PUBLIC NOTICE

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DA No. 20-811

Report No. SCL-00277 **Friday July 31, 2020**

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, Telecommunications and Analysis 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.

SCL-ASG-20200709-00026 E Seabras 1 USA, LLC

Assignment

Grant of Authority Date of Action: 07/30/2020

Current Licensee: Seabras 1 USA, LLC, Debtor-in-Possession

FROM: Seabras 1 USA, LLC, Debtor-in-Possession

TO: Seabras 1 USA, LLC

Notification filed July 9, 2020, of the pro forma assignment of the cable landing license for the Seabras-1 submarine cable system, SCL-LIC-20160115-00002, from Seabras 1 USA, LLC, Debtor-in-Possession (Seabras 1 USA DIP) to Seabras 1 USA, LLC (Seabras 1 USA), effective July 7, 2020. Seabras-1 connects the United States and Brazil and commenced commercial service on September 8, 2017.

On December 22, 2019, Seabras 1 USA and its direct parent, Seabras 1 Bermuda Ltd. (Seabras 1 Bermuda), filed voluntary petitions for bankruptcy protection under chapter 11 of the U.S. Bankruptcy Code in the U.S. Bankruptcy Court for the Southern District of New York (Bankruptcy Court) (Case No. 19-14006 (SMB) (S.D.N.Y.). See Actions Taken Under Cable Landing License Act, File No. SCL-ASG-20200104-00001, Public Notice, Report No. SCL- 00257, 35 FCC Rcd 452 (IB 2020).

On June 30, 2020, the Bankruptcy Court confirmed the plan of reorganization (Plan) and on July 7, 2020, Seabras 1 USA and Seabras 1 Bermuda emerged from bankruptcy. According to the Applicants, the bankruptcies refinanced Seabras 1 USA and Seabras 1 Bermuda's funded debt but did not result in a change in the direct or indirect voting or equity interests in Seabras 1 USA or in the ultimate control of Seabras 1 USA, which remains with Partners Group Holding AG (Partners Group Parent). In addition, the Bankruptcy Court approved a transaction and settlement whereby Partners Group Seabras, LLC, an indirect subsidiary of Partners Group Holding Parent, acquired all of the shares of Seaborn Management, which provides management services for the operation of Seabras-1. Partners Group Parent exercises de jure and de facto control over Seabras-1.

SCL-MOD-20200709-00027 E Pacific Carriage Limited

Modification

Grant of Authority Date of Action: 07/30/2020

Request of Pacific Carriage Limited (PCL) to modify the cable landing license for the Southern Cross Cable Network, SCL-MOD-20020430-00045, SCL-MOD-19990216-00002 and SCL-LIC-19971014-00009 (Old File No. SCL-97-005), to add a new condition to the license. The Southern Cross Cable Network connects Australia, New Zealand, Fiji, Hawaii, California, and Oregon.

Effective July 3, 2020, PCL and its affiliate Pacific Carriage Limited Inc. (PCLI) entered into a Letter of Assurances with the Department of Homeland Security and the Department of Defense to address national security, law enforcement, and public safety concerns with regard to the Southern Cross Cable Network.

Accordingly, we hereby modify the cable landing license for the Southern Cross Cable Network, SCL-MOD-20020430-00045, SCL-MOD-19990216-00002 and SCL-LIC-19971014-00009, to condition it on compliance by PCL with the commitments and undertakings contained in the July 3, 2020 letter from Laurie Miller, President and Chief Executive Officer, Pacific Carriage Limited Inc. and Pacific Carriage Limited, to the Assistant Secretary for Trade and Economic Security, Office of Strategy, Policy and Plans, Department of Homeland Security; John W. Wilmer, III, Deputy Chief Information Officer for Cybersecurity, U.S. Department of Defense; and Mark Hakun, Principal Director, Deputy Chief Information Officer for Cybersecurity, U.S. Department of Defense (LOA).

A failure to comply and/or remain in compliance with any of the commitments and undertakings set out in the LOA shall constitute a failure to meet a condition of the cable landing license and thus grounds for declaring the license terminated without further action on the part of the Commission. Failure to meet a condition of the license may also result in monetary sanctions or other enforcement action by the Commission.

A copy of the Petition and the LOA are publicly available and may be viewed on the FCC website through the International Bureau Filing System (IBFS) by searching for SCL-MOD-20200709-00027 and accessing "Other filings related to this application" from the Document Viewing area.

INFORMATIVE

SCL-STA-20200713-00030 AT&T Corp.

Request for special temporary authority (STA) filed by AT&T Corp. on behalf of the Taino-Carib Consortium to allow the continued operation of the Taino-Carib Cable System following the expiration of the prior cable landing license, SCL-LIC-19920107-00005 (Old File No. SCL-92-002), while the Commission considers the application for a new cable landing license for the cable, SCL-LIC-20180702-00019.

Pursuant to Commission practice, the STA is being referred to the relevant Executive Branch agencies for their views on any national security, law enforcement, foreign policy or trade policy concerns related to the foreign ownership of members of the Taino-Carib Consortium.