



# PUBLIC NOTICE

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

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

DA No. 10-1611

Report No. SCL-00105

Thursday August 26, 2010

## 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.

These applications have 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, 22192-93, 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://2001-2009.state.gov/r/pa/prs/ps/2001/6951.htm>.

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: 08/25/2010

**Current Licensee:** American Samoa Hawaii Cable, LLC**FROM:** Stanford International Bank Ltd.**TO:** Pete R Pizarro

Application filed for consent to the transfer of control of the interest in the American Samoa-Hawaii Cable, SCL-LIC-20080814-00016, held by American Samoa Hawaii Cable, LLC (ASHC), from Stanford International Bank, Ltd. (SIBL) to Pete R. Pizarro. The American Samoa-Hawaii Cable connects Keawaula, Hawaii, Iliili, American Samoa, and Apia, the Independent States of Samoa. ASHC operates the wet-link portion of the American Samoa-Hawaii Cable System, including the Hawaii-American Samoa and American Samoa-Samoa segments, as well as the Hawaii, American Samoa, and Samoa shore-end portions of the ASHC System.

eLandia International, Inc. has majority ownership (66.66%) and control of ASHC. On February 6, 2009, without prior Commission consent, eLandia International undertook a capital structure reorganization whereby eLandia International converted the principal amount of its debt to SIBL into eLandia International preferred non-voting stock, reduced SIBL's ownership of eLandia International common stock from 68.1% to 49.9%, and placed the shares of eLandia International held by SIBL into a voting trust. Mr. Pizarro, a U.S. citizen, is the trustee for the Voting Trust and has the right to vote the shares held by the Voting Trust - which currently represent 44.75% of the common stock of eLandia International -- on most matters. Mr. Pizarro also individually owns 2.75% of the outstanding common shares of eLandia International. Thus Mr. Pizarro exercises the right to vote 47.5% of the voting shares of eLandia International and exercises control over eLandia International and its subsidiaries, including ASHC.

On February 16, 2009, SIBL was placed into receivership by order of the U.S. District Court for the Northern District of Texas in connection with a lawsuit brought by the Securities and Exchange Commission against SIBL. Securities and Exchange Commission v. Stanford Int'l Bank, Case No. 3-09CV0298-N (N.D. Tex). The court has appointed Ralph S. Janvey as the Receiver. The Voting Trust certificates are part of the Receivership Estate, but the assets and business operations of eLandia and its affiliates are not part of the Receivership Estate.

We grant the Petition to Adopt Conditions to Authorizations and Licenses filed in this proceeding on June 2, 2010, by the Department of Homeland Security (DHS) with concurrence from the Department of Justice. Accordingly, we condition grant of this application on the commitments set forth in the May 28, 2010 letter from Mr. Pizarro to David Heyman, Assistant Secretary for Policy, DHS, and Marlene H. Dortch, Secretary, FCC, and on compliance with the commitments set forth in the January 9, 2009 Agreement between American Samoa Hawaii Cable, LLC and AST Telecom, LLC, on the one hand, and DHS, on the other (the "Executive Branch Agreement"). The Petition, which attaches the May 28, 2010 letter, and the Executive Branch Agreement may be viewed on the FCC's website through the International Bureau Filing System (IBFS) by searching for SCL-T/C-20100125-00001 and accessing "Other Filings related to this application" from the Document Viewing Area.

Grant of this application is without prejudice to any enforcement action by the Commission for non-compliance with the Communications Act of 1934, as amended, or the Commission's rules.

Transfer of Control

Grant of Authority

Date of Action: 08/25/2010

**Current Licensee:** AST Telecom, LLC**FROM:** Stanford International Bank Ltd.**TO:** Pete R Pizarro

Application filed for consent to the transfer of control of the interest in the American Samoa-Hawaii Cable, SCL-LIC-20080814-00016, held by AST Telecom d/b/a Blue Sky Communications (Blue Sky), from Stanford International Bank, Ltd. (SIBL) to Pete R. Pizarro. The American Samoa-Hawaii Cable connects Keawaula, Hawaii, Iliili, American Samoa, and Apia, the Independent States of Samoa. Blue Sky owns and operates the Iliili cable station in American Samoa.

Blue Sky is a wholly-owned subsidiary of eLandia International. On February 6, 2009, without prior Commission consent, eLandia International undertook a capital structure reorganization whereby eLandia International converted the principal amount of its debt to SIBL into eLandia International preferred non-voting stock, reduced SIBL's ownership of eLandia International common stock from 68.1% to 49.9%, and placed the shares of eLandia International held by SIBL into a voting trust. Mr. Pizarro, a U.S. citizen, is the trustee for the Voting Trust and has the right to vote the shares held by the Voting Trust - which currently represent 44.75% of the common stock of eLandia International -- on most matters. Mr. Pizarro also individually owns 2.75% of the outstanding common shares of eLandia International. Thus Mr. Pizarro exercises the right to vote 47.5% of the voting shares of eLandia International and exercises control over eLandia International and its subsidiaries, including Blue Sky.

On February 16, 2009, SIBL was placed into receivership by order of the U.S. District Court for the Northern District of Texas in connection with a lawsuit brought by the Securities and Exchange Commission against SIBL. Securities and Exchange Commission v. Stanford Int'l Bank, Case No. 3-09CV0298-N (N.D. Tex). The court has appointed Ralph S. Janvey as the Receiver. The Voting Trust certificates are part of the Receivership Estate, but the assets and business operations of eLandia and its affiliates are not part of the Receivership Estate.

We grant the Petition to Adopt Conditions to Authorizations and Licenses filed in this proceeding on June 2, 2010, by the Department of Homeland Security (DHS) with concurrence from the Department of Justice. Accordingly, we condition grant of this application on the commitments set forth in the May 28, 2010 letter from Mr. Pizarro to David Heyman, Assistant Secretary for Policy, DHS, and Marlene H. Dortch, Secretary, FCC, and on compliance with the commitments set forth in the January 9, 2009 Agreement between American Samoa Hawaii Cable, LLC and AST Telecom, LLC, on the one hand, and DHS, on the other (the "Executive Branch Agreement"). The Petition, which attaches the May 28, 2010 letter, and the Executive Branch Agreement may be viewed on the FCC's website through the International Bureau Filing System (IBFS) by searching for SCL-T/C-20100322-00006 and accessing "Other Filings related to this application" from the Document Viewing Area.

Grant of this application is without prejudice to any enforcement action by the Commission for non-compliance with the Communications Act of 1934, as amended, or the Commission's rules.

Transfer of Control

Grant of Authority

Date of Action: 08/25/2010

**Current Licensee:** Pac-Rim Redeployment, LLC**FROM:** Stanford International Bank Ltd.**TO:** Pete R Pizarro

Application filed for consent to the transfer of control of the interest in the American Samoa-Hawaii Cable, SCL-LIC-20080814-00016, held by Pac-Rim Redeployment, LLC (PRR), from Stanford International Bank, Ltd. (SIBL) to Pete R. Pizarro. The American Samoa-Hawaii Cable connects Keawaula, Hawaii, Iliili, American Samoa, and Apia, the Independent States of Samoa. PRR constructed, and at the time of the transfer, owned the wet-link portion of the American Samoa-Hawaii Cable.

PRR is an indirect wholly-owned subsidiary of eLandia International, Inc. On February 6, 2009, without prior Commission consent, eLandia International undertook a capital structure reorganization whereby eLandia International converted the principal amount of its debt to SIBL into eLandia International preferred non-voting stock, reduced SIBL's ownership of eLandia International common stock from 68.1% to 49.9%, and placed the shares of eLandia International held by SIBL into a voting trust. Mr. Pizarro, a U.S. citizen, is the trustee for the Voting Trust and has the right to vote the shares held by the Voting Trust - which currently represent 44.75% of the common stock of eLandia International -- on most matters. Mr. Pizarro also individually owns 2.75% of the outstanding common shares of eLandia International. Thus Mr. Pizarro exercises the right to vote 47.5% of the voting shares of eLandia International and exercises control over eLandia International and its subsidiaries, including ELT.

On February 16, 2009, SIBL was placed into receivership by order of the U.S. District Court for the Northern District of Texas in connection with a lawsuit brought by the Securities and Exchange Commission against SIBL. Securities and Exchange Commission v. Stanford Int'l Bank, Case No. 3-09CV0298-N (N.D. Tex.). The court has appointed Ralph S. Janvey as the Receiver. The Voting Trust certificates are part of the Receivership Estate, but the assets and business operations of eLandia and its affiliates are not part of the Receivership Estate.

We grant the Petition to Adopt Conditions to Authorizations and Licenses filed in this proceeding on June 2, 2010, by the Department of Homeland Security (DHS) with concurrence from the Department of Justice. Accordingly, we condition grant of this application on the commitments set forth in the May 28, 2010 letter from Mr. Pizarro to David Heyman, Assistant Secretary for Policy, DHS, and Marlene H. Dortch, Secretary, FCC, and on compliance with the commitments set forth in the January 9, 2009 Agreement between American Samoa Hawaii Cable, LLC and AST Telecom, LLC, on the one hand, and DHS, on the other (the "Executive Branch Agreement"). The Petition, which attaches the May 28, 2010 letter, and the Executive Branch Agreement may be viewed on the FCC's website through the International Bureau Filing System (IBFS) by searching for SCL-T/C-20100322-00008 and accessing "Other Filings related to this application" from the Document Viewing Area.

Grant of this application is without prejudice to any enforcement action by the Commission for non-compliance with the Communications Act of 1934, as amended, or the Commission's rules.