



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

DA No. 09-575

Report No. SCL-00082

Friday April 10, 2009

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 for a March 13, 2002 Public Notice; http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-01-332A1.pdf for the December 14, 2001 Report and Order.

SCL-ASG-20090204-00001 E China United Network Communications Group Company Limited
Assignment
Grant of Authority Date of Action: 03/24/2009

Current Licensee: China Network Communications Group Corporation
FROM: China Network Communications Group Corporation
TO: China United Network Communications Group Company Limited

Notification filed February 4, 2009 of the pro forma assignment of the interest in the cable landing license for the Trans-Pacific Express ("TPE") Cable Network, SCL-LIC-20070222-00002, held by China Network Communications Group Corporation ("China Netcom") to China United Network Communications Group Company Limited (formerly China United Telecommunications Corporation)("China Unicom").

Pursuant to a corporate restructuring that occurred on January 6, 2009, (retroactively effective as of January 1, 2009) China Unicom absorbed China Netcom, resulting in the assignment of China Netcom's interest in the TPE Consortium to China Unicom which increased China Unicom's interest in the TPE consortium from 13.11% to 26.22%. Prior to the restructuring, China Netcom was, and China Unicom continues to be, owned and controlled by the People's Republic of China.

SCL-ASG-20090311-00006 E

Qwest Communications Company, LLC

Assignment

Grant of Authority

Date of Action: 03/11/2009

Current Licensee: Qwest Communications Corporation

FROM: Qwest Communications Corporation

TO: Qwest Communications Company, LLC

Notification filed March 11, 2009 of the pro forma assignment of the interest in the cable landing license for the Japan-U.S. Cable Network, SCL-LIC-19981117-00025, SCL-MOD-20071130-00020, held by Qwest Communications Corporation (QCC) to Qwest Communications Company, LLC (QCCL), effective January 2, 2009. Pursuant to a corporate restructuring, QCC was reorganized from a Delaware corporation to QCCL, a Delaware limited liability company.

Transfer of Control

Grant of Authority

Date of Action: 02/20/2009

Current Licensee: Brasil Telecom of America Inc.**FROM:** Brasil Telecom S/A**TO:** Telemar Norte Leste S.A.

Acceptability for Filing Public Notice: The Application was placed on Public Notice on December 29, 2008. See Brasil Telecom of America Inc. and Brasil Telecom S.A. Application for Authority to Transfer Control of Brasil Telecom of America Inc., the GlobeNet System, from Brasil Telecom S.A. to Telemar Norte Leste S.A, File No. SCL-T/C-20081212-00021, Non-Streamlined Submarine Cable Landing License Applications Accepted for Filing Public Notice, Report No. SCL-00079NS (Int'l Bur., December 29, 2008). No comments or oppositions to the application were filed in response to the 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, 22192-193, paras. 51-52 (2001) (Submarine Cable Landing License Report and Order); Streamlined Procedures for Executive Branch Review of Submarine Cable Landing License Requests, State Department Media Note (Revised) (rel. Dec. 20, 2001) available at <http://www.state.gov/r/pa/prs/ps/2001/6951.html>. The Department of Homeland Security and the Department of Justice filed a Petition to Adopt Conditions to Authorizations and Licenses on February 18, 2009.

Actions Taken: Grant of authority to transfer control of the submarine cable landing licenses for the GlobeNet System, SCL-LIC-19961026-00001, SCL-LIC-19990602-00010, held by Brasil Telecom of America Inc. (GlobeNet) from its indirect parent, Brasil Telecom S.A. (Brasil Telecom), to Telemar Norte Leste S.A. (Telemar). The GlobeNet cable system is comprised of the BUS-1, SCL-LIC-19961026-00001 (Old File No. SCL-95-009), and Atlantica-1, SCL-LIC-19990602-00010, cables. It extends between the United States, Bermuda, Venezuela, and Brazil.

Licensee Information: GlobeNet, the licensee, is organized in Delaware and is indirectly owned and controlled (99.99% equity and voting interest) by Brasil Telecom, a corporation formed under the laws of Brazil. Upon completion of a series of transactions, including a Share Purchase Agreement executed on April 25, 2008, Brasil Telecom will become a direct, wholly-owned subsidiary of Telemar, a publicly traded corporation formed under the laws of Brazil. The Sellers under the Share Purchase Agreement are the controlling shareholders of Invitel S.A., which holds indirectly the controlling interest in Brasil Telecom.

Pursuant to the Share Purchase Agreement, Telemar will acquire a majority of the voting shares of Brasil Telecom's direct parent, Brasil Telecom Participações S.A. (Brasil Telecom Parent). Independent from the Share Purchase Agreement, Telemar will conduct voluntary tender offers to the holders of preferred shares of Brasil Telecom Parent and Brasil Telecom. Telemar will also conduct mandatory tender offers to the minority common stockholders of Brasil Telecom Parent and Brasil Telecom, with the goal of obtaining 100% of such shareholdings. Telemar will then effect a pro forma consolidation resulting in the removal of Brasil Telecom Parent (and its current direct and indirect parent companies) from Brasil Telecom's vertical ownership chain. After completion of all the transactions described in the application, Telemar will own directly 100% of the equity and voting interests in Brasil Telecom.

Telemar is majority-owned and controlled (97.4% voting and 82.0% equity interest) by Tele Norte Participações S.A. (TNL), a publicly traded Brazilian holding company. TNL is, in turn, majority-owned and controlled (52.45% voting and 17.48% equity interest) by Telemar Participações S.A. (TmarPart), a Brazilian holding company. None of the shareholders of TmarPart will hold an indirect equity interest in Brasil Telecom (or indirectly in GlobeNet) of 10% or greater. However, the following shareholders of TmarPart, all of which are organized in Brazil, will hold a greater than 10% indirect voting interest in Brasil Telecom and GlobeNet as indicated: BNDES Participações S.A. (subsidiary of BNDES, a Brazilian government-owned economic and social development bank), 30.58%; Fiago Participações S.A. (controlled by FCF Fundo de Investimento em Ações), 24.35%; L.F. Tel S.A. (subsidiary of La Fonte Telecom S.A.), 18.80%; and the AG Group companies (subsidiaries of Andrade Gutierrez S.A.), 18.80%. It is not anticipated that any other individual or entity will hold a 10% or greater direct or indirect equity or voting interest in Brasil Telecom or GlobeNet.

Cable Design and Capacity: See TeleBermuda International, L.L.C., Cable Landing License, SCL-95-009, 11 FCC Rcd 21141, 21142, para. 4 (TD/IB 1996) (BUS-1 Cable Landing License Order); TeleBermuda International, L.L.C., SCL-95-009, Non-Streamlined International Section 214 and Cable Landing License Applications Accepted for Filing, Public Notice, Report TEL-62-B (TD/IB rel. Jan. 15, 1997) (landing points notification for the BUS-1 cable system); Atlantica USA LLC, Cable Landing License, 14 FCC Rcd 20787, 20788-89, 20793-94, paras. 4-5, 15-16 (TD/IB 1999) (Atlantica-1 Cable Landing License Order).

Regulatory Status of Cable: The GlobeNet Cable System operates on a non-common carrier basis. See BUS-1 Cable Landing License Order, 11 FCC Rcd at 21145-46, paras. 12-13; Atlantica-1 Cable Landing License Order, 14 FCC Rcd at 20790-93, paras. 7-14.

Conditions and Requirements: See BUS-1 Cable Landing License Order, 11 FCC Rcd at 21148-50, para. 22; Atlantica-1 Cable Landing License Order, 14 FCC Rcd at 20795-97, para. 19; Brasil Telecom of America Inc., SCL-MOD-20030701-00019, SCL-MOD-20030701-00020, SCL-MOD-20030701-00021, SCL-MOD-20030701-00022, Actions Taken Under Cable Landing License Act, Public Notice, 18 FCC Rcd 18320 PD/IB 2003) (substituting new no special concessions condition in 47 C.F.R. § 1.767(g)(5) and adding new pro forma condition in 47 C.F.R. § 1.767(g)(7) for the BUS-1 and Atlantica-1 cable systems).

Telemar shall comply with requirements of section 1.768 of the Commission's rules, 47 C.F.R. § 1.768 (notifications and prior approval for submarine cable landing licensees that are or propose to become affiliated with a foreign carrier).

GlobeNet is affiliated with a carrier in Brazil, a World Trade Organization Member country, and agrees to accept and abide by the reporting requirements in section 1.767(l) of the Commission's rules, 47 C.F.R. § 1.767(l), for the U.S.-Brazil route.

We grant the Petition to Adopt Conditions to Authorizations and Licenses (Petition) filed in this proceeding on February 18, 2009 by the

we grant the petition to accept conditions to authorizations and licenses (petition) filed in this proceeding on February 10, 2009, by the Department of Homeland Security and the Department of Justice. Accordingly, we condition grant of this application on Brasil Telecom of America Inc. abiding by the commitments and undertakings set forth in its letter of February 11, 2009 to Mr. Stephen R. Heifetz, Deputy Assistant Secretary for Policy Development, Department of Homeland Security (February 11, 2009 Letter). A copy of the Petition and the February 11, 2009 Letter are publicly available and may be viewed on the FCC website through the International Bureau Filing System (IBFS) by searching for SCL-T/C-20081212-00021 and accessing "Other filings related to this application" from the Document Viewing area.

SCL-T/C-20090402-00008 E Tyco Telecommunications(US) Inc.

Transfer of Control

Grant of Authority

Date of Action: 04/09/2009

Current Licensee: Tyco Telecommunications(US) Inc.

FROM: TSSL Holding Corp.

TO: Tyco Electronics (NV), Inc.

Notification filed April 2, 2009 of the pro forma transfer of control of the cable landing license for the southern segment of the Tyco Pacific System, SCL-LIC-20050304-00011, held by Tyco Telecommunications (US) Inc. (Tyco Telecom) from TSSL Holding Corp. (TSSL) to Tyco Electronics (NV), Inc. (TENV), effective March 20, 2009. As part of an internal corporate restructuring, TSSL transferred all of the issued and outstanding shares of Tyco Telecom to TENV. TSSL, TENV, and Tyco Telecom are all indirect, wholly-owned subsidiaries of Tyco Electronics Ltd. ("TE Parent"). TE Parent is a Bermuda limited company whose shares trade publicly on the New York Stock Exchange and the Bermuda Stock Exchange. TE Parent has no ten percent or greater shareholders.

INFORMATIVE

SCL-T/C-20070801-00014

Marine Cable Corporation

By letter filed January 30, 2009, Applicant notified the Commission that its proposed transfer of control will not be consummated.