



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
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Report No. SCL-00607

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

Actions Taken Under Submarine Cable Landing License Act

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

Pursuant to an Act relating to the landing and operation of submarine cables in the United States, 47 U.S.C. §§ 34-39 (Submarine Cable Landing License Act), Executive Order No. 10530, Exec. Ord. No. 10530 reprinted as amended in 3 U.S.C. § 301, and section 1.767 of the Commission's rules, 47 CFR § 1.767, the following applications ARE GRANTED. These grants of authority are taken under section 0.351 of the Commission's rules, 47 CFR § 0.351. Petitions for reconsideration under section 1.106 or applications for review under section 1.115 of the Commission's rules, 47 CFR §§ 1.106, 1.115, may be filed within 30 days of the date of this public notice.

These applications have been coordinated with the Department of State and other Executive Branch agencies pursuant to section 1.767(b) of the Commission's rules, 47 CFR § 1.767(b), and consistent with procedures established with the Department of State. See Review of Commission Consideration of Applications under the Cable Landing License Act, IB Docket No. 00-106, Report and Order, 16 FCC Rcd 22167, 22192-93, paras. 51-52 (2001) (Submarine Cable Landing License Report and Order); Commission Announces Department of State's Revised Procedures for its Consideration of Submarine Cable Landing License Applications, IB Docket No. 16-155, Public Notice, DA 22-435 (rel. Apr. 19, 2022).

This public notice serves as each submarine cable landing licensee's Submarine Cable Landing License, or modification thereto, pursuant to the Cable Landing License Act and sections 1.767 and 1.768 of the Commission's rules. Submarine cable landing licensees should review the terms and conditions of their licenses. Failure to comply with these terms and conditions or relevant Commission rules and policies could result in fines or forfeitures.

On August 27, 2025, FLAG Telecom Limited (FLAG Telecom) and FLAG Telecom Network USA Limited (FTNUSA) filed an application for a new 25-year cable landing license for the FLAG Atlantic-1 system (FLAG Atlantic-1), a non-common carrier fiber-optic submarine cable system which connects cable landing stations in New York with cable landing stations in the United Kingdom and France. The FLAG Atlantic-1 system's initial 25-year license (SCL-LIC-19990301-00005, SCL-MOD-20040211-00006) will expire on June 22, 2026. On February 5, 2026, the Applicants filed an amendment to make corrections and update certain information. *See* SCL-AMD-20260203-00019.

The application was placed on Public Notice on February 27, 2026. *See* Streamlined Submarine Cable Landing License Applications, Accepted for Filing, Report No. SCL-00596S, Public Notice, DA No. 26-200 (OIA Feb. 27, 2026) (*Public Notice*). No comments were filed in response to the Public Notice.

The Applicants state that FLAG Telecom owns and operates the international waters portions of the FLAG Atlantic-1 system, and that FTNUSA owns and operates the U.S. territory portion of the system. The Applicants state that FLAG Atlantic-1 continues to perform operationally since it entered commercial service on June 22, 2001. According to the Applicants, FLAG Atlantic-1 will continue to provide diverse connectivity on U.S.-U.K. and U.S.-France routes where capacity demands increase each year. The Applicants state that FLAG Atlantic-1 increases resiliency on trans-Atlantic routes. The Application does not seek authority for new or modified submarine cable construction.

Licensing History.

In 1999, the Commission granted a cable landing license to FLAG Atlantic Limited (FLAG Telecom's predecessor in interest) for authority to land and operate a private fiber optic submarine cable system to be called FLAG Atlantic-1, extending between the United States and the United Kingdom and France. *See* Application for a license to land and operate in the United States a private fiber optic submarine cable system extending between the United States and the United Kingdom and France, File No. SCL-LIC-19990301-00005, Cable Landing License, 15 FCC Rcd. 21359 (1999). The cable entered into commercial operation on June 22, 2001. *See* letter from R.H. Riley, Senior Corporate Counsel, Global Sound Xchange, to Federal Communications Commission filed in SCL-LIC-19990301-00005 (dated Sept. 4, 2018). In 2004, the Commission granted two modifications of the license to add the then-new pro forma condition and to substitute the then-new no special concessions condition for the no exclusive arrangements condition. *See* Actions Taken Under Cable Landing License Act, SCL-MOD-20040211-00005, SCL-MOD-20040211-00006, Public Notice, 19 FCC Rcd 20344 (IB 2004).

FLAG Atlantic-1 has had several names and owners over the years. Most recently, in 2022, the Commission granted consent to the transfer of control of FLAG Telecom Limited from GCX Holdings Limited (GCX Holdings) to Reef Bidco Limited (Reef Bidco). *See* Actions Taken Under Cable Landing License Act, SCL-T/C-20211124-00049, Public Notice, 37 FCC Rcd. 9621 (IB 2022). Grant of the assignment was conditioned on compliance by FLAG Telecom Limited, GCX Holdings Limited, Vanco US, LLC, Vanco Solutions, Inc., Reliance Globalcom Services, Inc., and 3i Infrastructure plc, abide by the commitments and undertakings set forth in a July 18, 2022, Letter of Agreement from Carl Grivner, Director/CEO FLAG Telecom Limited and GCX Holdings Limited and Edward Pike, Counsel, 3i Infrastructure plc, to Assistant Secretary for Trade and Economic Security, Office of Strategy, Policy,

and Plans, Department of Homeland Security, and Office of Foreign Investment Review, Director, Undersecretary of Acquisition and Sustainment, U.S. Department of Defense (2022 LOA). *Id.* FLAG Atlantic-1 remains subject to the 2022 LOA.

Executive Branch Coordination

We exercised our discretion and did not refer this application to the Executive Branch for national security, law enforcement, foreign policy and trade policy review. *See* Process Reform for Executive Branch Review of Certain FCC Applications and Petitions Involving Foreign Ownership, IB Docket 16-155, Report and Order, 35 FCC 10927, 10935-36, para. 24 (2020) (*Executive Branch Review Process Order*). We found that this application presents a low or minimal risk to national security, law enforcement, foreign policy, and trade policy. Unlike most cable landing license applications, this application involves an existing facility with a mitigation agreement specific to the cable system and that was agreed to in 2022. The application does not propose any changes to the cable system since the 2022 LOA was entered into and there have been no substantive changes in the foreign ownership since the 2022 LOA was entered into by the relevant parties. The Applicants also request that the Commission condition grant of the renewed cable landing license on their continued compliance with the 2022 LOA.

On February 24, 2026, the U.S. Department of Justice filed a letter stating that the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector (“Committee”) “does not believe, based on available information, that a referral of this application to the Committee for review under Section 5 of Executive Order (“E.O.”) 13913 is necessary.” *See* Letter from Christopher R. Clements, Deputy Chief, Telecom and Supply Chain Foreign Investment Review Section, National Security Division, U.S. Department of Justice to Marlene H. Dortch, FCC, filed in SCL-RWL-20250812-00027 (Feb. 24, 2026).

While we did not refer the application, we provided a courtesy copy of the Accepted-For-Filing Public Notice to the Executive Branch agencies. *Public Notice* at 5; *see Executive Branch Review Process Order*, 35 FCC Rcd 10927, 10939, para. 30, n.81.

On March 19, 2026, the Office of International Affairs referred the application to the Department of State (State) as required by Executive Order No. 10530, pursuant to section 1.767(b) of the Commission’s rules, and consistent with the established Department of State procedures. Executive Order No. 10530, Section 5(a) reprinted as amended in 3 U.S.C. § 301; 47 CFR § 1.767(b); Commission Announces Department of State’s Revised Procedures for its Consideration of Submarine Cable Landing License Applications, IB Docket No. 16-155, Public Notice, 37 FCC Rcd 5183 (2022). *See* Streamlined Submarine Cable Landing License Applications Accepted For Filing, Report No. SCL-00603S, DA No. 26-349, Public Notice (OIA Apr. 10, 2026). The agency did not provide comment.

Actions Taken:

1. Grant of the application for a new 25-year cable landing license for the FLAG Atlantic-1 system (FLAG Atlantic-1), a non-common fiber-optic submarine cable system which connects cable landing stations in New York with cable landing stations in the United Kingdom and France. Grant of the application is conditioned on FLAG Telecom Limited’s continued compliance and FLAG Telecom Network USA Limited’s compliance with the commitments and undertaking contained in the July 18, 2022 Letter of Agreement from Carl Grivner, Director/CEO FLAG Telecom Limited and GCX Holdings Limited and Edward Pike, Counsel, 3i Infrastructure plc, to Assistant Secretary for Trade and Economic Security, Office of Strategy, Policy, and Plans, Department of Homeland Security, and Office of Foreign

Investment Review, Director, Undersecretary of Acquisition and Sustainment, U.S. Department of Defense.

2. Grant the request for waiver of Section 1.767(h)(1) of the Commission's rules, 47 CFR § 1.767(h)(1) so that National Grid Generation LLC (National Grid), the owner of the Northport and Island Park, NY cable landing stations, does not need to be a joint applicant for the cable landing license.

Licensee Ownership Information.

FLAG Telecom Network USA Limited, a Delaware entity, is wholly owned by FLAG Telecom Ireland Network DAC, which in turn is wholly owned by FLAG Telecom Ireland DAC, which is wholly owned by FLAG Telecom Network Services DAC, all of which are organized in Ireland. FLAG Telecom Network Services DAC is wholly owned by FLAG Telecom Development Limited, which in turn is wholly owned by FLAG Telecom Limited, both of which are organized in Bermuda.

FLAG Telecom Limited is wholly owned by GCX Global Limited, which is wholly owned by GCX Holdings Limited, both Bermuda entities. GCX Holdings Limited is wholly owned by GCX Bidco Limited (formerly Reef Bidco Limited), which is wholly owned by GCX Midco Limited (formerly Reef Midco Limited), which is wholly owned by GCX Topco Limited (formerly Reef Topco Limited), all of which are U.K. entities. 3i Infrastructure Plc, an entity organized in Jersey, holds 98% of the equity and voting interests in GCX Topco Limited. 3i Investments Plc, a U.K. investment management company, is the exclusive investment manager for and has 100% of the voting interests in 3i Infrastructure Plc. 3i Investments Plc is wholly owned by 3i Plc, which is in turn wholly owned by 3i Holdings Plc, both U.K. entities. 3i Group Plc, a U.K. entity, holds 29% of the equity and voting interests in 3i Infrastructure Plc. 3i Group Plc also wholly owns 3i Holdings Plc. According to the Applicants, no other individual or entity holds a 10% or greater direct or indirect equity or voting interest in either of the Applicants.

Cable System Design and Capacity.

The FLAG Atlantic-1 system is a non-common carrier submarine cable with a ring-configuration system consisting of three undersea segments (Segment N, Segment S, and Segment E):

1. Segment N connects Northport, New York, and Skewjack, United Kingdom.
2. Segment S connects Island Park, New York, and Plérin, France.
3. Segment E connects Skewjack, United Kingdom, and Plérin, France

Each segment has six fiber pairs (initial capacity 1.2 Terabits) and the system has a total design capacity of 61.2 Terabits.

The FLAG Atlantic-1 system has landing points at the following locations: Northport, New York, Island Park, New York, Skewjack, United Kingdom, and Plérin, France.

Ownership of the Cable System.

The Applicants state that FLAG Telecom Limited owns and operates the international waters portions of the FLAG Atlantic-1 system, and FLAG Telecom Network USA Limited owns and operates the U.S. territory portion of the system. The ownership of each segment is as follows below:

1. Northport – Skewjack Segment: FTNUSA, 100% of portion in U.S. territory; FLAG Telecom, 100% of portion in international waters; FLAG Atlantic UK Limited, 100% of portion in foreign territorial waters.
2. Island Park – Plérin Segment: (FTNUSA, 100% of portion in U.S. territory; FLAG Telecom, 100% of portion in international waters; FLAG Atlantic France SAS, 100% of portion in foreign territorial waters.
3. Skewjack – Plérin Segment: FLAG Atlantic UK Limited, 100% of portion in foreign territorial waters extending from Skewjack; FLAG Telecom, 100% of portion in international waters; FLAG Atlantic France SAS, 100% of portion in foreign territorial waters extending from Plérin.

Applicants state that neither FLAG Atlantic UK Limited nor FLAG Atlantic France SAS use the U.S. endpoints of the FLAG Atlantic-1 system and thus are not required to be licensees on the FLAG Atlantic-1 system under section 1.767(h)(2) of the Commission’s rules. 47 CFR § 1.767(h)(2).

Ownership of Landing Stations.

The ownership and control of the cable landing stations is as follows below:

1. Northport, New York: National Grid Generation LLC (100% ownership); FTNUSA (100% control).
2. Island Park, New York: National Grid Generation LLC (100% ownership); FTNUSA (100% control).
3. Skewjack, United Kingdom: FLAG Atlantic UK (100% ownership and control).
4. Plérin, France: FLAG Atlantic France SAS (100% ownership and control).

Waiver of 47 CFR § 1.767(h)(1).

The Applicants request waiver of Section 1.767(h)(1) of the Commission’s rules, 47 CFR § 1.767(h)(1) so that National Grid Generation LLC (National Grid), the owner of the Northport and Island Park, NY cable landing stations, does not need to be a joint applicant for the cable landing license. Section 1.767(h)(1) requires that “[a]ny entity that owns or controls a cable landing station in the United States” shall be “applicants for, and licensees on, a cable landing license.” 47 CFR § 1.767(h)(1). Applicants state that FTNUSA has 100% of the control of the New York landing stations. Applicants assert that including National Grid as a licensee is not necessary to ensure Applicants’ compliance with the Cable Landing License Act, the Commission’s rules, or the terms of any cable landing license. Applicants state that their “contract with National Grid provides space and certain limited services with respect to the security and maintenance of the facility” and that “National Grid has no responsibilities with respect to” FLAG Atlantic-1.

The purpose of the 1.767(h)(1) requirement is to ensure that entities with a significant ability to affect the operation of the cable system become licensees so that they are subject to the conditions and responsibilities associated with the license. *See* Submarine Cable Landing License Report and Order, 16 FCC Rcd at 22194-95, paras. 53-54. Although National Grid owns the Northport and Island Park, NY cable landing stations, we find, based on the record in this proceeding that National Grid will not have the ability to affect significantly the operation of the cable system. Accordingly, we grant the Applicants

a waiver of section 1.767(h)(1) and do not require National Grid to become an applicant/licensee for the FLAG Atlantic-1 cable system.

Regulatory Status.

The FLAG Atlantic-1 system is currently operated on a non-common carrier basis. FLAG Telecom and FTNUSA will continue to operate the cable on a non-common carrier basis.

Applicants state that they do not operate the cable system on a common carrier basis. Applicants state that they do not sell capacity indifferently to the user public, but do offer FLAG Atlantic-1 capacity to third parties pursuant to individually-negotiated IRUs and capacity leases, the terms of which will vary depending on the characteristics and needs of the particular capacity purchaser. Applicants further state that FLAG Atlantic-1 competes with other existing systems providing capacity on North Atlantic routes, including EXA North and South, AEConnect-1, Amitié, Apollo, Atlantic Crossing-1, Dunant, Grace Hopper, Havfrue, Marea, TGN Atlantic, and Yellow, and will soon compete with other recently announced systems, including the Anjana and Nuvem systems. Applicants contend that “existence of competing facilities. . . ensures that the [FLAG Atlantic-1] system does not and would not function as a bottleneck facility on those routes.”

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

Conditions and Requirements.

FLAG Telecom and FTNUSA shall comply with the routine conditions specified in section 1.767(g) of the Commission’s rules, 47 CFR § 1.767(g).

We grant the Applicants’ request and condition grant of the application on FLAG Telecom and FTNUSA’s continued compliance with the commitments and undertakings contained in the 2022 LOA. The 2022 LOA may be viewed on the FCC’s website through the International Communications Filing System (ICFS) and accessing the “Attachments” tab in the Application Information page.

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

License Term.

The FLAG Atlantic-1 system is currently operating and its present license expires June 22, 2026. The new license will be effective upon the expiration of the present license and will expire on June 22, 2051.

SCL-AMD-20260203-00019 S250428

FLAG Telecom Limited

Date filed: 2026-02-05

Amendment

Grant of Authority

Date of Action:

2026-04-29

See discussion of ICFS File No. SCL-RWL-20250812-00027 in this Public Notice.
