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September 17, 2004

**VIA HAND DELIVERY**

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
Wireline Competition Bureau  
P.O. Box 358145  
Pittsburgh, PA 15251-5145

**Re: In the Matter of the Application of Startec Global Licensing Company and  
Teligent, Inc. for Authorization Pursuant to Section 214 of the  
Communications Act of 1934, as Amended, to Transfer Customer Assets**

Dear Ms. Dortch:

On behalf of Startec Global Licensing Company ("Startec Licensing") and Teligent, Inc. ("Teligent") (together, the "Applicants"), enclosed please find an original and six (6) copies of an application for Commission approval for Teligent to transfer to Startec Licensing its commercial domestic long distance customer base and associated customer account information.

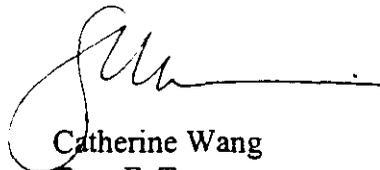
Pursuant to Section 63.04(b) of the Commission's rules, Applicants submit this filing as a combined domestic section 214 transfer of assets application and international section 214 transfer of assets application ("Combined Application"). Applicants are simultaneously filing the Combined Application with the International Bureau, in accordance with the Commission's rules.

Also enclosed is check in the amount of \$895.00, payable to the Federal Communications Commission, which satisfies the filing fee required for this application under line 2.b of Section 1.1105 of the Commission's rules.

Marlene H. Dortch, Secretary  
September 17, 2004  
Page 2

Please date-stamp the enclosed extra copy of this filing and return it in the envelope provided. Please do not hesitate to contact us if you have any questions regarding this filing.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Catherine Wang', written over a horizontal line.

Catherine Wang  
Troy F. Tanner  
Grace R. Chiu

Counsel to Teligent, Inc.

Enclosure

cc: James Morgan (Startec)

FEDERAL COMMUNICATIONS COMMISSION  
REMITTANCE ADVICE

(1) LOCKBOX #  358145	SPECIAL USE ONLY
	FCC USE ONLY

SECTION A - PAYER INFORMATION

(2) PAYER NAME (if paying by credit card enter name exactly as it appears on the card) Swidler Berlin Shereff Friedman, LLP		(3) TOTAL AMOUNT PAID (U.S. Dollars and cents) \$895.00
(4) STREET ADDRESS LINE NO. 1 3000 K Street NW		
(5) STREET ADDRESS LINE NO. 2 Suite 300		
(6) CITY Washington	(7) STATE DC	(8) ZIP CODE 20007
(9) DAYTIME TELEPHONE NUMBER (include area code) 202-424-7500	(10) COUNTRY CODE (if not in U.S.A.)	
<b>FCC REGISTRATION NUMBER (FRN) REQUIRED</b>		
(11) PAYER (FRN) 0004-3539-00	(12) FCC USE ONLY	

IF MORE THAN ONE APPLICANT, USE CONTINUATION SHEETS (FORM 159-C)  
COMPLETE SECTION BELOW FOR EACH SERVICE, IF MORE BOXES ARE NEEDED, USE CONTINUATION SHEET

(13) APPLICANT NAME Teligent, Inc.		
(14) STREET ADDRESS LINE NO. 1 460 Herndon Parkway		
(15) STREET ADDRESS LINE NO. 2 Suite 100		
(16) CITY Herndon	(17) STATE VA	(18) ZIP CODE 20170
(19) DAYTIME TELEPHONE NUMBER (include area code) (703) 326-4400	(20) COUNTRY CODE (if not in U.S.A.)	
<b>FCC REGISTRATION NUMBER (FRN) REQUIRED</b>		
(21) APPLICANT (FRN) 0004-3714-15	(22) FCC USE ONLY	

COMPLETE SECTION C FOR EACH SERVICE, IF MORE BOXES ARE NEEDED, USE CONTINUATION SHEET

(23A) CALL SIGN/OTHER ID	(24A) PAYMENT TYPE CODE CUT	(25A) QUANTITY 1
(26A) FEE DUE FOR (PTC) \$895.00	(27A) TOTAL FEE \$895.00	FCC USE ONLY
(28A) FCC CODE 1	(29A) FCC CODE 2	
(23b) CALL SIGN/OTHER ID	(24B) PAYMENT TYPE CODE	(25B) QUANTITY
(26B) FEE DUE FOR (PTC)	(27B) TOTAL FEE	FCC USE ONLY
(28B) FCC CODE 1	(29B) FCC CODE 2	

SECTION D - CERTIFICATION

**CERTIFICATION STATEMENT**  
I, M. Renee Britt, certify under penalty of perjury that the foregoing and supporting information is true and correct to the best of my knowledge, information and belief.

SIGNATURE *M. Renee Britt* DATE 09/17/04

SECTION E - CREDIT CARD PAYMENT INFORMATION

MASTERCARD \_\_\_\_\_ VISA \_\_\_\_\_ AMEX \_\_\_\_\_ DISCOVER \_\_\_\_\_

ACCOUNT NUMBER \_\_\_\_\_ EXPIRATION DATE \_\_\_\_\_

I hereby authorize the FCC to charge my credit card for the service(s) authorization herein described.

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_



proposed asset transfer involves neither a transfer of control of Teligent nor an assignment of Teligent's international Section 214 authorization.

Startec Operating and Startec Licensing<sup>3</sup> are facilities-based providers of communications services, including voice, data and Internet access. The companies market their services to ethnic businesses, residential communities located in major metropolitan areas, to international long distance carriers and to Internet service providers transacting with the world's emerging economies. Teligent is a leading nationwide provider of fixed wireless broadband services offering business customers facilities-based fixed wireless services, including wholesale transport, private line, dedicated Internet access, and long distance.

## **II. INFORMATION REQUIRED UNDER SECTIONS 63.04(b) AND 63.24(e)**

In support of this Application, Applicants submit the following information pursuant to Sections 63.04(b) and 63.24(e) of the Commission's rules.<sup>4</sup>

### **A. Information Required By Section 63.18(a) through (d), and (h) through (p):**

(1) 63.18(a) -- Name, address and telephone number of each applicant.

Transferees: Startec Global Operating Company FRN: 0007715923  
1151 Seven Locks Road  
Potomac, MD 20854  
Tel: (301) 610-4646  
Fax: (240) 314-4219

Startec Global Licensing Company FRN: 0007715915  
1151 Seven Locks Road  
Potomac, MD 20854  
Tel: (301) 610-4646  
Fax: (240) 314-4219

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<sup>3</sup> Startec Operating and Startec Licensing are wholly owned subsidiaries of Startec Global Communications Corporation. Startec Operating provides international interexchange telecommunications services, and Startec Licensing provides interstate and intrastate interexchange telecommunications services.

<sup>4</sup> 47 C.F.R. §§ 63.04(b), 63.24(e).

Transferor: Teligent, Inc.  
460 Herndon Parkway  
Suite 100  
Herndon, VA 20170  
Tel: (703) 326-4400  
Fax: (703) 326-4468

FRN: 0004371415

(2) 63.18(b) -- State of organization.

Transferees: Startec Operating and Startec Licensing are organized under the laws of the State of Delaware.

Transferor: Teligent is organized under the laws of the State of Delaware.

(3) 63.18(c) -- Contact person for this Application.

Correspondence and communications concerning this Application should be directed to Applicants' respective counsel of record:

For Transferees:

James Morgan  
Corporate Counsel  
Startec Global Communications Corporation  
1151 Seven Locks Road  
Potomac, MD 20854  
Tel: (301) 610-4646  
Fax: (240) 314-4219  
Email: [James.Morgan@startec.com](mailto:James.Morgan@startec.com)

For Transferor:

Catherine Wang  
Troy F. Tanner  
Grace R. Chiu  
Swidler Berlin Shereff Friedman, LLP  
3000 K Street, N.W., Suite 300  
Washington, D.C. 20007-5116  
Tel: (202) 424-7500  
Fax: (202) 424-7647  
Email: [CWang@swidlaw.com](mailto:CWang@swidlaw.com)  
[TFTanner@swidlaw.com](mailto:TFTanner@swidlaw.com)  
[GRChiu@swidlaw.com](mailto:GRChiu@swidlaw.com)

(4) 63.18(d) – International Section 214 Authorizations.

Transferees: Startec Operating is authorized to operate as a facilities-based and resale carrier of international services pursuant to a Section 214 authorization granted by the Commission in FCC File Nos. ITC-89-099 and ITC-97-379.<sup>5</sup> Startec Licensing does not hold international Section 214 authority.

Transferor: Teligent is authorized to operate as a facilities-based and resale carrier of international services pursuant to a Section 214 authorization granted by the Commission in File No. ITC-214-19971210-00775.

(5) 63.18(h) -- Ownership of Transferees.

Startec Global Operating Company and Startec Global Licensing Company are wholly owned subsidiaries of Startec Global Communications Corporation, a Delaware USA Corporation (“Startec Parent”). The issued and outstanding shares of Startec Parent are held by Allied Capital Corporation (“Allied”) (68.5%), NTFC Capital Corporation (“NTFC”) (24%), and various other bankruptcy creditors (none holding greater than 1%).

Allied is a publicly traded company. No person or entity directly or indirectly owns 10% or more of the equity of Allied, and no officer or director of Allied is also an officer or director of a foreign carrier.

NTFC is a Delaware Corporation with principal offices located at 10 Riverview Drive, Danbury, CT 06810. The principal business of NTFC is commercial lending.

NTFC is a wholly owned subsidiary of General Electric Capital Corporation, a Delaware corporation with principal executive offices located at 260 Long Ridge Rd, Stamford, Connecticut 06927. The principal business of General Electric Capital Corporation is financial services.

General Electric Capital Corporation is a wholly owned subsidiary of General Electric Capital Services, Inc., a Delaware corporation with its principal executive offices located at 260 Long Ridge Road, Stamford, CT 06927. General Electric Capital Services, Inc. is an intermediate holding company.

General Electric Capital Services, Inc. is a wholly owned subsidiary of the General Electric Company, a New York corporation with principal executive offices located at 3135 Easton Turnpike, Fairfield, Connecticut 06431. The General Electric Company is engaged in developing, manufacturing and

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<sup>5</sup> See 4 FCC Rcd 6953 (1989) and 12 FCC Rcd 13325 (1997).

distributing a wide variety of products. Through subsidiaries, it provides a broad spectrum of financial services. It also owns through other subsidiaries certain television broadcast licenses and the NBC television network.

The General Electric Company is a publicly traded company. No single person or entity directly or indirectly owns 10% or more of the General Electric Company.

No other person or entity directly or indirectly owns ten percent (10%) or more of the equity of the Transferees.

(6) 63.18(i) – Foreign Affiliations.

Startec Operating certifies that it is not a foreign carrier. Startec Operating certifies, however, that it has affiliations within the meaning of Section 63.09 of the Commission's rules with several non-dominant foreign carriers. Exhibit B, attached hereto, is a list of Startec Operating's foreign affiliations and the countries in which they operate.

(7) 63.18(j) -- Startec Operating certifies that pursuant to this application it is seeking authority after acquisition of the Customer Assets to continue providing international telecommunications services to all of the countries for which Startec Operating is currently authorized, which includes all of the countries listed in Exhibit B.

(8) 63.18(k) – All of the countries in which Startec Operating has foreign affiliates are Members of the World Trade Organization, as set forth in 47 C.F.R. § 63.18(k)(1).

(9) 63.18(l) -- Startec Operating may resell the international switched services of unaffiliated U.S. carriers for the purpose of providing telecommunications services to any of the countries listed in Exhibit B. Each of Startec Operating's foreign affiliates lacks 50 percent market share in the international transport and the local access markets on the foreign end of the route, as set forth in 47 C.F.R. § 63.10(a)(3).

(10) 63.18(m) -- Each of Startec Operating's foreign affiliates lacks 50 percent market share in the international transport and the local access markets on the foreign end of the route, as set forth in 47 C.F.R. § 63.10(a)(3). Startec Operating therefore qualifies for non-dominant treatment on all international routes.

(11) 63.18(n) – No special concessions. Startec Operating certifies that it has not agreed to accept special concessions, as defined in Section 63.14(b) of the Commission's Rules, directly or indirectly, from any foreign carrier with respect to any U.S. 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.

- (12) 63.18(o) – Certification. Startec Operating, Startec Licensing and Teligent certify pursuant to Sections 1.2001 through 1.2003 of the Commission’s rules that to the best of their knowledge 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. § 3301.
- (13) 63.18(p) – Streamlined processing. Applicants submit that this Application qualifies for streamlined processing pursuant to Section 63.12 of the Commission’s rules. As previously found by the Commission, Startec Operating has no affiliations with foreign carriers that possess market power in their destination markets, as set forth in Section 63.12(c)(1)(i)-(iv) of the Commission’s rules. In addition, Applicants are not seeking authority to provide switched basic services over private lines to a country for which the Commission has not previously authorized the provision of such services over private lines.

**B. Information Required By Section 63.04(b)**

Attached hereto as **Exhibit A** is the additional information for Startec Licensing and Teligent required under paragraphs (a)(6) through (a)(12) of Section 63.04 of the Commission’s rules.

III. CONCLUSION

Wherefore, for the reasons stated herein, Applicants respectfully submit that the public interest, convenience and necessity would be furthered by grant of this Application for international and domestic Section 214 authority for Teligent, Inc. to transfer to Startec Global Operating Company and Startec Global Licensing Company the assets and customer base described herein.

Respectfully submitted,

James Morgan  
Corporate Counsel  
Startec Global Communications Corporation  
1151 Seven Locks Road  
Potomac, MD 20854  
Tel: (301) 610-4646  
Fax: (240) 314-4219

Counsel to  
**STARTEC GLOBAL OPERATING  
COMPANY**

**STARTEC GLOBAL LICENSING  
COMPANY**

September 17, 2004



Catherine Wang  
Troy F. Tanner  
Grace R. Chiu  
Swidler Berlin Shereff Friedman, LLP  
3000 K Street, N.W., Suite 300  
Washington, D.C. 20007-5116  
Tel: (202) 424-7500  
Fax: (202) 424-7647

Counsel to  
**TELIGENT, INC.**

**LIST OF ATTACHMENTS**

**EXHIBIT A**                    **Additional Information Required under Section 63.04(a)(6)  
through (a)(12)**

**EXHIBIT B**                    **Startec Global Operating Company Foreign Affiliations**

**CERTIFICATION OF TRANSFEREES**

**CERTIFICATION OF TRANSFEROR**

## EXHIBIT A

### **Additional Information Required under Section 63.04(a)(6) through (a)(12) For a Domestic Section 214 Asset Transfer Application**

(a)(6) Description of the transaction.

Startec Operating and Startec Licensing have determined that the acquisition of Teligent's domestic and international long distance customer base will enable them to expand their operations in a cost-efficient manner, thereby enhancing their competitive position and ability to provide integrated telecommunications services to customers throughout the United States. To that end, Startec Operating, Startec Licensing and Teligent have entered into an agreement whereby Startec Operating will acquire Teligent's international long distance customer base, including associated customer account information, and Startec Licensing will acquire Teligent's domestic customer base, including associated customer account information. The proposed transaction does not involve the transfer of any network facilities or telecommunications equipment.

To ensure a seamless transition, the affected customers will be given not less than 30 days prior written notice of the proposed transfer, and the Applicants will file with the FCC the notice and certification required by Section 64.1120(e) of the Commission's rules.

(a)(7) Description of geographic areas served by Applicants and their affiliates.

Transferee: Startec Licensing offers domestic long distance services to residential customers nation-wide with its Dial-1 and 10-10-719 dial-around services. However, Startec Licensing's domestic long distance customers tend to be concentrated in major metropolitan areas on the east and west coasts of the United States. Startec Licensing and Startec Operating also provide their long distance services primarily to small and medium-sized ethnic enterprises, as well as to mid-sized business customers, often in conjunction with dial-up Internet access, domestic and international private line services, and other products.

Startec Licensing is affiliated with Guam Cable Group, Inc., which provides service as a carriers' carrier in Guam and the Commonwealth of the Northern Marianas Islands through a combination of owned and leased telecommunications transmission facilities. Guam Cable Group, Inc. does not provide telecommunications services to end users.

Transferors: Teligent is a nationwide provider of fixed wireless broadband services offering business customers facilities-based fixed wireless services, including wholesale transport, private line, dedicated Internet access, and long distance.

(a)(8) Streamlined Treatment.

Applicants respectfully submit this Application qualifies for streamlined treatment pursuant to Section 63.03(b)(2)(i) because none of the applicants are dominant with respect to any service. In addition, Startec Licensing will have a market share in the interstate, interexchange market of less than 10 percent following the transfer of assets. Consequently, the proposed asset transfer has no potential to result in harm to the public interest.

(a)(9) Related Applications.

Other than the international Section 214 portion of this Application, no other FCC applications relate to the transaction that is the subject of this Application.

(a)(10) Special Consideration.

Applicants anticipate that the asset transfer described herein will take place on or about November 15, 2004, and therefore respectfully request that this Application be placed on public notice as soon as possible.

Applicants are not requesting special consideration of this Application because of an imminent business failure.

(a)(11) Waiver Requests.

No waiver requests have been filed in conjunction with this transaction.

(a)(12) Statement of Public Interest.

Grant of this Application will serve the public interest by enhancing competitive choices for telecommunications consumers. Specifically, the proposed transaction will benefit consumers by accelerating Startec Licensing's ability to offer a broad range of domestic telecommunications products and services. By enhancing Startec Licensing's ability to provide innovative and diversified services, and to expand its operations in a cost-effective manner, the asset transfer will enable Startec Licensing to strengthen its competitive position. These enhancements in turn will ultimately inure to the benefit of consumers, by promoting innovation and furthering competition among providers in the domestic and international telecommunications marketplace.

As discussed above, the affected Teligent customers will be given prior written notice of the transfer of their account to Startec Licensing and Startec Operating, in compliance with the FCC's customer notice rules. Following the transfer, the customers will continue to receive services which will be consistent with the quality of services currently provided by Teligent and which will be supported by the combined Startec's experienced and well-qualified management team. As a result, the proposed transfer will be virtually transparent to the customers in terms of the rates and terms and conditions of service that these customers currently receive. The public interest therefore will be served by approval of this Application.

Finally, expedited consideration of this Application will serve the public interest by permitting Applicants to more speedily bring about the competitive benefits that will inure from permitting the combined Startec to strengthen its presence in the domestic and international services marketplace. Applicants therefore respectfully request that the Commission grant approval of this Application as soon as possible but not later than November 15, 2004.

## **EXHIBIT B**

### **Startec Global Operating Company Foreign Affiliations**

<b><u>Company</u></b>	<b><u>License(s) Held</u></b>
Startec Global Communications U.K. Ltd. (wholly owned Startec Parent subsidiary)	(U.K.) General Conditions of Entitlement Authorization  (Ireland) General Telecom License  (Austria) License for the provision of voice telephone by self- operated telecommunications network  (Australia) License not required  (New Zealand) Registered as an operator under the Telecom (International Services) Regulations 1994
Startec Global Communications (Switzerland) GmbH (wholly owned Startec Parent subsidiary)	(Switzerland) Registered for the supply of Telecom Services
Startec Global Communications GmbH (Germany) (wholly owned Startec Parent subsidiary)	(Germany) Class 4 (Nationwide) License
Startec Global Communications Company (Canada) (wholly owned indirect Startec Parent subsidiary)	(Canada) Class A License -- Section 16.3
Vancouver Telephone Company Limited (Canada) (wholly owned indirect Startec Parent subsidiary)	(Canada) Class A License -- Section 16.3
Conectel Telecomunicaciones S.A. (indirect subsidiary controlled by Allied)	(Argentina) Paging license
Radiofon de Columbia Ltda., (indirect subsidiary controlled by Allied)	(Colombia) Paging license

Maxtel S.A.,  
(indirect subsidiary controlled by Allied)

(Colombia) Paging license

Promptel Comunicações S/A  
(indirect subsidiary controlled by Allied)

(Brazil) Special Paging Service License

Alfa Radiochamada S/A  
(indirect subsidiary controlled by Allied)

(Brazil) Special Paging Service License

Peigim Comunicações e Serviços Ltda  
(indirect subsidiary controlled by Allied)

(Brazil) Special Paging Service License

Coopernet  
(indirect subsidiary controlled by Allied)

(Brazil) Private Mobile Limited Service (SLMP) license

Universal Network Technology S/A  
(indirect subsidiary controlled by Allied)

(Brazil) Agreements with Coopernet pursuant to which it renders services to end-users through the licenses held by Coopernet.

STATE OF MARYLAND )  
 ) ss:  
COUNTY OF MONTGOMERY )

VERIFICATION

I, Jeffrey L. Poersch, state that I am Secretary of Startec Global Operating Company, a Party in the foregoing filing; that I am authorized to make this Verification on behalf of Startec Global Operating Company; that the foregoing filing was prepared under my direction and supervision; and that the contents are true and correct to the best of my knowledge, information, and belief.

  
Jeffrey L. Poersch

Secretary  
Startec Global Operating Company

Sworn and subscribed before me this 7th day of September, 2004

  
Notary Public



My commission expires August 1, 2007

STATE OF MARYLAND )  
 ) ss:  
COUNTY OF MONTGOMERY )

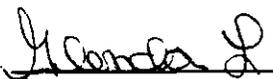
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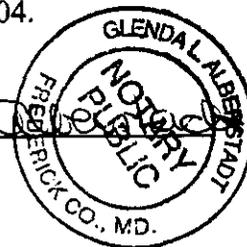
I, Jeffrey L. Poersch, state that I am Secretary of Startec Global Licensing Company, a Party in the foregoing filing; that I am authorized to make this Verification on behalf of Startec Global Licensing Company; that the foregoing filing was prepared under my direction and supervision; and that the contents are true and correct to the best of my knowledge, information, and belief.

  
Jeffrey L. Poersch

Secretary  
Startec Global Licensing Company

Sworn and subscribed before me this 7<sup>th</sup> day of September, 2004.

  
Notary Public

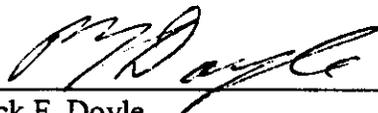


My commission expires August 1, 2007

COMMONWEALTH OF VIRGINIA     )  
  )  
COUNTY OF FAIRFAX            )     ss:

VERIFICATION

I, Patrick F. Doyle, state that I am President and Chief Operating Officer of Teligent Services, Inc., a Party in the foregoing filing; that I am authorized to make this Verification on behalf of Teligent Services, Inc.; that the foregoing filing was prepared under my direction and supervision; and that the contents are true and correct to the best of my knowledge, information, and belief.

  
\_\_\_\_\_  
Patrick F. Doyle

President and Chief Operating Officer  
Teligent Services, Inc.

Sworn and subscribed before me this 10 day of September, 2004.

  
\_\_\_\_\_  
Notary Public

My commission expires My Commission Expires December 21, 2004