Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of	)	GN Docket No. 25-308;
	)	ITC-214-19980303-00158;
HKT (International) Limited	)	ITC-214-19980930-00689;
	)	ITC-214-19981218-00880;
PCCW Global, Inc.	)	ITC-214-19990601-00305;
	)	ITC-214-19990601-00306;
PCCW Global Limited	)	ITC-214-19990601-00307;
	)	ITC-214-19990601-00308;
Gateway Global Communications Inc.	)	ITC-214-19991122-00725;
	)	ITC-214-19991122-00726;
PCCW Global (UK) Limited	)	ITC-214-19991122-00727;
	)	ITC-MOD-20020829-00511;
	)	ITC-214-20021024-00567

ORDER TO SHOW CAUSE

Adopted: October 15, 2025 **Released: October 15, 2025**

By the Chief, Office of International Affairs; Chief, Wireline Competition Bureau; and Chief, Enforcement Bureau.

I. INTRODUCTION

1. By this Order, we direct HKT (International) Limited (HKT) to show cause why the Commission should not initiate a proceeding to revoke HKT's domestic authority and revoke and terminate its international authority pursuant to section 214 of the Communications Act of 1934, as amended (Act).[1] We also direct HKT's wholly-owned subsidiaries, PCCW Global, Inc. (PCCW Global), PCCW Global Limited, Gateway Global Communications Inc. (Gateway Global Communications), and PCCW Global (UK) Limited (PCCW Global UK) (collectively, "HKT's wholly-owned subsidiaries"), to show cause why the Commission should not initiate a proceeding to revoke their domestic authority pursuant to section 214 of the Act.[2]

[1] 47 U.S.C. § 214; *see* File Nos. ITC-214-19980303-00158, ITC-214-19980930-00689, ITC-214-19981218-00880, ITC-214-19990601-00305, ITC-214-19990601-00306, ITC-214-19990601-00307, ITC-214-19990601-00308, ITC-214-19991122-00725, ITC-214-19991122-00726, ITC-214-19991122-00727, ITC-MOD-20020829-00511, ITC-214-20021024-00567.

[2] 47 U.S.C. § 214; 47 CFR § 63.01.

II. BACKGROUND

A. Domestic and International Section 214 Authority

2. In the United States, HKT provides services through its wholly-owned subsidiaries.[3] HKT holds twelve international section 214 authorizations.[4] The International Bureau originally granted the international section 214 authorizations in 1998 through 2003, to Hong Kong Telecommunications (Pacific) Limited (Hong Kong Telecom) and its successors, to provide switched, basic telecommunications service, resale service, and/or facilities-based service, as set forth in each grant of authority, between the United States and certain foreign destinations.[5] In 2003, the International Bureau issued a Public Notice of a *pro forma* assignment of the international section 214 authorizations to BtN Access Limited.[6] In 2023, the International Bureau issued a Public Notice of a *pro forma* assignment of BtN Access Limited's international section 214 authorizations to its parent company, HKT.[7] Additionally, HKT is authorized to provide domestic interstate telecommunications service pursuant to blanket authority that the Commission has issued by rule.[8]

3. The following indirect wholly-owned subsidiaries of HKT are authorized to operate under HKT's international section 214 authorizations pursuant to section 63.21(h) of the Commission's rules: (1) PCCW Global, a Delaware corporation; (2) PCCW Global Limited, a Hong Kong company, (3) Gateway Global Communications, a Delaware corporation, and (4) PCCW Global UK, a United Kingdom company.[9] Additionally, the companies are authorized to provide domestic interstate telecommunications

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[3] 47 CFR § 63.21(h) (stating that, subject to certain requirements, "an authorized carrier may provide service through any wholly owned direct or indirect subsidiaries. The carrier must, within thirty (30) days after the subsidiary begins providing service, file with the Commission a notification referencing the authorized carrier's name and the FCC file numbers under which the carrier's authorizations were granted and identifying the subsidiary's name and place of legal organization. This provision shall not be construed to authorize the provision of service by any entity barred by statute or regulation from itself holding an authorization or providing service."); HKT (International) Limited, Notification of Pro Forma Assignment of International Section 214 Authorizations, File No. ITC-ASG-20230802-00098, at 1 (filed Aug. 2, 2023) (2023 Pro Forma Assignment Notification); Letter from Jennifer L. Kostyu, Counsel to HKT (International) Limited, Wilkinson, Barker, Knauer LLP, to Marlene H. Dortch, Secretary, FCC, at 1-2 (Sept. 11, 2023) (on file in File Nos. ITC-214-19980303-00158 et al.) (HKT Section 63.21(h) Notification).

[4] File Nos. ITC-214-19980303-00158, ITC-214-19980930-00689, ITC-214-19981218-00880, ITC-214-19990601-00305, ITC-214-19990601-00306, ITC-214-19990601-00307, ITC-214-19990601-00308, ITC-214-19991122-00725, ITC-214-19991122-00726, ITC-214-19991122-00727, ITC-MOD-20020829-00511, ITC-214-20021024-00567.

[5] *See infra* Appx. A (Summary of International Section 214 Authorizations).

[6] *See infra* Appx. A.

[7] *See infra* Appx. A.

[8] 47 CFR § 63.01. The Commission has explained that it grants blanket section 214 authority, rather than forbearing from application or enforcement of section 214 entirely, in order to remove barriers to entry without relinquishing its ability to protect consumers and the public interest by withdrawing such grants on an individual basis. *See Implementation of Section 402(b)(2)(A) of the Telecommunications Act of 1996*; *Petition for Forbearance of the Independent Telephone & Telecommunications Alliance*, Report and Order and Second Memorandum Opinion and Order, 14 FCC Rcd 11364, 11372-73, 11374, paras. 12-14, 16 (1999) (*Domestic 214 Blanket Authority Order*).

[9] 2023 Pro Forma Assignment Notification at 1 ("[PCCW Global] and PCCW Global Limited . . . operated under [BtN Access Limited's] Section 214 Authorizations pursuant to Section 63.21(h) of the Commission's rules. [PCCW Global] and [PCCW Global Limited], which are also wholly-owned indirect subsidiaries of HKT, continue to operate under the Section 214 Authorizations pursuant to Section 63.21(h)."); HKT Section 63.21(h) Notification at 1-2 (stating that, "effective immediately, the following wholly-owned indirect subsidiaries of HKT are operating

(continued….)

service pursuant to blanket authority that the Commission has issued by rule.[10] PCCW Global provides a suite of communications services to enterprises and communications service providers, including voice, internet access, internet transit/backbone, MPLS, IP VPN, private line, and ethernet services, including under the brand Console Connect.[11] PCCW Global provides U.S.-international services as well as domestic interstate services in 30 states, the District of Columbia, and Guam.[12] PCCW Global Limited "is the international operating division of HKT,"[13] and provides international voice,[14] mobility connectivity solutions,[15] and managed connectivity services.[16] Gateway Global Communications "enable[s] the world's largest telecoms companies and multinational businesses to connect into, and within, the African continent" and its "hybrid approach to connectivity combines fibre [sic], satellite, microwave and wireless service."[17] PCCW Global UK provides "transmission and telecommunications

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under HKT's international Section 214 authorizations" and identifying Gateway Global Communications and PCCW Global UK).

[10] 47 CFR § 63.01; *Domestic 214 Blanket Authority Order*, 14 FCC Rcd at 11372-73, 11374, paras. 12-14, 16.

[11] HKT International Limited, Joint Application for Consent to Transfer Control of PCCW Global, Inc. Pursuant to Section 214 of the Communications Act, File No. ITC-T/C-20230802-00097, at 2-3 (filed Aug. 2, 2023) (2023 Transfer of Control Application). According to the Commission's records as of 2023, PCCW Global does not provide residential services or mobile wireless services. *Id.* at 3.

[12] *Id.* at 3.

[13] HKT, *HKT Group Overview*, https://job.pccw.com/hkt/content/About-HKT/?locale=en_US (last visited Oct. 12, 2025) ("PCCW Global is the international operating division of HKT. Our global network covers more than 3,000 cities and 160 countries."); *see also id.* ("HKT (SEHK: 6823) is Hong Kong's premier telecommunications service provider and a leading innovator."); PCCW Global, *PCCW Global's Console Connect announces on-demand, direct and automated connections to Alibaba Cloud Express Connect* (Feb. 5, 2019), https://www.pccwglobalinc.com/2019/02/connections-to-alibaba-cloud/ ("PCCW Global is the international operating division of HKT, Hong Kong's premier telecommunications service provider . . . PCCW Global is headquartered in Hong Kong, and maintains regional centers in Belgium, China, France, Greece, Japan, Korea, Singapore, South Africa, the United Arab Emirates, the United Kingdom and the United States of America"); *see* PCCW GLOBAL Limited, *About Us*, LinkedIn, https://www.linkedin.com/company/pccw-global (last visited Oct. 12, 2025) (identifying the company's website as http://www.pccwglobal.com).

[14] PCCW Global, *International Voice*, https://www.pccwglobalinc.com/services/international-voice/#Features (last visited Oct. 12, 2025) (stating it offers "International Voice Termination service" and "Global Inbound Services" that provide "cost-free international call access with toll-free and local numbers in over 125 countries"); PCCW GLOBAL Limited, *PCCW GLOBAL Limited's Post*, LinkedIn, https://www.linkedin.com/posts/pccw-global_pccw-globals-international-voice-solutions-activity-7361427064173883394-CtA7 (stating it offers "International Voice solutions").

[15] PCCW Global, *Mobility*, https://www.pccwglobalinc.com/services/mobility/ (last visited Oct. 12, 2025) (stating it offers "Mobile eSIM" and "international voice and data roaming services"); PCCW GLOBAL Limited, *PCCW GLOBAL Limited's Post*, LinkedIn, https://www.linkedin.com/posts/pccw-global_why-choose-pccw-globals-mobility-solutions-activity-7376533483445231616-uY_s (last visited Oct. 12, 2025) (stating it offers "mobility solutions . . . [d]esigned for mobile network operators and businesses").

[16] PCCW Global, *Managed Connectivity Services*, https://www.pccwglobalinc.com/services/managed-connectivity-services/ (last visited Oct. 12, 2025) (stating it offers, for example, "Dedicated Ethernet," "Global Internet Access," "Layer 1 Transmission," "Managed SD-WAN," and "MPLS VPN"); PCCW GLOBAL Limited, *About Us*, LinkedIn, https://www.linkedin.com/company/pccw-global (last visited Oct. 12, 2025).

[17] Gateway Communications, *Sobre Nós*, LinkedIn, https://uk.linkedin.com/company/gateway-communications (last visited Oct. 12, 2025). The FCC Form 499 Filer Database indicates that Gateway Global Communications is an Interexchange Carrier in the United States. *See* FCC Form 499 Filer Database, *DETAILED INFORMATION*, Gateway Global Communications Inc, https://apps.fcc.gov/cgb/form499/499detail.cfm?FilerNum=836886 (last visited Oct. 12, 2025).

services."[18] HKT "is Hong Kong's leading communications service provider and operator of fixed-line, broadband, mobile communication, and media entertainment services."[19]

4. It appears that HKT's international section 214 authorizations are subject to the November 29, 2001, Agreement, as amended, with the Federal Bureau of Investigation, the U.S. Department of Justice, and the U.S. Department of Homeland Security.[20] PCCW Limited, which holds indirect majority ownership interest of HKT,[21] is a party to the mitigation agreement.[22]

B. Recent Denial and Revocation Actions

5. The Commission has taken repeated action in recent years to deny an application for international section 214 authority and to revoke and/or terminate the domestic and international section 214 authority of entities that are ultimately owned and controlled by the government of the People's Republic of China (PRC) and subject to its exploitation, influence, and control. On May 9, 2019, in the *China Mobile Order*, the Commission denied the application of China Mobile International (USA) Inc. (China Mobile USA or CMI) for a section 214 authorization to provide international telecommunications services between the United States and foreign destinations.[23] The Commission found that China Mobile USA is vulnerable to exploitation, influence, and control by the PRC government and that grant of international section 214 authority to China Mobile USA would "seriously jeopardize the national security and law enforcement interests of the United States."[24] The Commission found that, "due to a number of factors related to China Mobile USA's ownership and control by the Chinese government," grant of the application would raise substantial and serious national security and law enforcement risks

[18] HKT Trust and HKT Limited, Annual Report 2024 at 150 (2024), https://www.hkexnews.hk/listedco/listconews/sehk/2025/0402/2025040200953.pdf (2024 HKT Limited Group Annual Report); *see also* FCC Form 499 Filer Database, *DETAILED INFORMATION*, PCCW Global (UK) Limited, https://apps.fcc.gov/cgb/form499/499detail.cfm?FilerNum=836930 (last visited Oct. 13, 2025) (indicating PCCW Global UK provides Interconnected VoIP).

[19] 2023 Transfer of Control Application at 3.

[20] HKT (International) Limited, Response to One-Time Information Collection for International Section 214 Authorization Holders (Jan. 19, 2024) (HKT Response to One-Time Information Collection); Email from Counsel to HKT (International) Limited, Wilkinson Barker Knauer, LLP, to The FCC Evolving Risks Team (fcc-evolving-risks@fcc.gov) (June 26, 2024, 13:08 EDT); Reach Ltd., Telstra Corporation Limited, Pacific Century Cyberworks Limited, National Security Agreement with the Federal Bureau of Investigation and the U.S. Department of Justice (Nov. 29, 2001) (on file in File Nos. ITC-214-20001228-00771, ITC-T/C-20061204-00541, ITC-T/C-20061204-00544, ITC-214-20070418-00153, ITC-T/C-20081215-0053) (2001 Agreement); Letter from Dermot Keilthy, Director of Regulatory Affairs, Reach Ltd., to Stewart A. Baker, Assistant Secretary of Homeland Security for Policy, U.S. Department of Homeland Security (Jan. 8, 2007) (on file in File Nos., ITC-T/C-20061204-00541, ITC-T/C-20061204-00544, ITC-MOD-20070201-00057, ITC-214-20070418-00153, ITC-T/C-20081215-0053) (January 8, 2007 Letter) (amending and supplementing the 2001 Agreement by making the Department of Homeland Security a party to the Agreement, effective January 8, 2007).

[21] *See infra* para. 8, Appx. A. Based on information made publicly available by PCCW Limited, Pacific Century CyberWorks Limited changed its corporate name to PCCW Limited, effective August 9, 2002. PCCW Limited, Report of Foreign Issuer Pursuant to Rules 13a-16 and 15d-16 under the Securities Exchange Act of 1934 (Form 6-K) (Aug. 15, 2002) (PCCW Limited 2002 Form 6-K).

[22] 2001 Agreement; January 8, 2007 Letter.

[23] *China Mobile International (USA) Inc.*; *Application for Global Facilities-Based and Global Resale International Telecommunications Authority Pursuant to Section 214 of the Communications Act of 1934, as Amended*, Memorandum Opinion and Order, 34 FCC Rcd 3361 (2019) (*China Mobile Order*).

[24] *Id*. at 3366, para. 8.

that cannot be addressed through a mitigation agreement, and therefore, such grant would not be in the public interest.[25]

6. Following this denial action, the Commission revoked the domestic section 214 authority and revoked and/or terminated the international section 214 authority of four other indirect subsidiaries of PRC state-owned entities: (1) China Telecom (Americas) Corporation (CTA), (2) China Unicom (Americas) Operations Limited (CUA), (3) Pacific Networks Corp. (Pacific Networks), and (4) ComNet (USA) LLC (ComNet).[26] On April 24, 2020, the Commission's International Bureau, Wireline Competition Bureau, and Enforcement Bureau (the Bureaus) issued Orders to Show Cause directing each company to demonstrate why the Commission should not initiate proceedings to revoke and/or terminate each company's domestic and international section 214 authorizations.[27] For example, in the *CUA Order to Show Cause*, the Bureaus noted that CUA "is indirectly and ultimately owned and controlled by the government of the People's Republic of China."[28] The Bureaus also noted that the Commission's findings in the *China Mobile Order* "raise questions regarding the vulnerability of authorization holders that are subsidiaries of a Chinese state-owned enterprise to the exploitation, influence, and control of the Chinese government," and that "[a]s a subsidiary of a Chinese state-owned enterprise, [CUA], like China Mobile USA, ultimately is owned and controlled by the Chinese government."[29] On November 16, 2020, interested Executive Branch agencies filed a letter with the Commission detailing "significant national security and law enforcement risks" associated with PRC-controlled CUA "that are difficult to mitigate."[30] The Commission proceeded to institute proceedings to revoke CUA's domestic and international section 214 authority, noting among other things that CUA "has not yet adequately

[25] *Id*. at 3362, para. 1.

[26] *China Telecom (Americas) Corporation*, GN Docket No. 20-109, File Nos. ITC-214-20010613-00346, ITC-214-20020716-00371, ITC-T/C-20070725-00285, Order on Revocation and Termination, 36 FCC Rcd 15966 (2021) (*CTA Order on Revocation and Termination*), *aff'd*, *China Telecom. (Ams.) Corp. v. FCC*, 57 F.4th 256 (D.C. Cir. 2022); *China Unicom (Americas) Operations Limited*, GN Docket No. 20-110, File Nos. ITC-214-20020728-00361, ITC-214-20020724-00427, Order on Revocation, 37 FCC Rcd 1480 (2022) (*CUA Order on Revocation*), *aff'd*, *China Unicom (Ams.) Operations Ltd. v. FCC*, 124 F.4th 1128 (9th Cir. 2024); *Pacific Networks Corp. and ComNet (USA) LLC*, GN Docket No. 20-111, File Nos. ITC-214-20090105-00006 and ITC-214-20090424-00199, Order on Revocation and Termination, 37 FCC Rcd 4220 (2022) (*Pacific Networks and ComNet Order on Revocation and Termination*), *aff'd*, *Pacific Networks Corp. v. FCC*, 77 F.4th 1160 (D.C. Cir. 2023).

[27] *China Unicom (Americas) Corporation*, GN Docket No. 20-110, File Nos. ITC-214-20020728- 00361, ITC-214-20020724-00427, Order to Show Cause, 35 FCC Rcd 3721 (IB, WCB, EB 2020) (*CUA Order to Show Cause*); *China Telecom (Americas) Corporation*, GN Docket No. 20-109, File Nos. ITC-214-20010613- 00346, ITC-214-20020716-00371, ITC-T/C-20070725-00285, Order to Show Cause, 35 FCC Rcd 3713 (IB, WCB, EB 2020) (*CTA Order to Show Cause*); *Pacific Networks Corp. and ComNet (USA) LLC*, GN Docket No. 20-111, File Nos. ITC-214-20090105-00006, ITC-214-20090424-00199, Order to Show Cause, 35 FCC Rcd 3733 (IB, WCB, EB 2020).

[28] *CUA Order to Show Cause*, 35 FCC Rcd at 3722, para. 4.

[29] *Id*. at para. 6.

[30] Letter from Kathy Smith, Chief Counsel, National Telecommunications and Information Administration, U.S. Department of Commerce, to Denise Coca, Chief, Telecommunications and Analysis Division, FCC International Bureau at 2 (Nov. 16, 2020) (on file in GN Docket No. 20-110, File Nos. ITC-214-20020728-00361, ITC-214-20020724-00427) (Executive Branch CUA Letter). For the purposes of the letter, the "interested Executive Branch agencies" included Department of Justice (DOJ), Department of Homeland Security, Department of Defense (DOD), Department of Commerce, Department of the Treasury, Department of State, Office of Management and Budget, Office of the U.S. Trade Representative, General Services Administration, and Council of Economic Advisers. *Id*. at 1, n.3.

demonstrated that it is not susceptible to the exploitation, influence, or control of the Chinese government."[31]

7. Finally, on January 27, 2022, the Commission revoked CUA's domestic and international section 214 authority.[32] Relying in part on the Executive Branch letter, the Commission found that CUA is ultimately owned and controlled by the PRC government and is beholden to the PRC government and the Chinese Communist Party (CCP).[33] Further, the Commission found that China's 2017 Cybersecurity Law, 2017 National Intelligence Law, and 2019 Cryptography Law all "require[] CUA to support Chinese intelligence efforts."[34] The Commission noted, among other things, that PRC law imposes these requirements on PRC citizens and organizations "'to cooperate, assist, and support Chinese intelligence efforts wherever they are in the world.'"[35] The Commission found "that the Chinese government could direct CUA . . . to take certain actions that would threaten U.S. national security and law enforcement interests."[36] The Commission noted that "[b]ecause the Chinese government has influence and control over CUA, . . . the record raises serious and unacceptable concerns that the Chinese government can, for example, direct or otherwise influence CUA to act on opportunities presented by its access to U.S. telecommunications infrastructure and U.S. customer information."[37] The Commission concluded that, "[d]espite being afforded several opportunities to address these national security and law enforcement risks, CUA failed to persuasively dispute or explain how they can be ameliorated," and therefore, the present and future public interest, convenience, and necessity was no longer served by CUA's retention of its section 214 authority.[38] The Commission utilized a similar procedural approach in the other section 214 revocation proceedings, with certain exceptions,[39] and similarly found that those entities' retention of section 214 authority presented national security and law enforcement risks that warranted revocation of their section 214 authority.[40] U.S. Courts of Appeals upheld the Commission's revocation actions against legal challenges.[41]

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[31] *China Unicom (Americas) Corporation*, GN Docket No. 20-110, File Nos. ITC-214-20020728-00361, ITC-214-20020724-00427, Order Instituting Proceeding on Revocation, 36 FCC Rcd 6319, 6335, para. 26 (2021).

[32] *See CUA Order on Revocation*, *aff'd*, *China Unicom (Ams.) Operations Ltd. v. FCC*.

[33] *Id*., 37 FCC Rcd at 1509, at para. 50.

[34] *Id*.

[35] *Id*. at 1521–23, para. 64-65 (emphasis omitted).

[36] *Id*. at 1517, para. 59.

[37] *Id*. at 1530, para. 74.

[38] *Id*.

[39] The Bureaus issued the *CTA Order to Show Cause* following a recommendation filed by the Executive Branch agencies on April 9, 2020, requesting that the Commission revoke and terminate CTA's international section 214 authorizations. Executive Branch Recommendation to the Federal Communications Commission to Revoke and Terminate [CTA's] International Section 214 Common Carrier Authorizations, File Nos. ITC-214-20010613-00346, ITC-214-20020716-00371, ITC-T/C-20070725-00285 (filed Apr. 9, 2020) (Executive Branch CTA Recommendation to Revoke and Terminate); Executive Branch CUA Letter; Letter from Kathy Smith, Chief Counsel, National Telecommunications and Information Administration, U.S. Department of Commerce, to Denise Coca, Chief, Telecommunications and Analysis Division, FCC International Bureau (Nov. 16, 2020) (on file in GN Docket No. 20-111, File Nos. ITC-214-20090105-00006, ITC-214-20090424-00199).

[40] *See CTA Order on Revocation and Termination*, *aff'd*. *China Telecom (Ams.) Corp. v. FCC*; *Pacific Networks and ComNet Order on Revocation and Termination*, *aff'd*, *Pacific Networks Corp. v. FCC*.

[41] *China Unicom (Ams.) Operations Ltd. v. FCC*; *China Telecom (Ams.) Corp. v. FCC*; *Pacific Networks Corp. v. FCC*.

C. Ownership of HKT and its Wholly-Owned Subsidiaries

8. PCCW Global, PCCW Global Limited, Gateway Global Communications, and PCCW Global UK are wholly-owned subsidiaries of HKT, a British Virgin Islands entity.[42] The Companies are indirectly owned by the PRC government through a series of intermediate entities organized in the Cayman Islands, Hong Kong, British Virgin Islands, and the PRC.[43] HKT is an indirect wholly-owned subsidiary of HKT Limited, a Cayman Islands publicly held company that is listed on the Hong Kong Stock Exchange.[44] The ordinary share capital of HKT Limited is wholly held by the HKT Trust and HKT Management Limited in its capacity as trustee and manager of the HKT Trust.[45] Both the HKT Trust and HKT Management Limited are organized in Hong Kong.[46] CAS Holding No. 1 Limited (CAS Holding No. 1), a British Virgin Islands entity, holds over 50% of the issued share stapled units of the HKT Trust and HKT Limited, and 100% equity and voting interest in HKT Management Limited.[47] CAS Holding No. 1 is wholly owned by PCCW Limited, a Hong Kong publicly held company that is listed on the Hong Kong Stock Exchange.[48] China Unicom Group Corporation (BVI) Limited (China Unicom BVI), a British Virgin Islands entity, holds an approximate 18.41% equity and voting interest in PCCW Limited.[49] China Unicom BVI is wholly owned by China United Network Communications Group Company Limited (China Unicom), an entity incorporated in the PRC.[50] The State-owned Assets Supervision and Administration Commission of the State Council (SASAC), a Chinese government organization, directly holds 100% equity and voting interest in China Unicom.[51]

D. Identification of HKT and its Wholly-Owned Subsidiaries on the Covered List

9. Enacted in March 2020, section 2 of the Secure and Trusted Communications Networks Act (Secure Networks Act) requires the Commission to publish a list of communications equipment and services that pose "an unacceptable risk to the national security of the United States or the security and safety of United States persons" based solely on specific determinations made by certain enumerated sources (Covered List).[52] The Public Safety and Homeland Security Bureau (PSHSB), on delegated

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[42] 2023 Pro Forma Assignment Notification at 1, Exh. B; HKT Section 63.21(h) Notification at 1-2.

[43] 2023 Pro Forma Assignment Notification at 1-6, Exh. B; *see infra* Appx. B.

[44] 2023 Pro Forma Assignment Notification at 2, Exh. B. According to the *pro forma* assignment notification, the stock code associated with HKT Limited is 6823.HK. *Id.* at 2 & n.4.

[45] *Id.* at 2-3; HKT Trust, Notification of the Pro Forma Transfer of Control of BtN Access Limited and Its Wholly-Owned Subsidiaries PCCW Global, Inc. and PCCW Global Limited, File No. ITC-T/C-20111208-00366, at 4, 7-8 (2011 Pro Forma Transfer of Control Notification).

[46] 2023 Pro Forma Assignment Notification at 2-3, Exh. B.

[47] *Id.* at 3.

[48] *Id.* at 3, Exh. B. According to the *pro forma* assignment notification, the stock code associated with PCCW Limited is 0008. *Id.* at 3, n.5.

[49] *Id.* at 5, Exh. B.

[50] *Id.*

[51] *Id.*

[52] Secure and Trusted Communications Networks Act of 2019, Pub. L. No. 116-124, 133 Stat. 158 (2020), § 2(b)-(c) (codified as amended at 47 U.S.C. § 1601(b)-(c)) (Secure Networks Act); 47 CFR § 1.50002; Federal Communications Commission, *List of Equipment and Services Covered by Section 2 of the Secure Networks Act*, https://www.fcc.gov/supplychain/coveredlist (last updated June 5, 2025) (*FCC List of Covered Equipment and Services*). There is one narrow exception to this exclusivity. *See* National Defense Authorization Act for Fiscal Year 2025, Pub. L. No. 118-234, § 1709(a)(2) (2024) (2025 NDAA) (directing the Commission to add certain communications equipment and services related to Unmanned Aircraft Systems to the Covered List in the event that

(continued….)

authority from the Commission, monitors these sources and adds equipment or services to the Covered List when a specific determination has been made.[53]

10. Subsequent to the denial and revocation actions described above, PSHSB added to the Covered List the international telecommunications services provided by CMI, CUA, Pacific Networks, and ComNet subject to section 214 of the Act, and the telecommunications services provided by CTA subject to section 214 of the Act.[54] On March 25, 2022, PSHSB added CTA's telecommunications services and CMI's international telecommunications services subject to section 214 of the Act based on the filings of the Executive Branch agencies in the proceedings discussed above reflecting their determination that such services pose "unacceptable national security and law enforcement risks."[55] On September 20, 2022, PSHSB also added, among others, the international telecommunications services provided by CUA subject to section 214 of the Act.[56] This addition to the Covered List was based on two determinations that met the statutory criteria for additions to the Covered List. First, PSHSB cited the Executive Branch letter filed in the CUA revocation proceeding, which explained the national security threats posed by services provided by CUA pursuant to international section 214 authority.[57] Second, PSHSB cited a letter from DOJ, in coordination with and with the concurrence of DOD, which noted that the earlier Executive Branch letter "reflect[ed] a determination that the international section 214 services provided by PacNet/ComNet and China Unicom involve communications services that pose 'an unacceptable risk to the national security of the United States or the security and safety of United States persons' under section 2 of the Secure Networks Act—thus requiring the addition of these services to the Covered List."[58] In accordance with the Commission's practice, PSHSB assessed that this specific

no appropriate national security agency makes a specific determination within one year of enactment, i.e. December 23, 2025).

[53] Secure Networks Act, § 2(d) (codified as amended at 47 USC § 1601(d)); 47 CFR § 1.50003.

[54] *See FCC List of Covered Equipment and Services*; 47 CFR §§ 1.50002-1.50003.

[55] *See FCC List of Covered Equipment and Services*; *Public Safety and Homeland Security Bureau Announces Additions to the List of Equipment and Services Covered by Section 2 of the Secure Networks Act*, Public Notice, 37 FCC Rcd 4078 (PSHSB 2022); Executive Branch Recommendation to the Federal Communications Commission to Deny China Mobile International (USA) Inc.'s Application for an International Section 214 Authorization, File No. ITC-214-20110901-00289 at 1 (filed July 2, 2018) (finding CMI's application for international section 214 authority "raise[d] substantial and unacceptable national security and law enforcement risks in the current national security environment"); Executive Branch CTA Recommendation to Revoke and Terminate at 1 (filed Apr. 9, 2020) (finding "substantial and unacceptable national security and law enforcement risks associated with [CTA's] continued access to U.S. telecommunications infrastructure pursuant to its international Section 214 authorizations").

[56] *Public Safety and Homeland Security Bureau Announces Additions to the List of Equipment and Services Covered by Section 2 of the Secure Networks Act*, Public Notice, 37 FCC Rcd 10735 (PSHSB 2022) (*CUA Covered List Public Notice*). PSHSB also added to the Covered List the international telecommunications services provided by Pacific Networks and ComNet subject to section 214 of the Act. *Id.*

[57] *Id*. at 3 (citing Executive Branch CUA Letter at 2-11, 34-35).

[58] *Id*. at 2 (citing Letter from Lee Licata, Deputy Section Chief for Telecom and Supply Chain, Foreign Investment Review Section, National Security Division, U.S. Department of Justice, to Marlene H. Dortch, Secretary, Federal Communications Commission (Sept. 15, 2022) (on file in WC Docket No. 18-89, ET Docket No. 21-232, EA Docket No. 21-233)). This letter satisfied the requirements of the Secure Networks Act because it "represented the view of DoD," among others, "which qualifies as an 'appropriate national security agency' authorized to make determinations pursuant to section 2 of the Secure Networks Act." *Id*. at 2, n. 10.

determination involving such services provided by CUA and thus the inclusion of these services on the Covered List "extends both to subsidiaries and affiliates" of CUA.[59]

11. International telecommunications services provided by CUA's subsidiaries and affiliates subject to section 214 of the Act are therefore on the Commission's Covered List. The Commission generally considers entities to be affiliated for purposes of Covered List designations by applying the Communications Act's definition of "affiliate," codified in its equipment authorization rules as "an entity that (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with, another entity; for purposes of this definition, the term 'own' means to have, possess, or otherwise control an equity interest (or the equivalent thereof) of 10 percent or more."[60] The Commission's records indicate that HKT is an "affiliate" of CUA under this definition, because the entities are "under common ownership or control with[] another entity."[61] According to the Commission's records, HKT has consistently identified that China Unicom and the SASAC hold a direct or indirect 10% or greater voting or equity interest in HKT.[62] Similarly, the Commission's records indicate that HKT's wholly-owned subsidiaries—PCCW Global, PCCW Global Limited, Gateway Global Communications, and PCCW Global UK—are affiliates of CUA through their "common ownership or control."[63] Therefore, international telecommunications services provided by HKT and its wholly-owned subsidiaries subject to section 214 of the Act are listed on the Commission's Covered List, indicating that such services have been found pursuant to the Secure Networks Act to pose "an unacceptable risk to the national security of the United States."[64]

E. Recent Related Commission National Security Actions and *Evolving Risks* One-Time Information Collection.

12. In just this year, the Commission has undertaken numerous unanimous actions focused on national security threats from foreign adversaries, such as the PRC. In March 2025, the Commission established a Council on National Security to bring together the Commission's regulatory, investigatory, and enforcement authorities to counter foreign adversaries.[65] On May 22, 2025, the Commission took action in two distinct proceedings to protect our nation's communications infrastructure from foreign

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[59] *Id*. at 3; *see FCC List of Covered Equipment and Services* (noting that "[t]he inclusion of producers or providers of equipment or services identified on this list should be read to include the subsidiaries and affiliates of such entities").

[60] 47 CFR § 2.903(c).

[61] *Id.*; *see supra* para. 8.

[62] 2023 Pro Forma Assignment Notification at 2-6 (stating, "[t]he following entities hold a direct or indirect 10 percent or greater voting or equity interest in HKT"); 2023 Transfer of Control Application at Exh. A; *see* PCCW Global, Inc., Notification of Pro Forma Transfer of Control of PCCW Global Inc., File No. ITC-T/C-20231220-00153, at 2-6 (filed Dec. 20, 2023) (2023 Pro Forma Transfer of Control Notification) (stating, "[t]he following entities hold a direct or indirect 10 percent or greater voting or equity interest in PCCW Global"); 2011 Pro Forma Transfer of Control Notification at 2-7 (stating, "the following ownership information lists the entities directly or indirectly holding a ten percent or greater ownership interest in the Section 214 Holders following the restructuring"); *see supra* para. 8; *CUA Order on Revocation*, 37 FCC Rcd at 1484-86, para. 7.

[63] 47 CFR § 2.903(c); *see supra* para. 8 & note 62.

[64] 47 U.S.C. § 1601(b)-(c).

[65] Press Release, FCC, Chairman Carr Establishes New Council on National Security Within Agency (Mar. 13, 2025), https://www.fcc.gov/document/chairman-carr-establishes-new-council-national-security. The Council on National Security was established with a three-part goal: "(1) Reduce the American technology and telecommunications sectors' trade and supply chain dependencies on foreign adversaries; (2) Mitigate America's vulnerabilities to cyberattacks, espionage, and surveillance by foreign adversaries; and (3) Ensure the U.S. wins the strategic competition with China over critical technologies, such as 5G and 6G, AI, satellites and space, quantum computing, robotics and autonomous systems, and the Internet of Things." *Id*.

adversary threats, such as those originating from the PRC. First, the Commission prohibited FCC recognition of any telecommunication certification body (TCB), measurement facility (test lab), or laboratory accreditation body that is owned by, controlled by, or subject to the direction of a foreign adversary, among other prohibited entities.[66] Second, the Commission proposed to apply new certification and disclosure requirements on entities holding every type of license, permit, or authorization, going beyond solely foreign ownership to cover all regulated entities "owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary."[67] On August 7, 2025, the Commission adopted a Report and Order that, among other things, updated the Commission's submarine cable licensing process by implementing reporting and certification requirements, routine conditions, and a presumptive disqualifying condition as related to entities "owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary."[68] In all three of these proceedings, the Commission used the Department of Commerce's definition of "foreign adversary" that was developed to implement Executive Order 13783.[69] In identifying foreign adversaries, the Commission also relied on the determinations of the Secretary of Commerce (in consultation with other federal agencies as appropriate),[70] that currently identify six foreign adversaries including "The People's Republic of China, including the Hong Kong Special Administrative Region and the Macau Special Administrative Region

[66] *Promoting the Integrity and Security of Telecommunications Certification Bodies, Measurement Facilities, and the Equipment Authorization Program*, ET Docket No. 24-136, Report and Order and Further Notice of Proposed Rulemaking, 40 FCC Rcd 3616, 3617-19, paras. 2-3 (2025) (*Equipment Authorization Report and Order and FNPRM*). For purposes of the Report and Order, the Commission defined "prohibited entities" to include, among other things, entities identified as "foreign adversaries" by the Department of Commerce. *Id.* at 3617-19, para. 3 (citing 15 CFR § 791.4).

[67] *Protecting our Communications Networks by Promoting Transparency Regarding Foreign Adversary Control*,

GN Docket No. 25-166, Notice of Proposed Rulemaking, 40 FCC Rcd 3730, 3730-31, 3737-40, paras. 1, 14-17 (2025) (*Foreign Adversary NPRM*).

[68] *See generally Review of Submarine Cable Landing License Rules and Procedures to Assess Evolving National Security, Law Enforcement, Foreign Policy, and Trade Policy Risks*; *Amendment of the Schedule of Application Fees Set Forth in Sections 1.1102 through 1.1109 of the Commission's Rules*, OI Docket No. 24-523, MD Docket No. 24-524, Report and Order and Further Notice of Proposed Rulemaking, FCC 25-49, 2025 WL 2377719 (Aug. 13, 2025) (*Submarine Cable Report and Order*).

[69] *See* 15 CFR § 791.2 (defining "foreign adversary" as "any foreign government or foreign non-government person determined by the Secretary to have engaged in a long-term pattern or serious instances of conduct significantly adverse to the national security of the United States or security and safety of United States persons"); Department of Commerce, Securing the Information and Communications Technology and Services Supply Chain, Interim Final Rule, 86 Fed. Reg. 4909-01 (Jan. 19, 2021); Department of Commerce, Redesignation of Regulations for Securing the Information and Communications Technology and Services Supply Chain, 89 Fed. Reg. 58263, 58264-65 (July 18, 2024) (Department of Commerce Redesignation Rule); Department of Commerce, Securing the Information and Communications Technology and Services Supply Chain, 89 Fed. Reg. 96872 (Dec. 6, 2024) (Department of Commerce Final Rule); Executive Order 13873 of May 15, 2019, Securing the Information and Communications Technology and Services Supply Chain, 84 Fed. Reg. 22689 (May 17, 2019) (Executive Order 13873); *see Equipment Authorization Report and Order and FNPRM*, 40 FCC Rcd at 3639-40, paras. 44-48; *Foreign Adversary NPRM*, 40 FCC Rcd at 3739-40, para. 17; *Submarine Cable Report and Order*, 40 FCC Rcd at *9, para. 20.

[70] Executive Order 13873, § 2(b) ("Within 150 days of the date of this order, the Secretary, in consultation with the Secretary of the Treasury, Secretary of State, the Secretary of Defense, the Attorney General, the Secretary of Homeland Security, the United States Trade Representative, the Director of National Intelligence, the Administrator of General Services, the Chairman of the Federal Communications Commission and, as appropriate, the heads of other agencies, shall publish rules or regulations implementing the authorities delegated to the Secretary by this order.").

(China)."[71] The Commission's identification of Hong Kong as a foreign adversary is consistent not only with the Department of Commerce's inclusion of Hong Kong within the definition of "The People's Republic of China" in the list of foreign adversaries,[72] but also with President Trump's Executive Order 13936, which declared "the policy of the United States to suspend or eliminate different and preferential treatment for Hong Kong to the extent permitted by law and in the national security, foreign policy, and economic interest of the United States."[73]

13. Further, on April 20, 2023, the Commission adopted the *Evolving Risks Order* that required all international section 214 authorization holders to respond to a one-time information collection regarding their foreign ownership, including foreign adversary ownership.[74] The Commission required international section 214 authorization holders, among other things, to identify their 10% or greater direct or indirect foreign interest holders that hold such equity and/or voting interests,[75] including identifying foreign interest holders "that are entities and individuals that are a government organization or citizen of a 'foreign adversary' country," as defined by the Department of Commerce.[76] The *Evolving Risks Order* and accompanying Notice of Proposed Rulemaking therefore reflected the Commission's particular concern with foreign adversary interest holders of international section 214 authorization holders.[77] HKT identified foreign interest holders with a place of organization or citizenship in the PRC, a foreign adversary country, in its response to the One-Time Information Collection.[78]

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[71] 15 CFR § 791.4; *see Equipment Authorization Report and Order and FNPRM*, 40 FCC Rcd at 3639-40, paras. 44-48; *Foreign Adversary NPRM*, 40 FCC Rcd at 3739-40, para. 17; *Submarine Cable Report and Order* at 10, paras. 21-22.

[72] 15 CFR § 791.4.

[73] Executive Order 13936 of July 14, 2020, The President's Executive Order on Hong Kong Normalization, 85 Fed. Reg. 43413, 43414, § 1 (July 17, 2020).

[74] *Review of International Section 214 Authorizations to Assess Evolving National Security, Law Enforcement, Foreign Policy, and Trade Policy Risks*; *Amendment of the Schedule of Application Fees Set Forth in Sections 1.1102 through 1.1109 of the Commission's* Rules, IB Docket No. 23-119, MD Docket No. 23-134, Order and Notice of Proposed Rulemaking, 38 FCC Rcd 4346, 4359-62, paras. 1, 16-23 (2023) *(Evolving Risks Order* or *Evolving Risks NPRM*).

[75] *Id*. at 4360, para. 18 ("Specifically, we direct each authorization holder to identify its 10% or greater direct or indirect foreign interest holders that hold such equity and/or voting interests (reportable foreign ownership) as of thirty (30) days prior to the filing deadline."); *id.* at 4360, para. 18 & n.73-74 (noting amendment to section 63.18(h) to read, "[t]he name, address, citizenship, and principal businesses of any individual or entity that directly or indirectly owns ten percent or more of the equity interests and/or voting interests, or a controlling interest, of the applicant, and the percentage of equity and/or voting interest owned by each of those entities (to the nearest one percent[)] . . . ."). An authorization holder that had no reportable foreign ownership was required to certify to the truth and accuracy of this information. *Id.* at 4361, para. 20.

[76] *Id*. at 4361, para. 20 (citing 15 CFR § 7.4; 15 CFR § 7.2; Executive Order 13873; and requiring an international section 214 authorization holder to submit information based on categories, including "Reportable Foreign Ownership — Foreign Adversary — China (including Hong Kong), Cuba, Iran, North Korea, Russia, Maduro Regime"); *see also* Department of Commerce Redesignation Rule, 89 Fed. Reg. at 58264 (redesignating all sections of 15 CFR part 7 as 15 CFR part 791) (Department of Commerce Redesignation Rule); *see also* Department of Commerce Final Rule, 89 Fed. Reg. at 96875, 96882, 96893 (updating section 791.4(a)(1) to state "The People's Republic of China, including the Hong Kong Special Administrative Region and the Macau Special Administrative Region (China)"); 15 CFR § 791.4.

[77] *See Evolving Risks NPRM*, 38 FCC Rcd at 4393, para. 91 ("We note the potential for certain ownership of U.S. entities by foreign adversaries may pose unique national security and/or law enforcement risks.").

[78] HKT Response to One-Time Information Collection.

III. DISCUSSION

14. The Commission's findings in the *CUA Order on Revocation* indicate that any affiliate of CUA poses a threat to the national security of the United States. The Commission's finding that CUA is controlled by the PRC government through, among other things, its ties with the CCP and the requirements of PRC laws, thus creating unmitigable national security and law enforcement risks,[79] along with China Unicom's indirect dominant minority stake in HKT,[80] raises serious questions about HKT's qualifications to hold domestic and international section 214 authority and whether the present and future public interest, convenience, and necessity is served by its retention of such authority.[81] Moreover, even if HKT was free of any direct or indirect ownership by the PRC government, the Commission's findings in the *CUA Order on Revocation* would still support revocation of its section 214 authority. HKT, as a company with substantial ownership by PRC interest holders[82] and primary operations in the PRC[83] would still be subject to PRC government exploitation, influence, and control through, for example, PRC law requiring HKT and its interest holders "to cooperate, assist, and support Chinese intelligence efforts wherever they are in the world,"[84] and enable the PRC government "to direct [HKT] . . . to take certain actions that would threaten U.S. national security and law enforcement interests."[85] HKT is also majority-

[79] *CUA Order on Revocation*, 37 FCC Rcd at 1481, 1521-22, 1563-65, paras. 2, 64, 124-129, *aff'd*, *China Unicom (Ams.) Operations Ltd. v. FCC*.

[80] *See supra* para. 8 & note 62; *Submarine Cable Report and Order* at *13, para. 29 (defining the term "dominant minority" for purposes of the Commission's submarine cable licensing rules as "10% or greater direct or indirect voting and/or equity interests"). The Commission has relied on a 10% ownership threshold in other national security contexts. *See Equipment Authorization Report and Order and FNPRM*, 40 FCC Rcd at 3649-52, paras. 66-73 (adopting rules that are codified at 47 CFR §§ 2.902(1), 2.951(b)(1), 2.960(b)(2)); *Foreign Adversary NPRM*, 40 FCC Rcd at 3739, para. 16.

[81] *See CUA Order on Revocation*, 37 FCC Rcd at 1480-84, 1508-29, paras. 1-5, 49-72, *aff'd*, *China Unicom (Ams.) Operations Ltd. v. FCC*; 47 U.S.C. § 214.

[82] *See supra* paras. 8, 12-13 & note 62.

[83] 2023 Transfer of Control Application at 3 ("HKT is Hong Kong's leading communications service provider and operator of fixed-line, broadband, mobile communication, and media entertainment services."); 2024 HKT Limited Group Annual Report at 59, 103 (stating that the HKT Limited Group, including HKT Limited and its subsidiaries, "is principally engaged in the provision of technology and telecommunications and related services" and "[i]t operates primarily in Hong Kong, and also serves customers in mainland China and other parts of the world").

[84] *CUA Order on Revocation*, 37 FCC Rcd at 1521–23, para. 64-65 (emphasis omitted), *aff'd*, *China Unicom (Ams.) Operations Ltd. v. FCC*.

[85] *Id.* at 1528-29, paras. 71-72; *cf. TikTok v. Garland*, 145 S. Ct. 57, 63, 69 (2025) (unanimously accepting findings earlier this year that a privately held company that has operations in China "is subject to Chinese laws that require it to assist or cooperate with the Chinese Government's intelligence work and to ensure that the Chinese Government has the power to access and control private data the company holds" and that "Chinese law enables China to require companies to surrender data to the government, making companies headquartered there an espionage tool of China") (internal quotation marks and citations omitted). For example, in the analogous context of submarine cables, the Commission has adopted rules to address multi-faceted forms of control of the PRC, and other foreign adversaries, over private entities, by implementing certain reporting and certification requirements, routine conditions, and presumptive disqualifying condition as related to entities "owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary." *Submarine Cable Report and Order* at *3, 10-11, paras. 3, 23-24. The Commission noted, among other things, that "we wish to sweep broadly enough to cover private entities subject to multi-faceted forms of foreign adversary control," given, for example, the PRC's ability to coerce and control such entities, and threaten U.S. national security and law enforcement interests. *Id.* at *9, 11-12, paras. 19, 24-26 & n.60 (citing, for example, Letter from Bryan Burack, Senior Policy Advisor, The Heritage Foundation, to Marlene H. Dortch, Secretary, FCC, OI Docket No. 24-523 at 3 (filed July 10, 2025)). The Department of Commerce's Bureau of Industry and Security has found that the nature of foreign adversaries such as the PRC renders the operations of

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owned by entities that have a principal place of business in, or are headquartered in, the PRC, which further subjects HKT to PRC laws.[86]

15. Subsequent to the *CUA Order on Revocation*, national security agencies made a specific determination that CUA's international section 214 services pose "'an unacceptable risk to the national security of the United States.'"[87] This specific determination triggered PSHSB to add these services to the Covered List, along with such services provided by CUA's affiliates and subsidiaries, in accordance with the Commission's practice concerning the Covered List.[88] HKT's international telecommunications services subject to section 214 of the Act are therefore identified on the Commission's Covered List[89] as posing "an unacceptable risk to the national security of the United States,"[90] given the Commission's records indicate HKT is an affiliate of CUA.[91] If the international section 214 services provided by HKT pose unacceptable national security risks, the present and future public interest, convenience, and necessity would no longer be served by allowing HKT to continue providing such services and, similarly, services pursuant to domestic section 214 authority.[92]

16. These grounds for revocation apply equally to HKT's wholly-owned subsidiaries.[93] As discussed above, PCCW Global, PCCW Global Limited, Gateway Global Communications, and PCCW

such companies in the U.S. telecommunications supply chain a threat to national security. *See, e.g.*, Department of Commerce, Bureau of Industry and Security, Securing the Information and Communications Technology and Services Supply Chain: Connected Vehicles, 90 Fed. Reg. 5360, 5366 (Jan. 16, 2025) ("The design, development, manufacture, or supply of certain [Vehicle Connectivity System (VCS)] and [automated driving systems (ADS)] components by persons owned by, controlled by, or subject to the jurisdiction or direction of the PRC or Russia poses undue or unacceptable risks to national security and U.S. persons."); *id.* at 5367 (stating that the PRC's "military-civil fusion strategy prioritizes specific information and communication technologies and services," including telecommunications, and that "[s]trategies to achieve these goals include mandating collaboration between PRC-based companies and the military and establishing public and private firms as vectors to facilitate technology transfer, industrial espionage, and intellectual property (IP) theft that would be advantageous for the PRC military"); *id.* (describing how PRC law requires PRC-based companies to comply with the PRC government's demands and "further exacerbates the threat that the PRC poses to U.S. national security").

[86] *See* 2023 Pro Forma Assignment Notification at 2-3 (identifying the address of HKT Trust, HKT Management Limited, and PCCW Limited in Hong Kong); 2023 Transfer of Control Application at 14; 2023 Pro Forma Transfer of Control Notification at 3-4; 2024 HKT Limited Group Annual Report at 103, 207 (stating that HKT Limited has a principal place of Business in Hong Kong); PCCW Limited, Annual Report 2024 at 1, https://www.hkexnews.hk/listedco/listconews/sehk/2025/0402/2025040201250.pdf (stating that PCCW Limited is headquartered in Hong Kong).

[87] *See supra* para. 10; *CUA Covered List Public Notice*, 37 FCC Rcd at 10736.

[88] *CUA Covered List Public Notice*, 37 FCC Rcd at 10737; *FCC List of Covered Equipment and Services* (noting that "[t]he inclusion of producers or providers of equipment or services identified on this list should be read to include the subsidiaries and affiliates of such entities").

[89] The Commission understands entities "identified on the Covered List" to include both "those entities specifically named in the Covered List and their subsidiaries and affiliates." *See, e.g.*, *Equipment Authorization Report and Order and FNPRM*, 40 FCC Rcd at 3635, para. 36 & n.130.

[90] 47 CFR § 1.50002; *FCC List of Covered Equipment and Services*.

[91] *See supra* paras. 8, 11.

[92] 47 U.S.C. § 214; *cf. Haig v. Agee,* 453 U.S. 280, 307 (1981) ("It is obvious and unarguable that no governmental interest is more compelling than the security of the nation.") (quotation marks and citation omitted).

[93] *See supra* paras. 14-16.

Global UK are all similarly affiliated with CUA[94] and are owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary.[95]

17. Additionally, HKT's conduct and representations to the Commission and other U.S. government agencies, including as related to its compliance with the 2001 Agreement[96] and its requisite filings with the Commission,[97] may require the Commission to independently determine whether HKT has the requisite character to demonstrate that its retention of its section 214 authority continues to serve the public interest, convenience, and necessity.[98] In the *CTA Order on Revocation and Termination*, for example, the Commission found that CTA cannot be trusted to cooperate with the Executive Branch agencies to ensure compliance with its 2007 Letter of Agreement, to assist the Commission's implementation of its statutory obligation to act "for the purpose of the national defense [and] for the purpose of promoting safety of life and property."[99] As the Commission stated, carriers sit at a privileged position and trust is paramount given the critical nature of the provision of telecommunications service in the United States.[100] If HKT demonstrates lack of essential characteristics such as reliability and trustworthiness in its conduct and representations with U.S. government agencies, particularly in light of the serious national security and law enforcement concerns associated with the PRC's ownership, control, jurisdiction, and direction, such grounds would form an independent and separate basis for revocation.

18. Separate and apart from revocation, a violation by HKT of the 2001 Agreement may warrant termination of its international section 214 authorizations. As noted above, it appears that HKT's international section 214 authorizations are subject to the 2001 Agreement.[101] Pursuant to section 214(c) of the Act, the Commission "may attach to the issuance of the certificate such terms and conditions as in its judgment the public convenience and necessity may require."[102] The 2001 Agreement provides, among other things, that "Reach, Telstra, and PCCW agree that in any application or petition by any Domestic Communications Company to the FCC for licensing or other authority filed with the FCC after the Effective Date, except with respect to *pro forma* assignments or *pro forma* transfers of control, they shall request that the FCC condition the grant of such licensing or other authority on compliance with the terms of this Agreement."[103] To the extent HKT's international section 214 authorizations are subject to

[94] *See supra* paras. 11 15.

[95] *See supra* paras. 8, 12-14.

[96] *See supra* para. 4; 2001 Agreement; January 8, 2007 Letter

[97] For example, HKT is subject to an outstanding inquiry by Commission staff concerning the accuracy and completeness of information provided in its response to the One-Time Information Collection adopted in the *Evolving Risks Order*.

[98] 47 U.S.C. § 214.

[99] *CTA Order on Revocation and Termination*, 36 FCC Rcd at 16030-31, para. 100 (citing 47 U.S.C. § 151), *aff'd*, *China Telecom. (Ams.) Corp. v. FCC*; *see Pacific Networks and ComNet on Revocation and Termination*, 37 FCC Rcd at 4315, para. 115, *aff'd*, *Pacific Networks Corp. v. FCC*; *CUA Order on Revocation*, 37 FCC Rcd at 1555-56, para. 111, *aff'd*, *China Unicom (Ams.) Operations Ltd. v. FCC*.

[100] *CTA Order on Revocation and Termination*, 36 FCC Rcd at 16031, para. 100, *aff'd*, *China Telecom. (Ams.) Corp. v. FCC*; *Pacific Networks and ComNet on Revocation and Termination*, 37 FCC Rcd at 4315, para. 115, *aff'd*, *Pacific Networks Corp. v. FCC*; *CUA Order on Revocation*, 37 FCC Rcd at 1556, para. 111, *aff'd*, *China Unicom (Ams.) Operations Ltd. v. FCC*.

[101] *See supra* para. 4; 2001 Agreement; January 8, 2007 Letter.

[102] 47 U.S.C. § 214(c).

[103] 2001 Agreement at 17 (Article 7.2). The 2001 Agreement contains commitments and undertakings for "Domestic Communications Companies," which is defined by the Agreement as "those subsidiaries, divisions, departments, branches and other components of Reach, Telstra and PCCW that provide Domestic

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the 2001 Agreement, compliance with the Agreement may be understood as an implicit condition of the authorizations which HKT acquired through a *pro forma* assignment by which it became the current authorization holder.[104] The Commission may determine whether HKT is in compliance with the 2001 Agreement and its international section 214 authorizations, particularly if there is any evidence of a possible violation that accordingly warrants termination of such authorizations.[105]

19. Accordingly, we direct HKT to explain why the Commission should not initiate a proceeding to revoke the domestic section 214 authority and revoke and terminate the international section 214 authority held by HKT.[106] We also direct HKT's wholly-owned subsidiaries, PCCW Global, PCCW Global Limited, Gateway Global Communications, and PCCW Global UK, to explain why the Commission should not similarly initiate a proceeding to revoke their domestic section 214 authority.[107]

20. HKT and its wholly-owned subsidiaries shall file a response with the Office of International Affairs, Wireline Competition Bureau, and Enforcement Bureau within thirty (30) calendar days demonstrating why the Commission should not initiate a proceeding to revoke their domestic section 214 authority and revoke and terminate HKT's international section 214 authority. HKT and its wholly-owned subsidiaries shall include in their response the following information for each company:

(1) a certification of whether each company is or is not "owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary," as that term is defined in the Commission's recent *Submarine Cable Report and Order*;[108]

(2) the legal name and all other names under which each company operates (e.g., all "doing business as," "also known as," trade names);

(3) the addresses of each company's principal place of business, headquarters, and all other offices where the company operates;

(4) a complete and detailed description of the current ownership and control (direct and indirect) of each company, including:

   a. a description of the equity interest and voting interest for any individual or entity (all references to "entity" henceforth shall include any government

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Communications." *See generally id.*; *id.* at 3 (Article 1.6). The 2001 Agreement defines "Domestic Communications" as "(i) Wire Communications or Electronic Communications (whether stored or not) from one U.S. location to another U.S. location and (ii) the U.S. portion of a Wire Communication or Electronic Communication (whether stored or not) that originates or terminates in the United States." *Id.* at 3 (Article 1.5).

[104] *See supra* para. 2; *see infra* Appx. A. A *pro forma* assignment or transfer of control is a transaction that does not result in a change in the actual controlling party. 47 CFR § 63.24(d). Whether there has been a change in the actual controlling party must be determined on a case-by-case basis. *Id.* Prior Commission approval is not required for a *pro forma* assignment or transfer of control. *Id.* § 63.24(f)(1). A notification of the *pro forma* assignment or transfer of control must be filed with the Commission no later than 30 days after the assignment or transfer of control is completed, in accordance with the requirements set forth in section 63.24 of the Commission's rules. *Id.* § 63.24(f).

[105] Additionally, the 2001 Agreement provides that "[n]othing in this Agreement shall limit or affect the right of a U.S. government agency to . . . seek revocation by the FCC of any license, permit, or other authorization granted or given by the FCC to Domestic Communications Companies, or any other sanction by the FCC against Domestic Communications Companies." 2001 Agreement at 11 (Article 4.7).

[106] *See* 47 U.S.C. §§ 154(i), 154(j), 154(o), 214, 403; 47 CFR § 1.1.

[107] *See* 47 U.S.C. §§ 154(i), 154(j), 154(o), 214, 403; 47 CFR § 1.1.

[108] *See Submarine Cable Report and Order* at *9-13, paras 20-29.

entity) that holds 5% or greater direct or indirect interest in and/or controls the company;

b. all citizenship(s) or place of organization of each individual or entity in the ownership structure;

c. addresses identifying the principal place of business, headquarters, and all other offices of each individual or entity in the ownership structure;

d. an organizational chart that illustrates the company's vertical ownership structure, including the direct and indirect ownership (equity and voting) and controlling interests held by every individual or entity;

(5) a detailed description of the management and oversight of each company by any individual or entity that holds 5% or greater direct or indirect ownership interest in and/or controls the company, including a copy of all policies, contracts, and agreements concerning the company's management and oversight;

(6) a detailed description of each company's corporate governance and decision making, including a copy of all policies, contracts, and agreements concerning the company's corporate governance and decision making;

(7) an identification of all officers, directors, and senior management officials of each company; their employment history (including prior employment with the PRC government and the CCP); and their affiliations with the PRC government and the CCP;

(8) an identification of all officers, directors, and other senior management of each entity that holds 5% or greater direct or indirect ownership interest in and/or controls the company; their employment history (including prior employment with the PRC government and the CCP); and their affiliations with the PRC government and the CCP;

(9) an identification of all authorizations, licenses, permits, certificates, or other approvals issued by the Commission and held by each company;

(10) a description of any and all domestic interstate communications services that have been provided, are provided, and/or will be provided in the near future by each company pursuant to its blanket domestic section 214 authority as described in section 63.01 of the Commission's rules, 47 CFR § 63.01, and a copy of every contract or agreement for each customer pursuant to which the company has provided, is providing, and/or will provide the service(s);

(11) a description of any and all services that have been provided, are provided, and/or will be provided in the near future by each company pursuant to each international section 214 authorization granted to HKT, and a copy of every contract or agreement for each customer pursuant to which the company has provided, is providing, and/or will provide the service(s);

(12) a description of any and all services that each company provides in the United States that do not require section 214 authority and a detailed explanation as to why provision of each service does not require section 214 authority, and a copy of every contract or agreement for each customer pursuant to which the company has provided, is providing, and/or will provide the service(s);

(13) with respect to each entity in which the company directly or indirectly holds an ownership interest and/or controls, provide:

a. the legal name and all other names under which it operates (e.g., all "doing business as," "also known as," trade names);

b. the place of organization;

c. the addresses of each entity's principal place of business, headquarters, and all other offices where the entity operates;

d. a description of the equity interest and voting interest and/or controlling interest held in the entity;

e. a description of any and all services that have been provided, are provided, and/or will be provided in the near future by each entity pursuant to its blanket domestic section 214 authority as described in section 63.01 of the Commission's rules, 47 CFR § 63.01;

f. a description of any and all services that have been provided, are provided, and/or will be provided in the near future by each entity pursuant to each international section 214 authorization granted to HKT, and whether Commission notification was required pursuant to section 63.21(h) of the Commission's rules, 47 CFR § 63.21(h);

g. a description of any and all services that each entity provides in the United States that do not require section 214 authority and a detailed explanation as to why provision of each service does not require section 214 authority;

(14) an identification of each company's equipment used to provide telecommunications service, including:

a. the manufacturer and the manufacturing location of each equipment;

b. whether the company uses any products or equipment manufactured, sold and/or distributed by Huawei Technologies Co., LTD, ZTE Corp., Hytera Communications Corp., Hangzhou Hikvision Digital Technology Co., Dahua Technology Co., and Kaspersky Lab, Inc. and/or the subsidiaries and affiliates of such entities for use in providing the company's services;

(15) a description and listing of the company's subscribers and other customers for each and all international and domestic services, including services provided pursuant to section 214 authority and services that do not require section 214 authority;

(16) an explanation as to whether each company handles, has access to, and/or maintains call detail records (CDR), customer proprietary network information (CPNI), and personally identifiable information (PII) of U.S. based customers;

(17) with respect to U.S. customer records, provide for each company:

a. an identification and description of all location(s) where U.S. customer records have been stored, are stored, and/or will be stored, including original records, back-up records, and copies of original records;

b. the timeframe for which U.S. customer records have been stored, are stored, and/or will be stored at each location;

c. the type of service for which the U.S. customer records have been stored, are stored, and/or will be stored at each location;

d. a description and copy of any and all policies, contracts, or agreements governing access to U.S. customer records;

e. an explanation and identification of all individuals and entities that had access, have access, and/or will have access (physical and/or remote) to U.S. customer records (including the legal name, all citizenship(s) or place of organization, title and entity affiliation of each individual, and the location from which each individual or entity had access, has access, and/or will have access); how such access is, was, and/or will be granted; and any corporate policies concerning such access;

(18) a description of who had access, has access, and/or will have access (physical and/or remote) to the servers and/or data centers where U.S. customer records have been located, are located, and/or will be located, and a copy of any and all policies, contracts, agreements, or standards concerning access to the servers and/or data centers where U.S. customer records are stored;

(19) a description and copy of any and all policies and/or procedures in place to protect PII and CPNI;

(20) a detailed description of the company's domestic communications infrastructure within the United States, including:

a. whether it has established a domestic network that handles domestic-to-domestic traffic;

b. all Points of Presence (PoPs);

c. the services that are provided on the network;

d. the infrastructure that is used, and if leased, from whom;

e. its connectivity to operations infrastructure outside of the United States, including within the PRC (including Hong Kong and Macau);

(21) an identification of all jurisdictions in the United States, any foreign country, and/or between the United States and any foreign countries, where each company provides service and/or operates, including:

a. an identification of each service and/or operation and whether it is provided or operated pursuant to the company's domestic section 214 authority and/or HKT's international section 214 authorizations, or does not require section 214 authority;

b. an identification and description of the jurisdiction(s) in the United States and/or any foreign country where the company principally operates;

(22) a detailed narrative explaining:

a. how a call or data communication that originates with a customer of each company is routed or forwarded to the service provider equipment;

b. how that same call or data communication is routed or forwarded within each company's infrastructure;

c. how that same call or data communication is routed or forwarded from each company's infrastructure towards the destination;

(23) a list of all physical points of interconnection between each company and other carriers as well as the names of each carrier with which the company interconnects;

(24) a list and copies of all interconnection agreements (if any) that each company has with other carriers;

(25) an identification of the company's peering relationships with other U.S. providers at the PoPs located in the United States;

(26) a detailed response that explains:

a. what Autonomous System numbers have been assigned and deployed for the IP networks of the company;

b. whether Border Gateway Protocol (BGP) routers are used to exchange routing updates to forward IP traffic between these (i.e., the company's) networks, or whether an Interior Gateway Protocol (IGP) routing protocol (e.g., OSPF or IS-IS) is used to forward IP traffic between these networks;

c. if BGP is used, whether the company directly peers BGP speakers with no intermediate third party BGP routing provider connecting both networks;

(27) a description of whether each company manages telecommunications networks and/or equipment for other entities, and if yes:

a. the name of each entity for which the company provides such management services;

b. a detailed description of the services and equipment managed by the company;

(28) a description of the management and control of a customer premise equipment (CPE) such as a Private Branch Exchange (PBX) or switch, including the connection from the CPE to the U.S. PSTN or to other CPEs in the network of the company's customer, and methods of detection of traffic to prevent data overflow from the CPE into the U.S. PSTN;

(29) a description of the extent to which each company is or is not otherwise subject to the exploitation, influence, and control of the PRC government;

(30) a full description of each company's relationship with China Unicom and/or China Unicom's subsidiaries, and an identification and copy of all contracts, agreements, memoranda of understanding, and other documents concerning any association that the company had, presently has, and/or will have with China Unicom and/or China Unicom's subsidiaries;

(31) a full description of the relationship of each interest holder identified in response to Question 4 with China Unicom and/or China Unicom's subsidiaries, and an identification and copy of all contracts, agreements, memoranda of understanding, and other documents concerning any association that the interest holder had, presently has, and/or will have with China Unicom and/or China Unicom's subsidiaries;

(32) a full description of each company's relationship with any and all government entities in the PRC (including Hong Kong and Macau), and an identification and copy of all contracts, agreements, memoranda of understanding, and other documents concerning any association that the company had, presently has, and/or will have with each government entity;

(33) a full description of the relationship of each interest holder identified in response to Question 4 with any and all government entities in the PRC (including Hong Kong and Macau), and an identification and copy of all contracts, agreements, memoranda of understanding, and other documents concerning any association that the interest holder had, presently has, and/or will have with each government entity;

(34) an identification of each provision of the 2001 Agreement, as amended, with the Federal Bureau of Investigation, the U.S. Department of Justice, and the U.S. Department of Homeland Security, with which the company is required to comply, a detailed explanation as to whether and how the company is in compliance with each requirement, and a copy of any and all documents that serve as the basis for or otherwise supports the company's response;

(35) a description of any and all mitigation measures that the company has implemented and/or currently implements pursuant to the 2001 Agreement and any other measures the company has implemented to mitigate national security risks;

(36) a certification and description of whether each company violated the Communications Act of 1934, as amended, the Commission's rules, and/or the terms of any authorization, license, or other approval granted by the Commission; and

(37) a complete description of all work required for the company to discontinue all section 214 services to its customers if the Commission were to revoke its domestic section 214 authority and revoke and terminate HKT's international section 214 authority, along with a detailed estimate of the time required for each portion of that work and an explanation of how that estimate was reached.

21. HKT and its wholly-owned subsidiaries shall seek confidential treatment of all personally identifying information and may seek confidential treatment of other information pursuant to section 0.459 of the Commission's rules.[109] Failure to respond or submit a response providing a reasonable basis for why each company should retain its domestic section 214 authority and why HKT should retain its international section 214 authorizations may result in revocation of their domestic section 214 authority and revocation and termination of HKT's international section 214 authority.

IV. ORDERING CLAUSES

22. Accordingly, **IT IS ORDERED** that, pursuant to sections 4(i), 4(j), 4(o), 214, 215, 218, and 403 of the Act, sections 0.51, 0.91, 0.111, 0.261, 0.291, 0.311, 1.1, and 1.102(b)(1) of the Commission's rules,[110] HKT (International) Limited, PCCW Global, Inc., PCCW Global Limited, Gateway Global Communications Inc., and PCCW Global (UK) Limited **SHALL FILE** a written response to this Order to Show Cause **within thirty (30) calendar days** from the release date of this Order.

23. **IT IS FURTHER ORDERED** that copies of this Order shall be sent by Certified Mail, Return Receipt Requested, and by regular first-class mail to:

HKT (International) Limited
c/o Jennifer L. Kostyu
Brian W. Murray
Gregory R. Gonzalez
Wilkinson Barker Knauer, LLP
1800 M Street, N.W., Suite 800N
Washington, DC 20036

PCCW Global, Inc.
c/o Jennifer L. Kostyu
Brian W. Murray

[109] 47 CFR § 0.459.

[110] 47 U.S.C. §§ 154(i), 154(j), 154(o), 214, 215, 218, 403; 47 CFR §§ 0.51, 0.91, 0.111, 0.261, 0.291, 0.311, 1.1, 1.102(b)(1).

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FEDERAL COMMUNICATIONS COMMISSION

Thomas Sullivan
Chief
Office of International Affairs

Joseph Calascione
Chief
Wireline Competition Bureau

Patrick Webre
Acting Chief
Enforcement Bureau

Appendix A

Summary of International Section 214 Authorizations

1. On October 14, 1998, the International Bureau granted Hong Kong Telecom an international section 214 authorization, ITC-214-19980303-00158, to resell international private lines interconnected to the public switched network for the provision of switched data and fax services between the United States and Hong Kong, subject to dominant carrier regulation on the U.S.-Hong Kong route.[1]

2. On December 31, 1998, the International Bureau granted Hong Kong Telecom an international section 214 authorization, ITC-214-19980930-00689, to provide switched, basic telecommunications service using its authorized international facilities-based and resold international private lines interconnected to the public switched network at one or both ends between the United States and Hong Kong, subject to dominant carrier regulation on the U.S.-Hong Kong route.[2]

3. On February 12, 1999, the International Bureau granted Hong Kong Telecom an international section 214 authorization, ITC-214-19981218-00880, to resell the switched services and non-interconnected private line services of U.S. facilities-based carriers for the provision of service between the United States and Hong Kong, subject to dominant carrier regulation on the U.S.-Hong Kong route.[3]

4. On July 2, 1999, the International Bureau granted Hong Kong Telecom (1) an international section 214 authorization, ITC-214-19990601-00305, to operate as a resale carrier between the United States and Russia;[4] (2) an international section 214 authorization, ITC-214-19990601-00306, to operate as a resale carrier between the United States and China;[5] (3) an international section 214 authorization, ITC-214-19990601-00307, to operate as a resale carrier between the United States and Jamaica, and between the United States and St. Kitts & Nevis;[6] and (4) an international section 214 authorization, ITC-214-19990601-00308, to operate as a resale carrier to all countries except Anguilla, Ascension Island, Bermuda, British Virgin Islands, Cayman Islands, China, Diego Garcia, Falkland Islands, Hong Kong, Jamaica, Montserrat, Russia, Seychelles, St. Helena, St. Kitts & Nevis, Tonga, Turks

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[1] *Hong Kong Telecommunications (Pacific) Limited*, File No. ISP-98-196, Order and Authorization, 13 FCC Rcd 20050 (1998). The previous file number was File No. ISP-98-196. *See Overseas Common Carrier Section 214 Applications Actions Taken*, File No. ITC-214-19980303-00158, Public Notice, 13 FCC Rcd 20184 (IB 1998).

[2] *AT&T Corp. AT&T Alascom AT&T Puerto Rico AT&T Virgin Islands*; *Hong Kong Telecommunications (Pacific) Ltd.*, File Nos. ITC-214-19981118-00820, ITC-214-19980930-00689, Order, Authorization and Certificate, 14 FCC Rcd 99 (IB 1999).

[3] *Overseas Common Carrier Section 214 Applications and Section 310(b)(4) Actions Taken*, File No. ITC-214-19981218-00880, Public Notice, 14 FCC Rcd 5016 (IB 1999).

[4] *International Authorizations Granted*, File No. ITC-214-19990601-00305, Public Notice, 14 FCC Rcd 14701 (IB 1999) ("Applicant will operate under the conditions specified in Cable & Wireless, Inc., Order, Authorization, and Certificate, DA 98-628, rel. April 2, 1998, and accepts dominant carrier treatment to the extent specified in that Order.").

[5] *International Authorizations Granted*, File No. ITC-214-19990601-00306, Public Notice, 14 FCC Rcd 14701 (IB 1999) ("Applicant will operate under the conditions specified in Cable & Wireless, Inc., Order, Authorization, and Certificate, DA 98-2498, rel. December 9, 1998, and accepts dominant carrier treatment to the extent specified in that Order.").

[6] *International Authorizations Granted*, File No. ITC-214-19990601-00307, Public Notice, 14 FCC Rcd 14701 (IB 1999) ("Applicant will operate under the conditions specified in Cable & Wireless, Inc., Order, Authorization, and Certificate, DA 98-1887, rel. Sept. 18, 1998, and accepts dominant carrier treatment to the extent specified in that Order.").

& Caicos, Vanuatu, and Yemen, and subject to dominant carrier regulation on the following routes: Antigua, Fiji, Maldives, Panama, Solomon Islands, Barbados, Dominica, Grenada, Macao, St. Lucia, St. Vincent, and Trinidad and Tobago.[7] According to Commission records, Hong Kong Telecom notified the Commission by letter dated August 6, 1999, of a name change to Cable & Wireless HKT Pacific Ltd. (Cable & Wireless HKT).[8]

5. On December 24, 1999, the International Bureau granted Cable & Wireless HKT (1) an international section 214 authorization, ITC-214-19991122-00725, to operate as a facilities-based carrier between the United States and China;[9] (2) an international section 214 authorization, ITC-214-19991122-00726, to operate as a facilities-based carrier between the United States and Russia, Jamaica, and St. Kitts and Nevis;[10] (3) an international section 214 authorization, ITC-214-19991122-00727, to operate as a facilities-based carrier between the United States and Hong Kong, subject to dominant carrier regulation on the U.S.-Hong Kong route;[11] and (4) an international section 214 authorization, ITC-214-19991122-00728, to operate as a facilities-based carrier to all locations except Anguilla, Ascension Island, Bermuda, British Virgin Islands, Cayman Islands, China, Diego Garcia, Falkland Islands, Jamaica, Montserrat, Russia, Seychelles, St. Helena, Tonga, Turks & Caicos, Vanuatu, Hong Kong, St. Kitts & Nevis, and Yemen, and subject to dominant carrier regulation on the following routes: Antiqua, Fiji, Maldives, Panama, Solomon Islands, Barbados, Dominica, Grenada, Macao, St. Lucia, Trinidad & Tobago, and St. Vincent.[12]

6. On August 11, 2000, the International Bureau granted an application to transfer control of Cable & Wireless HKT from Cable & Wireless plc to Pacific Century CyberWorks Limited,[13] an entity

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[7] *International Authorizations Granted*, File No. ITC-214-19990601-00307, Public Notice, 14 FCC Rcd 14701 (IB 1999).

[8] *International Authorizations Granted*, File No. ITC-214-19980303-00158, Public Notice, 15 FCC Rcd 21781 (IB 1999).

[9] *International Authorizations Granted*, File No. ITC-214-19991122-00725, Public Notice, 15 FCC Rcd 116 (IB 1999) ("Applicant will operate under the conditions specified in Cable & Wireless, Inc., Order, Authorization and Certificate, DA 98-2498, rel. December 8, 1998, and accepts dominant carrier treatment to the extent specified in that Order.").

[10] *International Authorizations Granted*, File No. ITC-214-19991122-00726, Public Notice, 15 FCC Rcd 116 (IB 1999) ("For service to Russia, Applicant will operate under the conditions specified in Cable & Wireless, Inc., Order, Authorization, and Certificate, DA 98-628, rel. April 2, 1998, and accepts dominant carrier treatment to the extent specified in that Order. For service to Jamaica and St. Kitts & Nevis, Applicant will operate under the conditions specified in Cable & Wireless, Inc., Order, Authorization, and Certificate, DA 98-1887, rel. September 18, 1998, and accepts dominant carrier treatment to the extent specified in that Order.").

[11] *International Authorizations Granted*, File No. ITC-214-19991122-00727, Public Notice, 15 FCC Rcd 116 (IB 1999).

[12] *International Authorizations Granted*, File No. ITC-214-19991122-00728, Public Notice, 15 FCC Rcd 116 (IB 1999).

[13] *International Authorizations Granted*, File No. ITC-T/C-20000714-00419, Public Notice, 15 FCC Rcd 15790 (IB 2000); Cable & Wireless HKT Pacific Limited, Application for Authority to Transfer Control of a Common Carrier Holding an International Section 214 Authorization, File No. ITC-T/C-20000714-00419 (filed July 14, 2000) (2000 Transfer of Control Application). According to Commission records, at the time Cable & Wireless HKT was granted its international section 214 authorizations, Cable and Wireless plc owned a controlling interest in Cable & Wireless HKT, as well as a 25% or controlling interest in the incumbent foreign carrier in each country. *See Application of PCCW Enterprises Limited, PCCW Pacific (US) Inc., and Beyond the Network, Inc., to Modify Regulatory Classification From Dominant To Non-Dominant On Specific Routes*, File No. ITC-MOD-20020829-00511, Public Notice, 17 FCC Rcd 21425 (IB 2002) (*2002 Modification Accepted for Filing Public Notice*); *see* 2000 Transfer of Control Application at 2.

that is organized under the laws of Hong Kong.[14] According to Commission records, Cable & Wireless HKT notified the Commission by letter dated December 4, 2000 of a name change to PCCW Pacific Ltd.[15] PCCW Pacific Ltd. notified the Commission by letter dated January 30, 2001 of a *pro forma* transfer of control to PCCW Enterprises Limited.[16] According to the Commission's records as of 2002, PCCW Enterprises Limited was the ultimate successor-in-interest to the section 214 authorizations originally held by Cable and Wireless HKT.[17]

7. On January 8, 2003, the International Bureau granted the application of PCCW Enterprises Limited and its wholly-owned subsidiaries, PCCW Pacific (US) Inc. and Beyond the Network, Inc., for reclassification as a non-dominant carrier on sixteen routes.[18] On January 9, 2003, the International Bureau granted PCCW Enterprises Limited an international section 214 authorization, ITC-214-20021024-00567, to operate as a facilities-based and resale carrier between the United States and Anguilla, Ascension Island, Bermuda, British Virgin Islands, Cayman Islands, Diego Garcia, Falkland Islands, Montserrat, Seychelles, St. Helena, Tonga, Turks & Caicos, Vanuatu, and Yemen.[19]

8. On August 14, 2003, the International Bureau issued a Public Notice of a *pro forma* assignment of the international section 214 authorizations held by PCCW Enterprises Limited to its wholly-owned subsidiary, BtN Access Limited.[20] On November 6, 2008, the International Bureau issued

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[14] 2000 Transfer of Control Application at 2. Based on information made publicly available by this entity, Pacific Century CyberWorks Limited changed its corporate name to PCCW Limited, effective August 9, 2002. PCCW Limited 2002 Form 6-K.

[15] *International Authorizations Granted*, File No. ITC-214-19991122-00728, Public Notice, 15 FCC Rcd 24685 (IB 2000).

[16] *International Authorizations Granted*, File No. ITC-214-19991122-00728, Public Notice, 16 FCC Rcd 3396 (IB 2001). PCCW Pacific Ltd. also notified the Commission that Cable & Wireless HKT (Pacific) Inc., a wholly-owned subsidiary of PCCW Enterprises Limited, will provide service through the international section 214 authorizations pursuant to section 63.21(i) of the Commission's rules at that time. *Id.*; *see also International Authorizations Granted*, File No. ITC-214-19980930-00689, Public Notice, 16 FCC Rcd 7139 (IB 2001) (*2001 Informative Public Notice*). PCCW Pacific Ltd. notified the Commission by letter dated March 7, 2001 that Cable & Wireless HKT (Pacific) Inc. changed its name to PCCW Pacific (US) Inc. *2001 Informative Public Notice*, 16 FCC Rcd at 7147. PCCW Enterprises Limited notified the Commission by letter dated June 12, 2001 that Beyond the Network, Inc. a wholly-owned subsidiary of PCCW Enterprises Limited will provide service through the international section 214 authorizations pursuant to section 63.21(i) of the Commission's rules at that time. *Id.*

[17] *2002 Modification Accepted for Filing Public Notice*, 17 FCC Rcd at 21425, n.2.

[18] *International Authorizations Granted*, File No. ITC-MOD-20020829-00511, Public Notice, 18 FCC Rcd 777 (IB 2003) (*2002 Modification Grant Public Notice*) (correcting the grant of the modification); *see also International Authorizations Granted*, File No. ITC-MOD-20020829-00511, Public Notice, 18 FCC Rcd 126 (IB 2003); *2002 Modification Accepted for Filing Public Notice*, 17 FCC Rcd at 21425. Specifically, the applicants requested to modify their status to non-dominant between the United States and each of the following destination countries: Antigua, Barbados, China, Dominica, Fiji, Grenada, Jamaica, Macao, Maldives, Panama, Russia, Solomon Islands, St. Kitts and Nevis, St. Lucia, St. Vincent, and Trinidad and Tobago. *2002 Modification Grant Public Notice*, 18 FCC Rcd at 779; *2002 Modification Accepted for Filing Public Notice*, 17 FCC Rcd at 21425, n.2; *see supra* Appx. A at note 13. According to the Commission's records in the International Communications Filing System (ICFS), the file number associated with the modification application, ITC-MOD-20020829-00511, superseded the file number originally associated with ITC-214-19991122-00728, and is the current file number for that international section 214 authorization. *See* 2023 Pro Forma Assignment Notification at Exh. A.

[19] *International Authorizations Granted*, File No. ITC-214-20021024-00567, Public Notice, 18 FCC Rcd 424 (IB 2003). According to the application, upon grant, PCCW Pacific (US) Inc. and Beyond the Network, Inc., will operate under the international section 214 authorization pursuant to section 63.21(h) of the rules. *Id.*

[20] *International Authorizations Granted*, File No. ITC-ASG-20030627-00400, Public Notice, 18 FCC Rcd 16464, 16468 (IB 2003). BtN Access Limited notified the Commission by letter dated March 30, 2006, that two of its

(continued….)

a Public Notice of the *pro forma* transfer of control of the international section 214 authorizations held by BtN Access Limited pursuant to an internal corporate reorganization that resulted in the insertion of five wholly-owned subsidiaries, including HKT, between PCCW Limited and BtN Access Limited.[21] On February 9, 2012, the International Bureau issued a Public Notice of the *pro forma* transfer of control of the international section 214 authorizations held by BtN Access Limited from HKT Group Holdings to the HKT Trust.[22] Pursuant to the reorganization, effective November 24, 2011, HKT Group Holdings is a direct wholly-owned subsidiary of HKT Limited, which in turn is directly held by the HKT Trust, which in turn is managed by HKT Management Limited.[23] Subsequent to the reorganization, on November 29, 2011, PCCW Limited undertook a public offering of certain share stapled units of the HKT Trust, whereby the ownership interests held in the HKT Trust by CAS Holding No. 1, a wholly-owned subsidiary of PCCW Limited, decreased from 100% to an approximate 68% controlling interest.[24] The remaining ownership interests in the HKT Trust are publicly held.[25]

9. On August 31, 2023, the International Bureau issued a Public Notice of a *pro forma* assignment of the international section 214 authorizations held by BtN Access Limited to its parent company, HKT.[26] The Public Notice also stated that PCCW Global and PCCW Global Limited, both

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indirect wholly-owned subsidiaries, PCCW Global and PCCW Global Limited, will provide service under BtN Access Limited's international section 214 authorizations pursuant to section 63.21(h) of the rules. Letter from Joan E. Neal, Counsel to BtN Access Limited, MORRISON & FOERSTER LLP, to Marlene H. Dortch, Secretary, FCC, at 1-2 (Mar. 30, 2006) (on file in File No. ITC-214-19980303-00158).

[21] *International Authorizations Granted*, File No. ITC-T/C-20081023-00476, Public Notice, 23 FCC Rcd 16463, 16465-66 (IB 2008). PCCW Limited undertook an internal corporate reorganization which resulted in the insertion of the following wholly-owned limited holding companies between PCCW Limited and BtN Access Limited: (1) HKT; (2) Hong Kong Telecommunications HKT (CI) Limited, a Cayman Islands limited company; (3) HKT Holdings Limited, a Cayman Islands limited company; (4) HKT Group Holdings Limited (HKT Group Holdings), a Cayman Islands limited company; and (5) CAS Holding No. 1 Limited (CAS Holding No. 1), a BVI limited company. *Id.* The *pro forma* transfer of control was effective September 30, 2008. *Id.*

[22] *International Authorizations Granted*, File No. ITC-T/C-20111208-00366, Public Notice, 27 FCC Rcd 1429, 1433-34 (IB 2012).

[23] *Id.* Pursuant to the internal corporate reorganization, the ownership shares of HKT Group Holdings were transferred from CAS Holding No. 1 to HKT Limited, the ordinary share capital of which was immediately transferred to HKT Management Limited in its capacity as the trustee and manager for the HKT Trust. *Id.* At that time, both the HKT Trust and HKT Management Limited were wholly-owned by CAS Holding No. 1. *Id.*

[24] *Id.*

[25] *Id.*

[26] *Section 214 Applications (47 CFR §§ 63.18, 63.24); Section 310(b) Petitions (47 CFR § 1.5000)*, File No. ITC-ASG-20230802-00098, Public Notice, 38 FCC Rcd 7868, 7869 (IB 2023) (*2023 Pro Forma Assignment Public Notice*); 2023 Pro Forma Assignment Notification at 1. According to the notification, the *pro forma* assignment, effective August 2, 2023, was undertaken as part of an internal restructuring to facilitate a proposed transaction whereby the applicants requested the Commission's approval to transfer of control of PCCW Global from HKT to Infratil Digital Exchange Limited. 2023 Pro Forma Assignment Notification at 8; *see also Section 214 Applications (47 CFR §§ 63.18, 63.24); Section 310(b) Petitions (47 CFR § 1.5000)*, File No. ITC-T/C-20230802-00097, Public Notice, 2023 WL 5844298, at *4-5 (IB 2023); *Domestic Section 214 Application Filed for the Transfer of Control of PCCW Global, Inc.*; *Non-Streamlined Pleading Cycle Established*, WC Docket No. 23-264, Public Notice, 38 FCC Rcd. 8011 (WCB 2023). PCCW Global notified the Commission of the withdrawal of the transfer of control applications by letter filed October 28, 2024. *International Authorizations Granted*, File Nos. ITC-214-20230802-00106, ITC-T/C-20230802-00097, Public Notice, 2024 WL 4721885, at *3 (IB 2024). On November 21, 2024, the International Bureau issued a Public Notice of a *pro forma* transfer of control of PCCW Global from BtN Holdings Limited to PCCW Global TechCo UK Pte. Ltd, an indirect wholly-owned subsidiary of HKT, effective November 30, 2023. *International Authorizations Granted Section 214 Applications (47 CFR §§ 63.18, 63.24)*; *Section 310(b)*

(continued….)

indirect wholly-owned of subsidiaries of HKT, operate under the international section 214 authority held by HKT pursuant to section 63.21(h) of the rules.[27] HKT notified the Commission by letter dated September 11, 2023, that Gateway Global Communications and PCCW Global UK, both indirect wholly-owned subsidiaries of HKT, operate under the international section 214 authorizations held by HKT pursuant to section 63.21(h).[28]

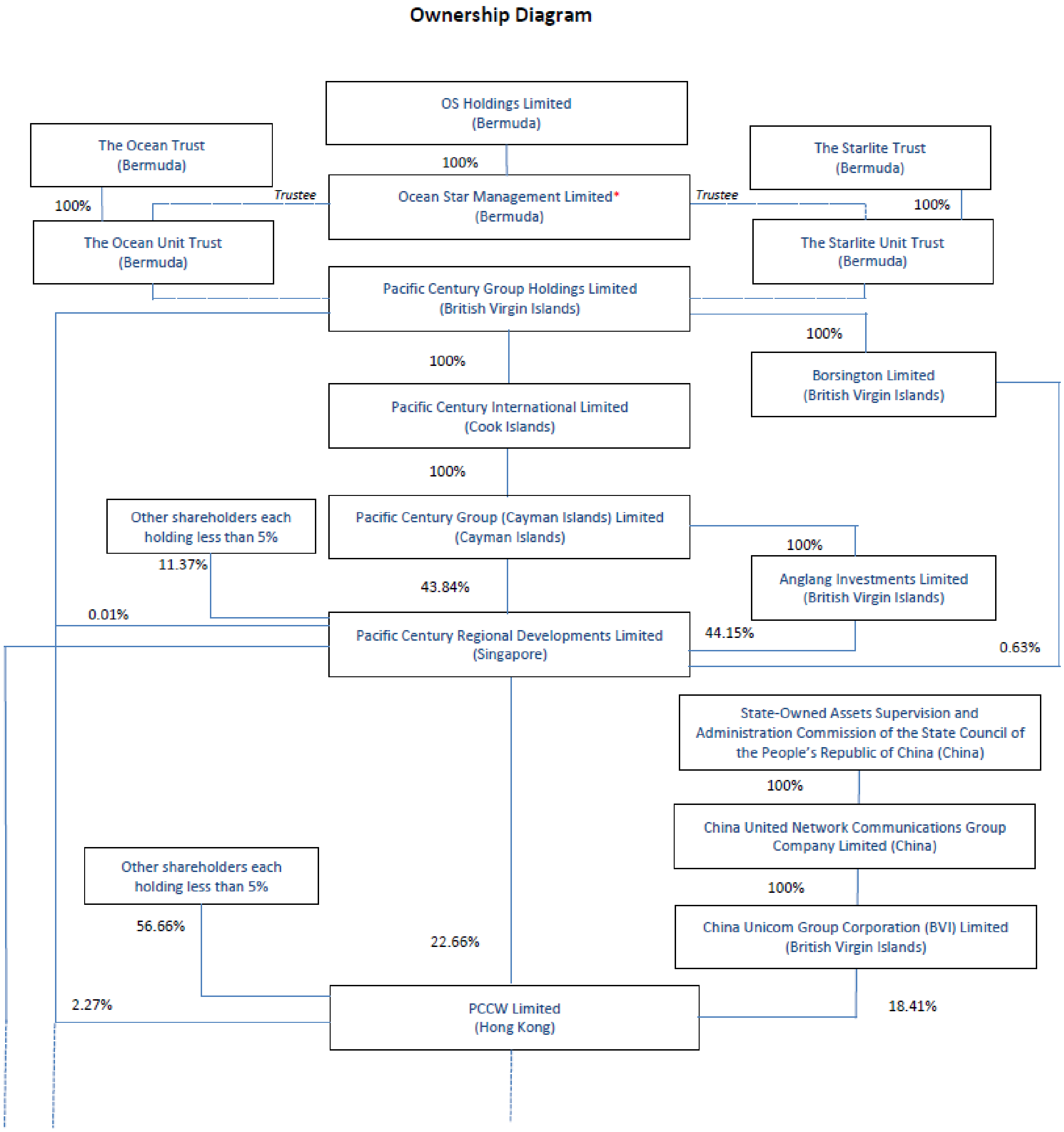
Petitions (47 CFR § 1.5000), File No. ITC-T/C-20231220-00153, Public Notice, 2024 WL 4869075, at *2-3 (IB 2024).

[27] *2023 Pro Forma Assignment Public Notice*, 38 FCC Rcd at 7869; 2023 Pro Forma Assignment Notification at 1.

[28] HKT Section 63.21(h) Notification at 1-2; *Section 214 Applications (47 CFR §§ 63.18, 63.24)*; *Section 310(b) Petitions (47 CFR § 1.5000)*; *International Authorizations Granted*, File Nos. ITC-214-19980303-00158 et al., Public Notice, 38 FCC Rcd 8373, 8375 (IB 2023).

Appendix B

OWNERSHIP DIAGRAM (filed Dec. 20, 2023)[1]



continued on following page

Ownership percentages reflect both equity and voting interests unless otherwise noted.

* Ocean Star Management Limited, as the trustee for The Ocean Unit Trust and The Starlite Unit Trust, holds shares in Pacific Century Group Holdings Limited equaling 100% of the equity and voting interest in Pacific Century Group Holdings Limited.

[1] 2023 Pro Forma Transfer of Control Notification at Exh. B.

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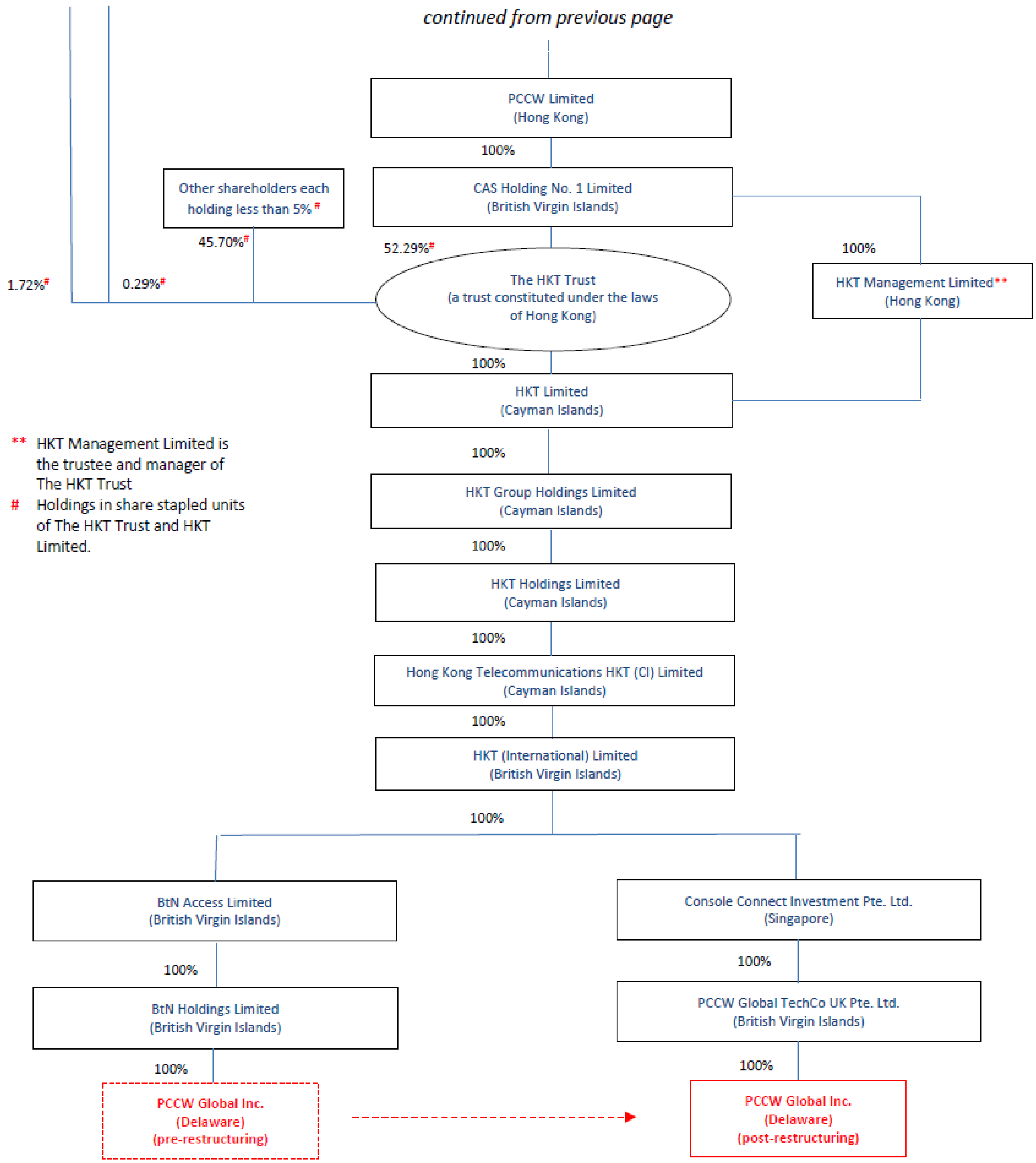

** HKT Management Limited is the trustee and manager of The HKT Trust

\# Holdings in share stapled units of The HKT Trust and HKT Limited.