



PUBLIC NOTICE

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

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Thursday September 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-LIC-20250423-00013 S250477

Telxius Cable USA, Inc.

Date filed: 2025-04-23

Submarine Cable Landing License
Grant of Authority

Date of Action: 2025-09-10

Application filed by Telxius Cable USA, Inc. (Telxius USA), Telxius Cable Puerto Rico, Inc. (Telxius

Puerto Rico), and Telxius Cable America, S.A. (Telxius America) (together, Applicants) for a cable landing license for the South America-1 submarine cable system (SAm-1) (SCL-LIC- 20000204- 00003, SCL-MOD-20061207-00012, SCL-MOD-20180605-00016, SCL-MOD-20180905- 00032, SCLMOD-20190826-00028) for a new 25-year term, until March 26, 2051. The application was placed on Public Notice on July 11, 2025. *See SCL-LIC-20250423-0001, Streamlined Submarine Cable Landing License Applications, Accepted For Filing*, Report No. SCL- 00561S, Public Notice (OIA July 11, 2025) (*Public Notice*). No comments were filed in response to the *Public Notice*.

SAm-1 is a non-common carrier fiber-optic submarine cable network connecting Florida, Puerto Rico, Argentina, Brazil, Chile, Colombia, Dominican Republic, Ecuador, Guatemala, and Peru. The Applicants state that SAm-1 provides critical industry low-latency connectivity on U.S.-Latin America routes, provides connectivity on routes where capacity demand continues to increase substantially each year, and provides vigorous competition with other submarine cable systems.

Licensing History.

SAm-1 was originally licensed by the Commission on August 10, 2000. Telxius USA and Telxius Puerto Rico were the original licensees of SAm-1. *See Telefónica SAM USA, Inc., and Telefónica SAM Puerto Rico, Inc., Cable Landing License*, ICFS File No. SCL-LIC-20000204-00003, 15 FCC Rcd 14915 (IB 2000) (*SAm-1 License Order*). The system entered into commercial service on March 26, 2001. *See Letter from Kent Bressie, Counsel for Telxius Cable Landing Licensees, to Marlene H. Dortch, Secretary, FCC, ICFS File No. SCL-LIC- 20000204-00003* (filed June 20, 2018). In 2019, Telxius America was authorized as the third licensee of SAm-1. *See SCL-MOD-20180905-00032, Actions Taken Under Cable Landing License Act*, Public Notice, 34 FCC Rcd 12207 (IB 2019).

SAm-1 was originally authorized to land in Boca Raton, Florida; Isla Verde, Puerto Rico; Fortaleza, Brazil; Salvador, Brazil; Rio de Janeiro, Brazil; Santos, Brazil; Las Toninas, Argentina; Valparaiso, Chile; Arica, Chile; Lurin, Peru; Puerto San Jose, Guatemala; Puerto Barrios, Guatemala. *See SAm-1 License Order*, 15 FCC Rcd 14915. The license was subsequently modified to authorize additional landings in: (1) Barranquilla, Colombia, *see SCL-MOD-20061207-00012, Actions Taken Under Cable Landing License Act*, Public Notice, 22 FCC Rcd 6630 (IB 2007); (2) Punta Cana, Dominican Republic, *see SCL-MOD-20180905-00032, Actions Taken Under Cable Landing License Act*, 34 FCC Rcd 12, 207 (IB 2019); and (3) Mancora, Peru, and Punta Carnero, Ecuador, *see SCL-MOD-20190826-00028, Actions Taken Under Cable Landing License Act*, Public Notice, 35 FCC Rcd 1974 (IB 2020).

The SAm-1 cable landing license is subject to a condition that Telxius USA, Telxius Puerto Rico and Telxius America comply with the commitments set out in the Letter of Agreement from Gabriel Zadikian, President Board of Directors, Telxius Cable América, S.A., Guillermo Cañete, President, Telxius Cable USA, Inc., Telxius Cable Puerto Rico, Inc., Rafael Arranz Ruiz, Chief Operating Officer, Telxius Telecom S.A., José Manuel Santero Muñoz, Director, Strategy & Corporate Development Office, Telefónica, S.A., and Jaime Francisco Carro Merchán, General Counsel and Secretary of the Board, Pontegadea Inversiones S.L., to Assistant Secretary for Trade and Economic Security, Office of Strategy, Policy, and Plans, U.S. Department of Homeland Security; Chief, Foreign Investment Review Section (FIRS) and Deputy Chief, Compliance and Enforcement, on behalf of the Assistant Attorney General for National Security, United States Department of Justice; Office of Foreign Investment Review, Director, Undersecretary of Acquisition and Sustainment, U.S. Department of Defense, dated December 9, 2022 (December 9, 2022 LOA). *See SCL-T/C-20220222-00006, SCL-T/C-20220222-00008 and SCL-T/C-20220222-00009, Actions Taken Under Cable Landing License Act*, Public Notice, 38 FCC Rcd 344 (IB 2023).

Executive Branch Review.

On July 29, 2025, the Office of International Affairs referred the application to the Department of State (State) as required by Executive Order No. 10530, pursuant to section 1.767(b) of the Commission's rules, and consistent with the established Department of State procedures. Executive Order No. 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. 51-51 (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). See SCL-LIC-20250423-00013, *Streamlined Submarine Cable Landing License Applications, Accepted For Filing*, Report No. SCL-00565S, Public Notice (OIA July 31, 2025).

Action Taken.

Grant of a Cable Landing License to Telxius Cable USA, Inc., Telxius Cable Puerto Rico, Inc., and Telxius Cable America, S.A. for the purpose of continuing operation of the South America-1 submarine cable system, non-common carrier fiber-optic submarine cable system with landing points in Florida, Puerto Rico, Argentina, Brazil, Chile, Colombia, Dominican Republic, Ecuador, Guatemala, and Peru.

Licensee Ownership Information.

Telxius USA, a Florida company, Telxius Puerto Rico, a Puerto Rico company, and Telxius America, a Uruguay company, are majority-owned, indirect subsidiaries of Telefonica S.A. (Telefonica), whose shares are publicly-traded on the Madrid Stock Exchange.

The following individuals and entities have a 10% direct or indirect interest in the Applicants: (1) Telxius America, a Uruguay company (100% direct equity and voting interests in Telxius Puerto Rico); (2) Telxius Telecom S.A. (Telxius Parent), a Spain company (100% direct equity and voting interests in Telxius America and Telxius USA, and indirect 100% equity and voting interests in Telxius Puerto Rico); (3) Telefonica, a Spain company (as of February 6, 2025, 70% direct equity and voting interests in Telxius Parent and indirect 70% equity and voting interests in Telxius USA, Telxius Puerto Rico, and Telxius America); (4) Pontegadea Inversiones, S.L. (Pontegadea), a Spain company (30% direct equity and voting interests in Telxius Parent and 30% indirect equity and voting interests in Telxius USA, Telxius Puerto Rico, and Telxius America); (5) Mr. Amancio Ortega Gaona, a citizen of Spain (99.99% direct equity and voting interests in Pontegadea and 30% indirect equity and voting interests in Telxius USA, Telxius Puerto Rico, and Telxius America); and (6) Sociedad Estatal de Participaciones Industriales (SEPI), a Spain company (10% equity and voting interests in Telefonica giving it a 10% voting interest in each of the Applicants/Licensees and an indirect 7% equity interest in each of the Applicants/Licensees). The Applicants state that no other individual or entity holds a 10% or greater direct or indirect voting or equity interest in them.

Cable System Design and Capacity.

The SAM-1 Cable is a ring configuration submarine cable system that is approximately 25,000 kilometers in length and consists of the following segments:

1. Boca Raton, Florida – San Juan, Puerto Rico (approximately 1958 kilometers);
2. San Juan, Puerto Rico – Fortaleza, Brazil (approximately 4386 kilometers);
3. Fortaleza, Brazil – Santos, Brazil (approximately 4074 kilometers);
4. Salvador Branch, connecting a branching unit on the Fortaleza-Santos Segment with Salvador, Brazil (approximately 286 kilometers);
5. Rio de Janeiro Branch, connecting a branching unit on the Fortaleza-Santos Segment with Rio de Janeiro, Brazil (approximately 225 kilometers);
6. Santos, Brazil – Las Toninas, Argentina (approximately 2155 kilometers);
7. Valparaiso, Chile – Arica, Chile (approximately 1877 kilometers);
8. Arica, Chile – Lurin, Peru (approximately 1311 kilometers);
9. Lurin, Peru – Puerto San Jose, Guatemala (approximately 3807 kilometers);
10. Segment M1, connecting a branching unit on the Lurin-Puerto San Jose Segment with a second branching unit off the coast of Ecuador (approximately 680 kilometers);
11. Segment M2, connecting the branching unit off the coast of Ecuador with Punta Carnero, Ecuador (approximately 112 kilometers);
12. Segment M3, connecting the branching unit off the coast of Ecuador with Mancora, Peru (approximately 226 kilometers);
13. Segment K-1, connecting Puerto Barrios, Guatemala with Boca Raton, Florida (approximately 1742 kilometers);
14. Segment G1.1-G1.2, connecting San Juan, Puerto Rico with Barranquilla, Colombia (approximately 1417 kilometers); and,
15. Segment G1.3, connecting Punta Cana, Dominican Republic with BU5 (approximately 86 kilometers).

Each segment has up to four fiber pairs per segment, with each fiber pair having a current design capacity of 10.8 Terra bits per second (Tbps), except Segments M1, M3, G1.1-G1.2 and G1.3 each of which have two fiber pairs.

Cable Landings.

SAM-1 has cable landing stations in Boca Raton, Florida; Isla Verde, Puerto Rico; Punta Cana, Dominican Republic; Fortaleza, Brazil; Salvador, Brazil; Rio de Janeiro, Brazil; Santos, Brazil; Las Toninas, Argentina; Valparaiso, Chile; Arica, Chile; Lurin, Peru; Mancora, Peru; Punta Carnero, Ecuador; Puerto San Jose, Guatemala; and Puerto Barrios, Guatemala.

Ownership of the SAM-1 System.

Telxius USA will continue to own and control the cable landing station in Boca Raton, Florida and that portion of the SAM-1 system's wet segment in the U.S. territorial sea extending seaward from Florida. Telxius Puerto Rico will continue to own and control the cable landing station in Isla Verde, Puerto Rico and that portion of the SAM-1 system's wet segment in the U.S. territorial sea extending seaward from Puerto Rico. Telxius America will continue to own and control that portion of the SAM-1's wet segment in international waters.

The other portions of the cable system in foreign territorial waters and the cable landing stations in the foreign points are all owned and controlled by various Telxius entities. The Applicants state that none of these affiliates use the U.S. endpoints of the cable system and thus are not required to be licensees on SAM-1 under section 1.767(h)(2) of the Commission's rules. 47 CFR § 1.767(h)(2).

Regulatory Classification.

SAm-1 is currently operated on a non-common carrier basis and the Applicants propose to continue operation as a non-common carrier cable. They state that they sell capacity through individually negotiated indefensible rights of use (IRUs) and capacity leases, the terms of which will vary depending on the characteristics and needs of the particular capacity purchaser. The Applicants also state that SAm-1 competes with multiple other cables systems including Americas II, ARCOS-1, AMX-1, CFX-1, Curie, GlobeNet, Monet, PCCS, Seabras-1 and South American Crossing.

The Applicants have provided information and demonstrated that the proposed operation of the cable on a non-common carrier basis satisfies the requirements set forth in *National Association of Regulatory Utility Commissioners v. FCC*, 525 F.2d 630, 642 (D.C. Cir 1976) (NARUC I), cert. denied, 425 U.S. 992 (1976). *See also Submarine Cable Landing License Report and Order*, 16 FCC Rcd at 22202-22203, paras. 69-70; *Review of Commission Consideration of Applications under the Cable Landing License Act*, IB Docket No. 00-106, Notice of Proposed Rulemaking, 15 FCC Rcd 20789, 20815-18, paras. 62-67 (2000).

National Security/Law Enforcement Review.

The Applicants request that the Commission condition grant of the application on its continued compliance with the December 9, 2022 LOA. The Applicants state that they are in compliance with the December 9, 2022 LOA and will continue to comply with the LOA. The Applicants also note that ownership and operation details of the SAm-1 have not changed since the Executive Branch agencies last reviewed them in 2022.

Pursuant to Commission rules, we exercised our discretion and did not refer this application to the Executive Branch for national security, law enforcement, foreign policy and trade policy review. Unlike most cable landing license applications, this application involves an existing facility with a mitigation agreement specific to the cable system and that was agreed to in 2022. The application does not propose any changes to the cable system since the December 9, 2022 LOA was entered into and there have been no substantive changes in the foreign ownership since then. Finally, the Applicants requested that the Commission condition grant of the application on its continued compliance with the December 9, 2022 LOA. Thus, we found that this application presents a low or minimal risk to national security, law enforcement, foreign policy, and trade policy. *Public Notice* at 5. Although we did not refer this application, we provided a courtesy copy of the accepted for filing public notice to the Executive Branch agencies. *Id.*, citing Executive Branch Review Process Order, 35 FCC Rcd 10927, 10941, para. 36, n. 99 (2020); *see also id.* at 10957, para 81, n. 205. The agencies did not file comments.

Conditions and Requirements.

The Applicants shall each comply with and abide by the routine reporting requirements specified in section 1.767(g) of the Commission's rules, 47 CFR § 1.767(g).

Telxius USA, Telxius Puerto Rico, and Telxius America each certify that they are affiliated with foreign carriers that are presumed to have market power in Argentina, Brazil, Chile, Colombia, the Dominican Republic, Ecuador, Guatemala and Peru. The Applicants shall each comply with and abide by the reporting requirements in section 1.767(l), 47 CFR §1.767(l), for the U.S.-Argentina, U.S.-Brazil, U.S.-Chile, U.S.-Colombia, U.S.-Dominican Republic, U.S.-Ecuador, U.S.-Guatemala, and U.S.-Peru routes.

We grant the Applicant's request and condition grant of the application on Telxius USA, Telxius Puerto Rico and Telxius America's continued compliance with commitments and undertakings contained in the December 9, 2022 LOA. A copy of the December 9, 2022 LOA is publicly available and may be viewed on the FCC website through the International Communications Filing System (ICFS) by searching for the appropriate file number (SCL-LIC-20250423-00013) and accessing the "Attachment" tab in the Application Information page for the record.

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 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 grant of this cable landing license application may also result in monetary sanctions or other enforcement action by the Commission.

License Term.

The South America-1 submarine cable system is currently operating and its present license expires March 26, 2026. The new license will be effective upon the expiration of the present license and will expire on March 26, 2051.
