



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
45 L Street NE
WASHINGTON D.C. 20554

News media information 202-418-0500
Internet: <http://www.fcc.gov>

DA Number: 25-1047

Report No. SCL-00581

Thursday December 11, 2025

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

Actions Taken Under Submarine Cable Landing License Act

By the Chief, Telecommunications and Analysis Division, Office of International Affairs:

Pursuant to an Act relating to the landing and operation of submarine cables in the United States, 47 U.S.C. §§ 34-39 (Submarine 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 CFR § 1.767, the following applications ARE GRANTED. These grants of authority are taken under section 0.261 of the Commission's rules, 47 CFR § 0.261. Petitions for reconsideration under section 1.106 or applications for review under section 1.115 of the Commission's rules, 47 CFR §§ 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 CFR § 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); Commission Announces Department of State's Revised Procedures for its Consideration of Submarine Cable Landing License Applications, IB Docket No. 16-155, Public Notice, DA 22-435 (rel. Apr. 19, 2022).

This public notice serves as each submarine cable landing licensee's Submarine 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. Submarine cable landing licensees should review 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-T/C-20250325-00007

Aqua Comms (Americas) Inc

Date filed: 2025-03-25

Transfer of Control

Grant of Authority

Date of Action:

2025-12-04

Aqua Comms (Americas) Inc. (Aqua Comms Americas) filed an application for consent to the transfer

of control of Aqua Comms Americas from Digital 9 Infrastructure plc (Digital 9) to EXA Infrastructure UK Limited (EXA Infrastructure UK). On May 16, 2025, the application was placed on Public Notice. *See* SCL-T/C-20250325-00007, Non-Streamlined Submarine Cable Landing License Applications, Accepted For Filing, Report No. SCL00546NS, Public Notice (OIA May 16, 2025). No comments were filed in response to the Public Notice.

Aqua Comms Americas, a Delaware corporation, holds interests in the AEC-1 cable system (SCL-LIC-20140206-00002, SCL-MOD-20210105-00001), the AEC-2/Havfrue cable system (SCL-LIC-20180511-00010) and the AEC-3/Amitie cable system (SCL-LIC-20200807-00036). Specifically, Aqua Comms Americas owns and operates the portion of AEC-1 cable in the U.S. territorial sea, holds a 12.5% voting and participation interest in the portion of the Havfrue system in the U.S. territorial sea, and holds a 6.25% voting and participation interest in the portion of the Amitie cable system in the U.S. territorial sea. This transaction affects the interests held in AEC-2/Havfrue by America Europe Connect 2 USA, Inc. (AEC2 USA), a joint licensee of AEC-2/Havfrue and an affiliate of Aqua Comms Americas (collectively, the Aqua Comms Licensees), but does not affect the interests held by other licensees in the AEC-1, AEC-2/Havfrue and AEC-3/Amitie cable systems. *See* SCL-T/C-20250325-00008.

Pursuant to Commission practice, the Application was 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 the Applicants. *See Process Reform for Executive Branch Review of Certain FCC Applications and Petitions Involving Foreign Ownership*, IB Docket 16-155, Report and Order, 35 FCC Rcd 10927 (2020); 47 CFR § 1.40001(a)(1). On May 29, 2025, the Chair of the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector (Committee) filed a letter requesting that the Commission defer action on the application while the Committee reviewed it for any national security and law enforcement concerns that may be raised by foreign participation in the United States telecommunications services sector. SCL-T/C-20250325-00007, Non-Streamlined Submarine Cable Landing License Applications, Accepted For Filing, Report No. SCL-00550NS, Public Notice (OIA May 30, 2025). On November 20, 2025, the National Telecommunications and Information Administration (NTIA), on behalf of the Committee, filed a Petition to Adopt Conditions to Authorization and License (Petition). The Committee states that it has no objection to the Commission approving the application, provided that the Commission conditions its approval on the assurances of EXA Infrastructure UK Limited (EXA Infrastructure UK) to abide by the commitments and undertakings set forth September 2, 2019 Letter of Agreement (LOA) (September 2, 2019 LOA) regarding the Havfrue cable system (SCL-LIC-20180511-00010), the January 5, 2021, LOA regarding the AEC-1 cable system (SCL-LIC-20140206-00002) (January 5, 2021, LOA), the April 1, 2021 LOA regarding the Amitie cable system (April 1, 2021, LOA) and the September 22, 2025 Commitment Letter from Jocelyn Cho, General Counsel, EXA Infrastructure UK Limited, to Office of Strategy, Policy, and Plans U.S. Department of Homeland Security (September 22, 2025 Commitment Letter).

Following the completion of the Committee review of the Application, the Office of International Affairs (OIA) coordinated the Application with the Department of State as required by Executive Order 10530, pursuant to section 1.767(b) of the Commission's rules, and consistent with the established Department of State procedures. Executive Order 10530, Section 5(a) reprinted as amended in 3 U.S.C. § 301; 47 CFR §1.767(b); 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); Commission Announces Department of State's Revised Procedures for its Consideration of Submarine Cable Landing License Applications, IB Docket No. 16- 155, Public Notice, 37 FCC Rcd

5183 (2022). See SCL-T/C-20250325-00007, Non-Streamlined Submarine Cable Landing License Applications Accepted For Filing, Report No. SCL-00580NS, Public Notice, DA 24-1014 (OIA Dec. 5, 2025).

Aqua Comms Americas is a direct wholly owned subsidiary of America Europe Connect Limited (AECL) which is a direct wholly owned subsidiary of Aqua Comms Connect Limited (ACCL), which in turn is a direct wholly owned subsidiary of Aqua Comms Designated Activity Company (Aqua Comms Parent), all Irish companies. Aqua Comms Parent is a direct wholly owned subsidiary of Digital 9 Subsea Holdco Limited (Digital 9 Subsea Holding) which is an indirect subsidiary of Digital 9, a publicly traded Jersey company.

Pursuant to a January 17, 2025, agreement, EXA Infrastructure UK will acquire all of Aqua Comms Parent's issued and outstanding shares from Digital 9 Subsea Holdco. Upon consummation, AEC2 USA will be an indirect, wholly owned subsidiary of EXA Infrastructure UK.

The Applicants state that consummation of the Proposed Transaction will serve the public interest, convenience, and necessity by providing the licensees with the ability to compete more effectively on trans-Atlantic routes, adding that the transaction would not adversely affect competition in any geographic market for submarine cable capacity. According to the Applicants, the proposed transaction would combine Aqua Comms Licensees' submarine cable operations with EXA Infrastructure's existing network and operations, including the EXA North and South cable systems (formerly called GTT Atlantic and Hibernia Atlantic). Additionally, the transaction would enable EXA Infrastructure to realize synergies resulting from the diversification of the routes, leading to greater efficiency in operating leverage and savings on colocation, backhaul, and overhead costs. The Applicants state that this would allow them to compete more effectively with the other services and capacity providers in the trans-Atlantic market, including Tata Communications, Vodafone, Orange, Colt, Telxius, Bulk and Global Cloud Xchange.

Upon consummation the 10% or greater direct or indirect equity or voting interest holders in Aqua Comms Americas will be: (1) AECL (100% direct equity and voting interest in Aqua Comms America); (2) ACCL (100% direct equity and voting interest in AECL); (3) Aqua Comms Parent (100% direct equity and voting interest in ACCL); (4) EXA Infrastructure UK, a United Kingdom company (100% direct equity and voting interest in Aqua Comms Parent); (5) EXA Infrastructure Holdings UK Limited (EXA Infrastructure Holdings UK), a United Kingdom company (100% direct equity and voting interest in EXA Infrastructure UK); (6) Cube Telecom Europe Bidco Limited (Cube Telecom Europe Bidco), an England and Wales company (100% direct equity and voting interest in EXA Infrastructure Holdings UK); (7) Cube Telecom Europe Midco Limited (Cube Telecom Europe Midco), an England and Wales company (100% direct equity and voting interest in Cube Telecom Europe Bidco); (8) Cube Telecom Europe Topco Limited (Cube Telecom Europe Topco), an England and Wales company (100% direct equity and voting interest in Cube Telecom Europe Midco); (9) Cube Telecom Europe Holdings Limited (Cube Telecom Europe Holdings), an England and Wales company (100% direct equity and voting interest in Cube Telecom Europe Topco); and (10) Cube Telecom Europe Aggregator, LLC (Cube Aggregator), a Cayman Islands company (100% direct equity and voting interest in Cube Telecom Europe Holdings).

Cube Aggregator is owned by five investment funds (ISQ Funds): (1) ISQ Global Infrastructure Fund III (UST) AIV, L.P. (ISQ Fund III (UST) AIV), a Cayman Islands company (14.11% direct equity and voting interest in Cuba Aggregator); (2) ISQ Global Infrastructure Pooling III (USTE) AIV, L.P. (ISQ

Pooling III (USTE) AIV), a Cayman Islands company (3.60% direct equity and voting interest in Cube Aggregator); (3) ISQ Global Infrastructure Fund III AIV, L.P. (ISQ Fund III (USTE) AIV), a Cayman Islands company (32.61% direct equity and voting interest in Cube Aggregator); (4) ISQ Apollo Co-Invest Fund III, L.P. (ISQ Apollo Fund III), a Cayman Islands company (32.27% direct equity and voting interest in Cube Aggregator); and (5) ISQ Global Infrastructure Fund III (EU) AIV, L.P. (ISQ Global Fund III (EU) AIV), a Luxembourg company (17.40% direct equity and voting interest in Cube Aggregator). The non-member manager of Cube Aggregator is ISQ Global Fund III GP, LLC (ISQ Global Fund III GP), a Delaware company that owns and controls the general partners of each of the ISQ Funds. ISQ Global Fund III GP is wholly owned by ISQ Holdings, a Cayman Islands company.

ISQ Holdings owns and controls the general partners of the ISQ Funds. I Squared Capital Advisors (US) LLC (I Squared Capital Advisors), a Delaware company is the investment manager of the ISQ Funds and is a wholly owned subsidiary of I Squared Capital, LLC (I Squared Capital), a Cayman Islands company. ISQ Holdings is the managing member of I Squared Capital and holds no equity interest in it. ISQ Holdings is co-equally owned and controlled by Mr. Gautam Bhandari, a U.S. citizen and Mr. Sadek M. Wahba, a citizen of the U.S., United Kingdom, and Egypt. There are no other 10 percent or greater indirect or direct voting or equity interest holders in either ISQ Holdings or Aqua Comms Americas.

EXA Infrastructure UK shall comply with the routine conditions specified in sections 1.767(g) and 1.70007 of the Commission's rules, 47 CFR §§ 1.767(g), 1.70007.

We grant the Petition to Adopt Conditions to Authorizations and Licenses filed by NTIA on behalf of the Committee. Accordingly, we condition grant of the application on to abide by the commitments and undertakings set forth the September 2, 2019 LOA, the January 5, 2021 LOA, the April 1, 2021 LOA and the September 22, 2025 Commitment Letter. The Petition, the September 2, 2019 LOA, the January 5, 2021 LOA, the April 1, 2021 LOA and the September 22, 2025 Commitment Letter may be viewed on the FCC's website through the International Communications Filing System by searching for SCL-T/C-20250325-00007 and accessing the "Pleadings and Comments" from the Document Viewing Area.

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

This authorization is without prejudice to the Commission's action in any other related pending proceedings.

SCL-T/C-20250325-00008

America Europe Connect 2 USA Inc.

Date filed: 2025-03-25

Transfer of Control

Grant of Authority

Date of Action:

2025-12-04

America Europe Connect 2 USA Inc. (AEC2 USA) Inc. filed an application for consent to the transfer of control of AEC2 USA from Digital 9 Infrastructure plc (Digital 9) to EXA Infrastructure UK Limited (EXA Infrastructure UK). On May 16, 2025, the application was placed on Public Notice. *See* SCL-T/C-20250325-00008, Non-Streamlined Submarine Cable Landing License Applications, Accepted For

Filing, Report No. SCL00546NS, Public Notice (OIA May 16, 2025). No comments were filed in response to the Public Notice.

AEC2 USA, a Delaware corporation, is the U.S. landing party for the AEC2/Havfrue (SCL-LIC-20180511-00010) which connects the United States, Denmark, Ireland, and Norway. The proposed transaction affects the interests held in AEC-2/Havfrue by Aqua Comms (Americas) Inc. (Aqua Comms Americas), an affiliate of AEC2 USA (collectively, the Aqua Comms Licensees), but does not affect the interests held by the other licensees in the AEC-2/Havfrue cable system. *See* SCL-T/C-20250325-00007.

Pursuant to Commission practice, the Application was 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 the Applicants. *See Process Reform for Executive Branch Review of Certain FCC Applications and Petitions Involving Foreign Ownership*, IB Docket 16-155, Report and Order, 35 FCC Rcd 10927 (2020); 47 CFR § 1.40001(a)(1). On May 29, 2025, the Chair of the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector (Committee) filed a letter requesting that the Commission defer action on the application while the Committee reviewed it for any national security and law enforcement concerns that may be raised by foreign participation in the United States telecommunications services sector. SCL-T/C-20250325-00008, Non-Streamlined Submarine Cable Landing License Applications, Accepted For Filing, Report No. SCL-00550NS, Public Notice (OIA May 30, 2025). On November 20, 2025, the National Telecommunications and Information Administration (NTIA), on behalf of the Committee, filed a Petition to Adopt Conditions to Authorization and License (Petition). The Committee states that it has no objection to the Commission approving the application, provided that the Commission conditions its approval on the assurances of EXA Infrastructure UK Limited (EXA Infrastructure UK) to abide by the commitments and undertakings set forth September 2, 2019 Letter of Agreement (LOA) (September 2, 2019 LOA) regarding the Havfrue cable system (SCL-LIC-20180511-00010), the January 5, 2021, LOA regarding the AEC-1 cable system (SCL-LIC-20140206-00002) (January 5, 2021, LOA), the April 1, 2021 LOA regarding the Amitie cable system (April 1, 2021, LOA) and the September 22, 2025 Commitment Letter from Jocelyn Cho, General Counsel, EXA Infrastructure UK Limited, to Office of Strategy, Policy, and Plans U.S. Department of Homeland Security (September 22, 2025 Commitment Letter).

Following the completion of the Committee review of the Application, the Office of International Affairs (OIA) coordinated the Application with the Department of State as required by Executive Order 10530, pursuant to section 1.767(b) of the Commission's rules, and consistent with the established Department of State procedures. Executive Order 10530, Section 5(a) reprinted as amended in 3 U.S.C. § 301; 47 CFR § 1.767(b); *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); Commission Announces Department of State's Revised Procedures for its Consideration of Submarine Cable Landing License Applications, IB Docket No. 16- 155, Public Notice, 37 FCC Rcd 5183 (2022). *See* SCL-T/C-20250325-00008, Non-Streamlined Submarine Cable Landing License Applications Accepted For Filing, Report No. SCL-00580NS, Public Notice, DA 24-1014 (OIA Dec. 5, 2025).

AEC2 USA is a direct wholly owned subsidiary of America Europe Connect 2 Ltd. (AEC 2 Ltd) which is a direct wholly owned subsidiary of Aqua Comms Designated Activity Company (Aqua Comms Parent), both Irish companies. Aqua Comms Parent is a direct wholly owned subsidiary of Digital 9 Subsea Holdco Limited (Digital 9 Subsea Holding) which is an indirect subsidiary of Digital 9, a publicly traded Jersey company.

Pursuant to a January 17, 2025, agreement, EXA Infrastructure UK will acquire all of Aqua Comms Parent's issued and outstanding shares from Digital 9 Subsea Holdco. Upon consummation, AEC2 USA will be an indirect, wholly owned subsidiary of EXA Infrastructure UK.

The Applicants state that consummation of the Proposed Transaction will serve the public interest, convenience, and necessity by providing the licensees with the ability to compete more effectively on trans-Atlantic routes, adding that the transaction would not adversely affect competition in any geographic market for submarine cable capacity. According to the Applicants, the proposed transaction would combine Aqua Comms Licensees' submarine cable operations with EXA Infrastructure's existing network and operations, including the EXA North and South cable systems (formerly called GTT Atlantic and Hibernia Atlantic). Additionally, the transaction would enable EXA Infrastructure to realize synergies resulting from the diversification of the routes, leading to greater efficiency in operating leverage and savings on colocation, backhaul, and overhead costs. The Applicants state that this would allow them to compete more effectively with the other services and capacity providers in the trans-Atlantic market, including Tata Communications, Vodafone, Orange, Colt, Telxius, Bulk and Global Cloud Xchange.

Upon consummation, the 10% or greater direct or indirect equity or voting interest holders in AEC2 USA will be: (1) AEC 2 Ltd (100% direct equity and voting interest in AEC2 USA); (2) Aqua Comms Parent (100% direct equity and voting interest in AEC 2 Ltd); (3) EXA Infrastructure UK, a United Kingdom company (100% direct equity and voting interest in Aqua Comms Parent); (4) EXA Infrastructure Holdings UK Limited (EXA Infrastructure Holdings UK), a United Kingdom company (100% direct equity and voting interest in EXA Infrastructure UK); (5) Cube Telecom Europe Bidco Limited (Cube Telecom Europe Bidco), an England and Wales company (100% direct equity and voting interest in EXA Infrastructure Holdings UK); (6) Cube Telecom Europe Midco Limited (Cube Telecom Europe Midco), an England and Wales company (100% direct equity and voting interest in Cube Telecom Europe Bidco); (7) Cube Telecom Europe Topco Limited (Cube Telecom Europe Topco), an England and Wales company (100% direct equity and voting interest in Cube Telecom Europe Midco); (8) Cube Telecom Europe Holdings Limited (Cube Telecom Europe Holdings), an England and Wales company (100% direct equity and voting interest in Cube Telecom Europe Topco); and (9) Cube Telecom Europe Aggregator, LLC (Cube Aggregator), a Cayman Islands company (100% direct equity and voting interest in Cube Telecom Europe Holdings).

Cube Aggregator is owned by five investment funds (ISQ Funds): (1) ISQ Global Infrastructure Fund III (UST) AIV, L.P. (ISQ Fund III (UST) AIV), a Cayman Islands company (14.11% direct equity and voting interest in Cube Aggregator); (2) ISQ Global Infrastructure Pooling III (USTE) AIV, L.P. (ISQ Pooling III (USTE) AIV), a Cayman Islands company (3.60% direct equity and voting interest in Cube Aggregator); (3) ISQ Global Infrastructure Fund III AIV, L.P. (ISQ Fund III (USTE) AIV), a Cayman Islands company (32.61% direct equity and voting interest in Cube Aggregator); (4) ISQ Apollo Co-Invest Fund III, L.P. (ISQ Apollo Fund III), a Cayman Islands company (32.27% direct equity and voting interest in Cube Aggregator); and (5) ISQ Global Infrastructure Fund III (EU) AIV, L.P. (ISQ Global Fund III (EU) AIV), a Luxembourg company (17.40% direct equity and voting interest in Cube Aggregator). The non-member manager of Cube Aggregator is ISQ Global Fund III GP, LLC (ISQ Global Fund III GP), a Delaware company that owns and controls the general partners of each of the ISQ Funds. ISQ Global Fund III GP is wholly owned by ISQ Holdings, a Cayman Islands company.

ISQ Holdings owns and controls the general partners of the five investment funds (the ISQ Funds). I Squared Capital Advisors (US) LLC (I Squared Capital Advisors), a Delaware company is the investment manager of the ISQ Funds and is a wholly owned subsidiary of I Squared Capital, LLC (I Squared Capital), a Cayman Islands company. ISQ Holdings is the managing member of I Squared Capital and holds no equity interest in it. ISQ Holdings is co-equally owned and controlled by Mr. Gautam Bhandari, a U.S. citizen and Mr. Sadek M. Wahba, a citizen of the United States, United Kingdom, and Egypt. There are no other individuals or entities with a 10% or greater indirect or direct equity or voting interest in either ISQ Holdings or AEC2 USA.

EXA Infrastructure UK shall comply with the routine conditions specified in sections 1.767(g) and 1.70007 of the Commission's rules, 47 CFR §§ 1.767(g), 1.70007.

We grant the Petition to Adopt Conditions to Authorizations and Licenses filed by NTIA on behalf of the Committee. Accordingly, we condition grant of the application on to abide by the commitments and undertakings set forth the September 2, 2019 LOA, the January 5, 2021 LOA, the April 1, 2021 LOA and the September 22, 2025 Commitment Letter. The Petition, the September 2, 2019 LOA, the January 5, 2021 LOA, the April 1, 2021 LOA and the September 22, 2025 Commitment Letter may be viewed on the FCC's website through the International Communications Filing System by searching for SCL-T/C-20250325-00008 and accessing the "Pleadings and Comments" from the Document Viewing Area.

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

This authorization is without prejudice to the Commission's action in any other related pending proceedings.
