**SECTION B - APPLICANT INFORMATION**

(11) APPLICANT NAME (if paying by credit card, enter name exactly as it appears on your card)  
PICKNet, Inc.

(12) STREET ADDRESS LINE NO. 1

Wayne Interchange Plaza

(13) STREET ADDRESS LINE NO. 2

155 Route 46 West, Third Floor

(14) CITY

Wayne

(18) STATE

NJ

(18) ZIP CODE

07470

(17) DAYTIME TELEPHONE NUMBER (include area code)

(973) 812-7425

(18) COUNTRY CODE (if not in U.S.A.)

**COMPLETE SECTION C FOR EACH SERVICE. MORE BOXES ARE NEEDED, USE CONTINUATION SHEETS (FORM 159-C).**

**SECTION C - PAYMENT INFORMATION**

(15A) FCC CALL SIGN/OTHER ID

C U T

(15) QUANTITY

1

(15A) FEE DUE FOR FTS IN BLOCK 28A

\$ 780.00

FCC USE ONLY

(23A) FCC CODE 1

(23A) FCC CODE 2

(18) FCC CALL SIGN/OTHER ID

(20) PAYMENT TYPE CODE (PTC)

(19) QUANTITY

(20) FEE DUE FOR FTS IN BLOCK 28B

FCC USE ONLY

(23B) FCC CODE 1

(23B) FCC CODE 2

(18) FCC CALL SIGN/OTHER ID

(20) PAYMENT TYPE CODE (PTC)

(19) QUANTITY

(20) FEE DUE FOR FTS IN BLOCK 28C

FCC USE ONLY

(23C) FCC CODE 1

(23C) FCC CODE 2

(19) FCC CALL SIGN/OTHER ID

(20) PAYMENT TYPE CODE (PTC)

(19) QUANTITY

(20) FEE DUE FOR FTS IN BLOCK 28D

FCC USE ONLY

(23D) FCC CODE 1

(23D) FCC CODE 2

**SECTION D - TAXPAYER INFORMATION (REQUIRED)**

(23) PAYER TIN

9 4 - 0 9 2 2 0 4 0

APPLICANT TIN

2 2 - 3 4 3 8 7 1 3

(27) CERTIFICATION STATEMENT (print name)  
NAMAII S PESHMAZI

certify under penalty of perjury that the foregoing and supporting information are true and correct to the best of my knowledge, information and belief. SIGNATURE *Namaei P. Peshmazi*

**SECTION E - CREDIT CARD PAYMENT INFORMATION**

(23) MASTERCARD/VISA ACCOUNT NUMBER

XX

EXPIRATION DATE

MONTH YEAR

VISA

(Indicate whether the FCC is charge by VISA or MASTERCARD for the service(s) identified in block described.)

AUTHORIZED SIGNATURE

SEE FILING GUIDELINES FOR REMITTANCE SERVICE

FCC FORM 159 - JULY 1997 (REVISED)

THELEN REID & PRIEST LLP  
701 PENNSYLVANIA AVENUE, N.W., SUITE 800  
WASHINGTON, DC 20004

THE RIGGS NATIONAL  
BANK OF WASHINGTON, DC  
WASHINGTON, DC 20074-6758  
1-800-452-5400

1563

12/9/1999

PAY TO THE Federal Communications Commission  
ORDER OF

\$ \*\*780.00

Seven Hundred Eighty and 00/100\*\*\*\*\*

DOLLARS  
Security features  
included.  
Details on back.

MEMO STA Filing Fee

⑈001563⑈ ⑆054000030⑆ 17187502⑈

*Kevin C. Trunkle* MP

**THELEN REID & PRIEST LLP**

NEW YORK  
SAN FRANCISCO  
WASHINGTON, D.C.  
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SAN JOSE

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NANCY J. ESKENAZI  
202-508-4388  
neskenazi@thelenreid.com

December 9, 1999

Ms. Magalie Roman Salas  
Secretary  
Federal Communications Commission  
International Bureau Telecommunications  
Division  
P.O. Box 358115  
Pittsburgh, PA 15251-5115

Re: Request for Special Temporary Authority to Transfer Ownership and Control of PICKNet, Inc. to Lebow Investments Ltd. Pursuant to Section 214 of the Communications Act of 1934, as Amended

Dear Ms. Salas:

Enclosed please find an original and six (6) copies of the Request for Special Temporary Authority to transfer ownership and control of PICKNet, Inc. to Lebow Investments Ltd., pursuant to Section 214 of the Communications Act of 1934, as amended.

As required by the Commission's Rules, a check in the amount of \$780.00 is enclosed. Please date-stamp the extra copy of the application and return it in the enclosed self-addressed, stamped envelope. Any questions regarding the enclosed application may be directed to the undersigned.

Sincerely,

THELEN REID & PRIEST LLP

  
Nancy J. Eskenazi

Counsel for Lebow Investments Ltd.

Enclosures

**THELEN REID & PRIEST LLP**

ATTORNEYS AT LAW

NEW YORK  
SAN FRANCISCO  
WASHINGTON, D.C.  
LOS ANGELES  
SAN JOSE

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NANCY J. ESKENAZI  
202-508-4388  
neskenazi@thelenreid.com

December 9, 1999

**BY HAND DELIVERY**

Ms. Magalie Roman Salas  
Secretary  
Federal Communications Commission  
International Bureau Telecommunications  
Division  
P. O. Box 358115  
Pittsburgh, PA 15251-5115

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<sup>1</sup> See, *Pro Forma Assignment of 214 Authority for Global Resale Service from Pick Communications Corp. to its Wholly-Owned Subsidiary, PICKNet, Inc.* (TTC-214-19970320-00157), November 2, 1999.

<sup>2</sup> See, *Application of PICKNet, Inc, Transferor and Lebow Investments Ltd., Transferee, for Authority to Transfer Ownership and Control Pursuant to Section 214 of the Communications Act of 1934, as Amended*, December 6, 1999. As defined under Section 63.09, 47 C.F.R. §63.09, of the Commission's Rules, GulfSat is a

December 9, 1999

Page 2

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For the reasons stated herein, PICKNet and Lebow respectfully request that the Commission grant this request for STA to allow the proposed transfer of ownership and control as soon as possible until final disposition of the Section 214 transfer application by the Commission.

Respectfully Submitted,

THELEN REID & PRIEST LLP



Nancy J. Eskenazi

Thelen Reid & Priest LLP  
701 Pennsylvania Avenue, NW  
Washington, DC 20004-2608  
Tel: (202) 508-4388  
Fax: (202) 508-4321

Counsel to Lebow Investments Ltd.

Dated: December 9, 1999

Attachment

---

small foreign carrier primarily providing data services between Kuwait and points outside Kuwait. GulfSat does not have a fifty percent market share in the international transport and local access markets on the Kuwaiti end of the route, Kuwait is a WTO Member country, and PICKNet's customers will be served through the resale of the facilities of unaffiliated U.S. carriers' international switched services.



READ INSTRUCTIONS CAREFULLY  
BEFORE PROCEEDING

FEDERAL COMMUNICATIONS COMMISSION  
REMITTANCE ADVICE

APPROVED BY OMB 3008-0038

(1) LOCKBOX # 358115

PAGE NO. 1 OF 1

SENDER'S TIN  
PAYER IDENT. CODE

SECTION A - PAYER INFORMATION

(2) PAYER TIN (If printed by credit card, enter name exactly as it appears on your card)

(3) TOTAL AMOUNT PAID (Include any cents)

Thelen Reid & Priest LLP

(4) STREET ADDRESS LINE NO. 1

701 Pennsylvania Avenue, N.W.

(5) STREET ADDRESS LINE NO. 2

Suite 800

(6) CITY

Washington, D.C.

(7) STATE

D.C.

(8) ZIP CODE

20004-2608

(9) PAYEE TELEPHONE NUMBER (Include area code)

(202) 508-4000

(10) COUNTRY CODE (if not in USA)

IF PAYER NUMBER AND THE ABOVE CITY NAME ARE DIFFERENT, COMPLETE SECTION B  
IF MORE THAN ONE APP. CAN USE COMBINATION SHEET (FORM 109-C)

SECTION B - APPLICANT INFORMATION

(11) PAYEE IDENT. NUMBER (printed by credit card, enter name exactly as it appears on your card)

PICKNet, Inc.

(12) STREET ADDRESS LINE NO. 1

Wayne Interchange Plaza

(13) STREET ADDRESS LINE NO. 2

155 Route 46 West, Third Floor

(14) CITY

Wayne

(15) STATE

N.J.

(16) ZIP CODE

07470

(17) PAYEE TELEPHONE NUMBER (Include area code)

(18) COUNTRY CODE (if not in USA)

(973) 812-7425

COMPLETE SECTION C FOR ALL PAYMENTS TO FOREIGN BANKS AND MEMBERS ARE REQUESTED. USE COMBINATION SHEETS (FORM 109-C)

SECTION C - PAYMENT INFORMATION

(19) POC CALL INDICATOR

CALL PAYMENT TYPE CODE (PTC)

PAY QUANTITY

(20) NET DUE FOR PTC IN BLOCK 2B

(21) NET DUE

(22A) POC CODE 1

C

1

\$ 780.00

(19) POC CALL INDICATOR

(20) NET DUE FOR PTC IN BLOCK 2B

(21) NET DUE

(22B) POC CODE 2

(19) POC CALL INDICATOR

(20) NET DUE FOR PTC IN BLOCK 2B

(21) NET DUE

(22C) POC CODE 3

(19) POC CALL INDICATOR

(20) NET DUE FOR PTC IN BLOCK 2B

(21) NET DUE

(22D) POC CODE 4

(19) POC CALL INDICATOR

(20) NET DUE FOR PTC IN BLOCK 2B

(21) NET DUE

(22E) POC CODE 5

SECTION D - PAYER INFORMATION (REQUIRED)

PAYER TIN

94 - 09222040

SECTION E - CERTIFICATION

APPLICANT TIN 22 - 3438713

(23) CERTIFICATION STATE

I, Nancy J. Eskerazi

(PRINT NAME)

Certify under penalty of perjury that the foregoing and supporting information

are true and correct to the best of my knowledge, information and belief. SIGNATURE Nancy J. Eskerazi

SECTION F - CREDITCARD PAYMENT INFORMATION

(24) CREDITCARD ACCOUNT NUMBER

EXPIRATION DATE

MONTH YEAR

MONTH YEAR

(25) PAYMENT CARD

VALID

AUTHORIZED SIGNATURE

DATE

Family indicates the POC to change by VISA or MasterCard for the cardholder's convenience. Please do not check.



POC FORM 789 JULY 1997 (REVISED)

THELEN REID & PRIEST LLP  
701 PENNSYLVANIA AVENUE, N.W., SUITE 800  
WASHINGTON, DC 20004

THE RIGGS NATIONAL  
BANK OF WASHINGTON, DC  
WASHINGTON, DC 20074-6758  
15-3/540


1525

12/1/1999

PAY TO THE ORDER OF Federal Communications Commission

\$ \*\*780.00

Seven Hundred Eighty and 00/100\*\*\*\*\*

 DOLLAR  
Security Feature  
Outside on back

FCC Sec. 214 Filing

MEMO

⑈001525⑈ ⑆054000030⑆ ⑆7187502⑈

*Janice E. Prunick*

THELEN REID & PRIEST LLP

ATTORNEYS AT LAW

NEW YORK  
SAN FRANCISCO  
WASHINGTON, D.C.  
LOS ANGELES  
SAN JOSE

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NANCY J. ESKENAZI  
202-508-4388  
[nestkenazi@thelenreid.com](mailto:nestkenazi@thelenreid.com)

December 3, 1999

Ms. Magalie Roman Salas  
Secretary  
Federal Communications Commission  
International Bureau Telecommunications  
Division  
P.O. Box 358115  
Pittsburgh, PA 15251-5115

Re: Application of PICKNet, Inc. and Lebow Investments Ltd. for Authority  
to Transfer Ownership and Control Pursuant to Section 214 of the  
Communications Act of 1934, as Amended

Dear Ms. Salas:

Enclosed please find an original and six (6) copies of the application of PICKNet, Inc. and Lebow Investments Ltd. for authority to transfer ownership and control of PICKNet, Inc. to Lebow Investments Ltd., pursuant to Section 214 of the Communications Act of 1934, as amended.

As required by the Commission's Rules, a check in the amount of \$780.00 is enclosed. Please date-stamp the extra copy of the application and return it in the enclosed self-addressed, stamped envelope. Any questions regarding the enclosed application may be directed to the undersigned.

Sincerely,

THELEN REID & PRIEST LLP

  
Nancy J. Eskenazi

Counsel for Lebow Investments Ltd.

Enclosures

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

In the Matter of	)	
	)	
PICKNet, Inc.,	)	
Transferor,	)	
and	)	
	)	File No. ITC-
Lebow Investments Ltd.,	)	
Transferee,	)	
	)	
Application for Authority to Transfer	)	
Ownership and Control Pursuant to	)	
Section 214 of the Communications Act	)	
of 1934, as Amended	)	
	)	

**APPLICATION**

PICKNet, Inc. ("PICKNet") and Lebow Investments Ltd. ("Lebow") (hereinafter referred to as the "Applicants"), hereby request authority, pursuant to Section 214 of the Communications Act of 1934, as amended, 47 U.S.C. §214, and Section 63.18 of the Commission's Rules, 47 C.F.R. §63.18, to transfer ownership and control of PICKNet to Lebow, as described below.

PICKNet is a non-dominant carrier holding Commission Section 214 authorization to provide international telecommunications services on a resold basis.<sup>1</sup> Lebow is a privately held company that is wholly-owned by GulfSat Communications Company ("GulfSat"), a corporation organized under the laws of Kuwait. GulfSat is a backbone provider for internet services in Kuwait,

---

<sup>1</sup> See, *Pro Forma Assignment of 214 Authority for Global Resale Service from Pick Communications Corp. to its Wholly-Owned Subsidiary, PICKNet, Inc.* (TTC-214-19970320-00157), November 2, 1999.

provides international data services between Kuwait and points outside Kuwait, and provides private line services outside of Kuwait.

Grant of this application for transfer of ownership and control will serve the public interest, convenience and organized under the laws of Kuwait necessity by promoting competition in the international services market. The benefits of competition to U.S. consumers include lower prices, an increased availability of service options, and more efficient use of international facilities. Thus, the grant of this Application will serve the public interest, convenience and necessity.

Applicants respectfully request streamlined processing of this Application in order to enable them to complete the proposed transfer of ownership and control as soon as possible.

In furtherance of this application, Applicants respectfully submit the following information:

**I. Description of the Transaction**

The transaction for which approval is requested in this Application is will proceed as follows: Pick Communications Corp, a Nevada corporation ("Pick Communications"), will close a Stock Purchase Agreement between itself and Lebow Investments Ltd, a corporation formed under the laws of the British Virgin Islands, for the sale to Lebow of two of Pick Communications's subsidiaries, PICKNet, Inc., a New Jersey corporation, and PICKNet UK plc, a United Kingdom company. Simultaneous to that closing, Gulsat, a corporation formed under the laws of Kuwait, will purchase one hundred percent of Lebow.

Specifically, the transaction will result in a change of ownership and control of PICKNet whereby GulfSat will wholly-own Lebow, which will, in turn, wholly-own PICKNet and PICKNet UK plc. Upon approval of this Application, PICKNet will continue to hold the Section 214 authorization, but PICKNet will no longer be owned or controlled by Pick Communications. Because PICKNet will continue to provide international telecommunications services on a resold basis and will continue to hold the existing Section 214 authorization, the transaction will not affect any of PICKNet's existing customers.

## **II. Section 63.18 Information**

### **(a) Names, addresses and telephone numbers of Applicants:**

PICKNet, Inc.  
Wayne Interchange Plaza  
155 Route 46 West, Third Floor  
Wayne, NJ 07470  
Tel: (973) 812-7425  
Fax: (973) 812-4181

Lebow Investments Ltd.  
Trident Chambers  
Wickham Cay  
P. O. Box 146  
Roadtown, Tortola  
British Virgin Islands  
Tel: (284) 494-2434  
Fax: (284) 494-3754

**(b) PICKNet is incorporated under the laws of the State of New Jersey. Lebow is incorporated under the laws of the British Virgin Islands.**

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

Lawrence M. Fuccella, Jr.  
President  
PICKNet, Inc.  
Wayne Interchange Plaza  
155 Route 46 West, Third Floor  
Wayne, NJ 07470  
Tel: (973) 812-7425  
Fax: (973) 812-4181

and

Robert Sams  
Director  
Lebow Investments Ltd.  
Perryman's Lane  
Burwash, East Sussex TN19 7DN  
United Kingdom  
Tel: (011) (44) (143) 588-2812  
Fax: (011) (44) (143) 588-3443

With a copy to:

Nancy Eskenazi  
Thelen Reid & Priest LLP  
701 Pennsylvania Avenue, Suite 800  
Washington, DC 20004-2608  
Fax: (202) 508-4321

- (d) Neither Lebow nor GulfSat have previously received authority under Section 214 of the Communications Act. PICKNet received Section 214 authority to provide global resale service following a *pro forma* assignment of Section 214 authority from Pick Communications Corp. to PICKNet, Inc. on November 2, 1999. See File No. ITC-214-19970320-00157.

(e)(3) Applicants seek authority to transfer ownership and control of PICKNet's non-dominant Section 214 global resale authorization to Lebow, a corporation which does not currently hold Section 214 authority.

- (f) At this time, Lebow does not seek any other authorization under Section 63.18(e).

- (g) Not applicable.

(h) The names, addresses, citizenship, and principal businesses of persons or entities that directly or indirectly own at least ten percent of the equity of Lebow, and the percentage of equity owned by each of those entities (to the nearest one percent), is as follows:

<u>Name/Address</u>	<u>% Held</u>	<u>Citizenship</u>	<u>Principal Business</u>
Gulfsat Communications Company P. O. Box 2400 Safat, Kuwait	100%	Kuwait	Telecommunications Services

Direct or Indirect Ownership in Gulfsat:

Kuwait Investments Projects Co. P. O. Box 23882 13100 Safat, Kuwait	34%	Kuwait	Investment Company
---	-----	--------	--------------------

Al-Morabitoon International General Trading and Contracting Group P. O. Box 24994 Safat, Kuwait	12%	Kuwait	General Trading, Contracting & Investment Company
--	-----	--------	---

Burgan Bank P. O. Box 5389 13054 Safat, Kuwait	10%	Kuwait	Banking
--	-----	--------	---------

Interlocking Directorates:

Fuad Dashti, Chairman of Gulfsat will serve as a Director of Lebow. Mr. Dashti is not an officer or director of any other telecommunications service provider.

(i) Lebow certifies that it is affiliated with a foreign carrier within the meaning of Section 63.09 of the Commission's Rules, 47 C.F.R. §63.09. Lebow is affiliated with Gulfsat, a Kuwaiti carrier. Lebow is wholly-owned by Gulfsat. This is the only affiliation Lebow has with a foreign carrier. Gulfsat is a backbone provider of internet services in Kuwait, provides international data services between Kuwait and points outside Kuwait, and provides private line services outside of Kuwait.

(j) Lebow certifies that it does not seek to provide international telecommunications services to any destination country where:

- (1) Lebow is a foreign carrier in that country; or
- (2) Lebow controls a foreign carrier in that country; or



(3) Two or more foreign carriers (or parties that control foreign carriers) own, in the aggregate, more than twenty-five percent of Lebow and are parties to, or the beneficiaries of, a contractual relation (e.g. joint venture or market alliance) affecting the provision of marketing of international basic telecommunications services in the United States.

Lebow further certifies that GulfSat, a Kuwaiti carrier, is a foreign carrier owning more than twenty-five percent of Lebow. As part of its global resale authority, PICKNet is currently authorized to provide resold international telecommunications services to Kuwait. Lebow seeks to continue use of the PICKNet Section 214 authorization to provide resold international telecommunications services to Kuwait.

(k) Kuwait, the destination foreign country, is a Member of the World Trade Organization.

(l) GulfSat, the foreign carrier with which Lebow is affiliated, lacks sufficient market power on the Kuwaiti end of the route to adversely affect competition in the U.S. market. GulfSat is a backbone provider of internet services in Kuwait, provides international data services between Kuwait and points outside Kuwait, and provides private line services outside of Kuwait. As a small international reseller of data services and internet backbone provider lacking control of international transport capacity or local access in Kuwait, GulfSat does not have a fifty percent market share in the international transport and local access markets on the Kuwaiti end of the route. GulfSat does not have the ability to discriminate against unaffiliated U.S. international carriers through control of bottleneck services or facilities in Kuwait. The international transport and local access markets in Kuwait are dominated by the monopoly PTT, Kuwait Tel. Accordingly, following the transfer of ownership and control of PICKNet to Lebow, there should be a presumptive non-dominant classification.

(m) For the reasons outlined in (l) above, Lebow desires PICKNet, following approval of the transfer of ownership and control, to be regulated as non-dominant for the provision of international telecommunications services provided to Kuwait on a resold basis. Further, pursuant to Section 63.10(4) of the Commission's Rules, 47 C.F.R. §63.10(4), service will continue to be provided solely through the resale of an unaffiliated U.S. facilities-based carrier's international switched services (either directly or indirectly through the resale of another U.S. resale carrier's international switched services), thus, strengthening the qualification for the presumptive non-dominant classification.

(n) See attached Certification.

(o) See attached Certification.


(p) The Applicants request streamlined processing pursuant to Section 63.12 of the Commission's Rules. Lebow is affiliated with a foreign carrier, GulfSat, a Kuwaiti company. However, given that the affiliated destination market is Kuwait, given Kuwait's status as a World Trade Organization member country, and understanding that service will be provided solely through resale of an unaffiliated U.S. facilities-based

carrier's international switched services, the Applicant qualifies for the presumption of non-dominance under Section 63.10(a)(4), 47 C.F.R. §63.10(a)(4), and the Applicant also qualifies for a presumption of non-dominance under Section 63.10(a)(3), 47 C.F.R. §63.10(a)(3), this Application qualifies for streamlined processing.

### III. Conclusion

The Applicants certify that all information in this Application is accurate and correct. For the reasons stated herein, PICKNet and Lebow respectfully request that the Commission grant this Application to consummate the proposed transfer of ownership and control as soon as possible, and grant all other relief as necessary and appropriate to effectuate the transaction described herein.

Respectfully submitted,

  
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Counsel to Lebow Investments Ltd.

Dated: December 3, 1999

CERTIFICATION OF APPLICANT

Lebow Investments certifies that it has not agreed and will not agree in the future to accept any direct or indirect special concessions from a foreign carrier or administration with regard to traffic or revenue flows between the United States and any foreign countries the company is authorized to serve.

On behalf of Lebow Investments, and in accordance with Sections 1.2001 through 1.2003 of the Commission's Rules, 47 C.F.R. §§1.2001 through 1.2003, I hereby certify that no party to this transfer application is subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988. See 21 U.S.C. §853a. I also hereby certify that the statements in the foregoing are true, complete and correct to the best of my knowledge and are made in good faith.

**LEBOW INVESTMENTS**

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

Name: ROBERT R. SATTS

Title: DIRECTOR

Date: 12/1/99

CERTIFICATION OF APPLICANT

PICKNet, Inc. certifies that it has not agreed and will not agree in the future to accept any direct or indirect special concessions from a foreign carrier or administration with regard to traffic or revenue flows between the United States and any foreign countries the company is authorized to serve.

On behalf of PICKNet, Inc., and in accordance with Sections 1.2001 through 1.2003 of the Commission's Rules, 47 C.F.R. §§1.2001 through 1.2003, I hereby certify that no party to this transfer application is subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988. See 21 U.S.C. §853a. 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.

**PICKNet, INC.**

By: 

Name: LAWRENCE M. FOCCE

Title: PRESIDENT

Date: 11/20/99