



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
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WASHINGTON D.C. 20554

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DA Number: 26-822

Report No. SCL-00631

Thursday August 6, 2026

**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.

SCL-AMD-20260402-00052 S250509 Hawaiian Islands Fiber Link, LLC

Date filed: 2026-04-09

Amendment

Grant of Authority

Date of Action: 2026-07-31

SCL-LIC-20251121-00076 in this Public Notice.

On November 25, 2025, Hawaiian Islands Fiber Link, LLC (HIFL) filed an application for a license to construct, land, and operate the Hawaiian Islands Fiber Link cable system (HIFL System), a non-common carrier fiber-optic submarine cable system that will connect the Hawaiian Islands of Kauai, Oahu, Molokai, Lanai, Maui, and Hawaii. According to the Applicant, the HIFL System will provide significant new capacity on routes where capacity demand continues to increase substantially each year and further enhance the resilience of interisland connectivity. On April 3, 2026 and April 9, 2026, the Applicant filed amendments providing additional information on the Oahu landing and cable stations. See SCL-AMD-20260402-00052 and SCL-AMD-20260409-00056.

Executive Branch Review.

Pursuant to Commission practice, the application was not referred to the Committee for the Assessment of Foreign participation in the United States Telecommunications Services Sector (Committee), but the Commission did send a courtesy copy of the Public Notice. See Process Reform for Executive Branch Review of Certain FCC Applications and Petitions Involving Foreign Ownership, IB Docket 16-155, Report and Order, 35 FCC Rcd 10927 (2020).

On May 28, 2026 and June 18, 2026, the U.S. Department of Justice on behalf of the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector (Committee) requested that the Commission defer action on the above-referenced submarine cable landing license application in addition to the following amendments, SCL-AMD-20260402-00052 and SCL-AMD-20260409-00056, to give the Committee Members time to respond. See SCL-LIC-20251121-00076, Actions Taken Under Submarine Cable Landing License Act, Report No. SCL-00616, Public Notice, DA 26-534 (OIA May 28, 2026); SCL-LIC-20251121-00076, Non-Streamlined Submarine Cable Landing License Applications, Accepted for Filing, Report No. SCL-00625NS, Public Notice, DA 26-661 (OIA July 2, 2026). On June 30, 2026, HIFL filed a letter requesting that the Commission grant the above-referenced application and amendments to land and operate the Hawaiian Islands Fiber Link System, conditioned on compliance with a Letter of Agreement from HIFL to the U.S. Department of Homeland Security, U.S. Department of Justice, and U.S. Department of War to address potential national security and law enforcement risks identified by the Committee (June 30, 2026 LOA). On July 1, 2026, the Committee notified the Commission via letter that it does not believe, based on available information, that referral of the application was necessary, provided the Commission condition the grant of the license on compliance with the terms of the June 30, 2026 LOA.

The Office of International Affairs coordinated the application with the Department of State as required by Executive Order 10530, pursuant to section 1.767(b) of the Commission's rules, and consistent with the established Department of State procedures. Executive Order 10530, Section 5(a) reprinted as amended in 3 U.S.C. § 301; 47 CFR §1.767(b); Review of Commission Consideration of Applications under the Cable Landing License Act, IB Docket No. 00-106, Report and Order, 16 FCC Rcd 22167, 22192-93, paras. 51-52 (2001) (Submarine Cable Landing License Report and Order); Commission Announces Department of State's Revised Procedures for its Consideration of Submarine Cable Landing License Applications, IB Docket No. 16-155, Public Notice, DA 22-435 (rel. Apr. 19, 2022). See SCL-LIC-20251121-00076, Actions Taken Under Submarine Cable Landing License Act, Report No. SCL-00627, Public Notice, DA 26-692 (OIA July 9, 2026). No comments were received.

Actions Taken.

- 1) Grant of a Cable Landing License to HIFL for the purpose of constructing, landing and operating the HIFL System, a non-common carrier fiber-optic submarine cable system that will connect the Hawaiian Islands of Kauai, Oahu, Molokai, Lanai, Maui, and Hawaii.
- 2) Grant of the request for waiver of section 1.767(h)(1) of the Commission's rules in connection with the license.
- 3) Condition grant of the application on HIFL abiding by the commitments and undertakings set forth in the June 30, 2026 LOA.

Cable System Design and Capacity.

The HIFL System will consist of the following segments: Segment 1; *Kauai-Oahu Segment*. This segment will connect Lihue Nukolii, Kauai with Barbers Point, Oahu. It will have a total length of 191.7 kilometers and consist of 24 fiber pairs. Segment 2; *Oahu-Maui Segment*. This segment will connect Barbers Point, Oahu, with Kahului, Maui. It will have a total length of 197.2 kilometers and consist of 24 fiber pairs. Segment 2A; *Molokai Branch*. This segment will connect a branching unit on the Oahu-Maui Segment with Kaunakakai, Molokai. It will have a total length of 13.0 kilometers and consist of 12 fiber pairs. Segment 2B; *Lanai Branch*. This segment will connect a branching unit on the Oahu-Maui Segment with Manele Harbor, Lanai. It will have a total length of 41.6 kilometers and consist of 12 fiber pairs. Segment 3; *Maui-Hawaii Segment*. This segment will connect Kahului, Maui with Hilo, Hawaii. It will have a total length of 233.0 kilometers and consist of 24 fiber pairs. Each fiber pair will have a design capacity of approximately 18 Terabits per second (Tbps).

Ownership of the Cable System.

HIFL will own and control all segments of the HIFL System.

Ownership of Landing Stations.

HIFL will control all of the landing stations for the HIFL System.

In Oahu there will be a single landing point for the HIFL System, with one beach manhole, but the HIFL System will use two cable landing stations: (a) one in Barbers Point (for Fiber Pair 1) that is owned by the University of Hawaii, and (b) one in Honolulu that is owned by DRFortress (for Fiber Pairs 2 through 24). The University of Hawaii owns the other cable landing stations in (1) Lihue Nukolii, Kauai; (2) Kahului, Maui; (3) Kaunakakai, Molokai; (4) Manele Harbor, Lanai; and (5) Hilo, Hawaii.

According to the Applicant, in Manele Harbor, Lanai, one fiber pair will terminate at the Lana'i Education Center (Lana'i City) and the remainder of the fiber pairs will terminate at the beach manhole, with cross-connects to local carriers at the beach manhole.

Request for Waiver of Section 1.767(h)(1).

HIFL requests a waiver of section 1.767(h)(1) of the Commission's rules so that the University of Hawaii (University) and DR Fortress are not required to be applicants for the cable landing license for the HIFL System. 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). HIFL asserts that the University of Hawaii or DR Fortress will not have any ability to affect significantly the operation of the HIFL System and including them as applicants is not necessary to ensure compliance by HIFL with the Cable Landing License Act, the Commission's cable landing license rules, or the terms of any cable landing license.

According to HIFL, HIFL will retain operational authority over the HIFL System's landing facilities at all landing sites and provide direction to the University and DR Fortress in all matters relating to the HIFL System. HIFL states that the University and DR Fortress will grant to HIFL long-term leases or IRU agreements for collocation spaces in the cable landing stations and access to conduits, with HIFL retaining exclusive control. Further, the agreements and leases will have initial minimum of one-year terms, with the option of extensions that may be exercised at HIFL's sole discretion, for a maximum of 25 years each.

Regulatory Status.

HIFL proposes to operate the HIFL System on a non-common carrier basis. HIFL states that it will not sell capacity indifferently to the user public, but rather will sell capacity to particular carrier and enterprise customers pursuant to individually negotiated indefeasible rights of use (IRUs) and capacity leases, the terms of which would vary depending on the characteristics and needs of the particular capacity purchaser. HIFL also asserts that the existence of ample competing submarine cable facilities providing Hawai'i interisland connectivity ensures that the HIFL System would not function as a bottleneck facility on those routes. HIFL states the cable system will compete with existing inter-island cable systems, including the Hawaii Inter-Island Cable System, the Hawaii Island Fiber Network, and the Paniolo Cable System.

Ownership of HIFL.

HIFL, a Delaware limited liability company, is wholly owned by Ocean Networks, Inc. (Ocean Networks), a Georgia corporation. Scott Schwertfager holds 60% equity and voting interests in Ocean Networks. According to the Applicant, no individual or entity holds a 10% or greater direct or indirect equity or voting interest in HIFL.

Conditions.

HIFL certifies that it accepts and will abide by the routine conditions specified in section 1.70007 of the Commission's rules. 47 CFR § 1.70007.

Grant of the license is conditioned upon HIFL's compliance with the terms of the June 30, 2026 LOA. 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.

Under the Commission's rules, a cable landing license shall expire 25 years after the in-service date for the cable. The Licensee must notify the Commission within thirty (30) days of the date the cable is placed into service. 47 CFR § 1.70007(p)(1). The in-service notification must be filed in ICFS through the "Pleadings and Comments" for file number SCL-LIC-20251121-00076.

SCL-AMD-20260409-00056 S250509 Hawaiian Islands Fiber Link, LLC

Date filed: 2026-04-09

Amendment

Grant of Authority

Date of Action: 2026-07-31

See discussion of ICFS File No. SCL-LIC-20251121-00076 in this Public Notice.

INFORMATIVE:

SCL-LIC-20241224-00052 S250403 Edge Cable Holdings USA, LLC

Date filed: 2024-12-24

Submarine Cable Landing License

On July 30, 2026, the Chair of the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector (Committee) notified the Commission that the Committee granted the Applicant an extension to the 120-day initial review period and thus is extending its initial review period for the application for the ORCA cable system to conclude on or before August 31, 2026, pursuant to Executive Order 13913 (85 Fed Reg 19643 (April 8, 2020)).