



# PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION  
445 12th STREET S.W.  
WASHINGTON D.C. 20554

---

News media information 202-418-0500  
Fax-On-Demand 202-418-2830; Internet: <http://www.fcc.gov> (or <ftp.fcc.gov>)  
TTY (202) 418-2555

**Report No. SCL-00059**

**DA No. 08-841**  
**Thursday April 10, 2008**

## **ACTIONS TAKEN UNDER CABLE LANDING LICENSE ACT**

### **Section 1.767(a) Cable Landing Licenses, Modifications, and Assignments or Transfers of Control of Interests in Cable Landing Licenses (47 C.F.R. § 1.767(a))**

By the Chief, Policy Division, International Bureau:

Pursuant to An Act Relating to the Landing and Operation of Submarine Cables in the United States, 47 U.S.C. §§ 34-39 (Cable Landing License Act), Executive Order No. 10530, Exec. Ord. No. 10530 reprinted as amended in 3 U.S.C. § 301, and section 1.767 of the Commission's rules, 47 C.F.R. § 1.767, the following applications ARE GRANTED. These grants of authority are taken under section 0.261 of the Commission's rules, 47 C.F.R. § 0.261. Petitions for reconsideration under section 1.106 or applications for review under section 1.115 of the Commission's rules, 47 C.F.R. §§ 1.106, 1.115, may be filed within 30 days of the date of this public notice.

This public notice serves as each cable landing licensee's Cable Landing License, or modification thereto, pursuant to the Cable Landing License Act and sections 1.767 and 1.768 of the Commission's rules. Cable landing licensees should review carefully the terms and conditions of their licenses. Failure to comply with these terms and conditions or relevant Commission rules and policies could result in fines or forfeitures.

The Commission most recently amended its rules applicable to submarine cable landing licenses in Review of Commission Consideration of Applications under the Cable Landing License Act, IB Docket No. 00-106, FCC 01-332, 16 FCC Rcd 22167 (2001), 67 Fed. Reg. 1615 (Jan. 14, 2002). An updated version of sections 1.767 and 1.768 of the rules is available at <http://www.fcc.gov/ib/pd/pf/telecomrules.html>. See also [http://hraunfoss.fcc.gov/edocs\\_public/attachmatch/DA-02-598A1.pdf](http://hraunfoss.fcc.gov/edocs_public/attachmatch/DA-02-598A1.pdf) for a March 13, 2002 Public Notice; [http://hraunfoss.fcc.gov/edocs\\_public/attachmatch/FCC-01-332A1.pdf](http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-01-332A1.pdf) for the December 14, 2001 Report and Order.

Transfer of Control

Grant of Authority

Date of Action: 04/09/2008

**Current Licensee:** Pacific Lightnet, Inc.

**FROM:** TM Communications Hawaii, LLC

**TO:** SK Telecom Holdings, L.P.

Acceptability for Filing Public Notice: See SK Telecom Holdings Application to Transfer Control of Pacific Lightnet, Inc., File No. SCL-T/C-20080219-00002, Public Notice, Streamlined Submarine Cable Landing License Applications Accepted for Filing, Report No. SCL-00057S (IB rel. Feb. 29, 2008). No opposition or other comments were filed in response to Public Notice. The Application has been coordinated with the Department of State and other Executive Branch agencies pursuant to section 1.767(b) of the Commission's rules, 47 C.F.R. § 1.767(b), and consistent with procedures established with the Department of State. See Review of Commission Consideration of Applications under the Cable Landing License Act, IB Docket No. 00-106, Report and Order, 16 FCC Rcd 22167 (2001) (Submarine Cable Licensing Report and Order); Streamlined Procedures for Executive Branch Review of Submarine Cable Landing License Requests, Media Note (Revised) (rel. Dec. 20, 2001) available at <http://www.state.gov/r/pa/prs/ps/2001/6951.htm>

Actions Taken: Grant of Authority to transfer control of the interest in the GST Interisland Cable System, SCL-LIC-19950627-00024 (Old File No. SCL-95-003), held by Pacific Lightnet, Inc. (PLNI) from its current shareholders, TM Communications Hawaii, LLC (Tomen) (50%) and NextNet Investments, LLC (NextNet) (50%), to SK Telecom Holdings, L.P. (SK Telecom). PLNI owns and controls 12 fibers in the inter-island cable system connecting the islands of Kauai, Oahu, Maui and Hawaii, and eight fibers in the system connecting the islands of Lanai and Molokai. (See SCL-ASG-20010516-00013, 16 FCC Rcd 17218 (2001)).

Licensee Information: Pursuant to a Stock Purchase Agreement executed on February 4, 2008, SK Telecom will acquire 100% of the issued and outstanding stock of PLNI. PLNI will become wholly-owned by SK Telecom, and SK Telecom will control PLNI's entire interest in the interisland cable system

SK Capital Holdings, L.P. (SK Capital) has a 69.37% ownership interest in, and controls, SK Telecom. The following individuals hold a 10 percent or greater indirect ownership interest in SK Telecom through their ownership interests in SK Capital: Robert Seidler (13.75%), Matthew Seidler (13.75%), Peter Seidler (11.25%), John Seidler (11.25%). No other entity or individual holds a 10 percent or greater direct or indirect equity or voting interest in SK Telecom or SK Capital.

Conditions and Requirements: See GST Pacwest Telecom Hawaii, Inc. File No. SCL-95-003, Cable Landing License, 11 FCC Rcd 3024, 3025-26, para. 8 (IB 1996) ("GST Interisland Cable License Order"). SK Telecom shall comply with the requirements of Section 1.768 (notifications and prior approval for submarine cable landing licensees that are or propose to become affiliated with a foreign carrier), 47 C.F.R. § 1.768.

Regulatory Status of Cable: The GTS Interisland Cable System operates on a common carrier basis. See GST Interisland Cable License Order, 11 FCC Rcd at 3124-25, para. 7.

Cable Design and Capacity: See GST Interisland Cable License Order, 11 FCC Rcd at 3024, para. 3; In re GST Telecom Hawaii, Inc., and Time Warner Telecom of Hawaii, L.P., SCL-MOD-20001025-00036, Modification of Cable Landing License, 16 FCC Rcd 869, 870, 873, para 2, 10 (TD/IB 2001) (correcting the cable description).

---