



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
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Report No. SCL-00101S

Tuesday January 12, 2010

STREAMLINED SUBMARINE CABLE LANDING LICENSE APPLICATIONS ACCEPTED FOR FILING

Unless otherwise specified, the following procedures apply to the applications listed below:

The applications listed below have been found, upon initial review, to be acceptable for filing and subject to the streamlined processing procedures set forth in section 1.767 of the Commission's rules, 47 C.F.R. § 1.767. Pursuant to the Submarine Cable Landing License Act, 47 U.S.C. §§ 34-39, and Executive Order No. 10530, reprinted as amended in 3 U.S.C. § 301, each applicant seeks: (a) the grant of a cable landing licensee; (b) the modification of a cable landing license; and/or (c) the assignment or transfer of control of an interest in a submarine cable landing license.

Pursuant to its decision in Review of Commission Consideration of Applications under the Cable Landing License Act, IB Docket No. 00-106, FCC 01-332, 16 FCC Rcd 22167 (2001) and section 1.767 of the rules, the Commission will take action upon these applications within forty-five (45) days after release of this public notice, unless the Commission has informed the applicant in writing that the application, upon further examination, has been deemed ineligible for streamlined processing.

Ex parte communications between outside parties and Commission staff concerning these applications are permitted subject to the Commission's rules for "permit-but-disclose proceedings." See 47 C.F.R. § 1.1206. Filings relating to this application must be received within 14 days of this notice. Such filings will not necessarily result in an application being deemed ineligible for streamlined processing.

Copies of all applications listed here are available for public inspection in the FCC Reference and Information Center, located in room CY-A257 at the Portals 2 building, 445 12th Street, SW, Washington DC 20554. The center can be contacted at (202) 418-0270. People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty). All applications listed are subject to further consideration and review, and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations, and other requirements.

SCL-ASG-20091223-00040 E TRICOM USA, INC.

Assignment

Current Licensee: Tricom USA, Inc., Debtor-in-Possession

FROM: Tricom USA, Inc., Debtor-in-Possession

TO: TRICOM USA, INC.

Application for consent to assign the interest in the Americas II cable system, SCL-LIC-19980101-00036 (Old File Number SCL-98-003), the MAYA-1 cable system, SCL-LIC-19990325-00006, and the Pan American cable system, SCL-LIC-19970421-00002 (Old File No. SCL-97-001), held by Tricom USA, Inc., Debtor-in Possession to Tricom USA Inc. (New Tricom USA). Tricom USA, Inc. Debtor-in Possession holds approximately 0.05%, 0.06%, and 0.12% ownership interest in the Americas II, MAYA-1, and Pan American cable systems, respectively.

On February 29, 2008, Tricom S.A. and its wholly-owned subsidiary Tricom USA, Inc. filed for bankruptcy protection under Chapter 11 of the U.S. Bankruptcy Code with the United States Bankruptcy Court for the Southern District of New York.

Pursuant to an order entered on October 21, 2009, the Bankruptcy Court confirmed the plan of reorganization for Tricom, S.A. and its Affiliated Debtors, including Tricom USA, Inc., Debtor-in Possession. The plan provides for the creation of a new holding company, Hispanola Telecom Holdings, Ltd, to be formed in the Bahamas which, upon the effective date of the Plan, will own directly at least 97% of the equity interests in reorganized Tricom, S.A. (New Tricom S.A.), a corporation organized in the Dominican Republic. Under the plan, New Tricom USA will continue to be a wholly owned subsidiary of New Tricom S.A.

Pursuant to the plan, holders of certain unsecured claims against Tricom, S.A. and its Affiliated Debtors will receive a distribution of shares of Hispanola Telecom Holdings. It is anticipated that the following individuals or entities will hold a ten percent or greater interest in Hispanola Telecom Holdings: (1) Ellis Portafolio, S.A., a British Virgin Islands entity (10.7% direct); (2) MAP Private Trust Company, a Cayman Islands entity, for the benefit of Manuel Arturo Pollernaio Pena and certain family members, all citizens of the Dominican Republic (13.4% indirect through various companies including Ellis Portafolio, S.A.); (3) AMZAK Capital Management, LLC (direct interest in excess of 18.5%, but less than 50%); (4) the Kazma family - Gerald Kazma, Michael Kazma, and Leigh Kazma, all Canadian citizens (indirect interest in excess of 18.5%, but less than 50%, through AMZAK). No other individuals or entities have a ten percent or greater equity or voting ownership in Hispanola Telecom Holdings and consequently in New Tricom USA.

SCL-T/C-20091230-00041 E PPC 1 Limited

Transfer of Control

Current Licensee: PPC 1 Limited

FROM: PIPE Networks Limited

TO: TPG Telecom Limited

Application for consent to transfer control of the cable landing license for the PPC 1 Cable System, SCL-LIC-20080213-00001, SCL-MOD-2090910-00027, held by joint licensees PPC 1 Limited and PPC 1 (US), Inc. (PPC 1 US) from PIPE Networks Limited (PIPE Networks) to TPG Telecom Limited (TPG Telecom). PPC 1 US is a wholly-owned direct subsidiary of PPC Limited, which in turn is a wholly-owned indirect subsidiary of PIPE Networks.

The PPC 1 cable system is a non-common carrier fiber optic cable system consisting of two segments: (1) the Australia-Guam Trunk, connecting Sydney, Australia with Piti, Guam, and (2) the PNG Spur, connecting Madang Papua New Guinea with a branching unit located on the Australia-Guam Trunk. PPC 1 Limited owns and operates the wet-link portions of the Australia Trunk, including the branching unit. PPC 1 US controls the U.S. cable landing station. PIPE International (Australia) Pty. Ltd, the direct 100% parent of PPC 1 Limited, owns and operates the cable landing station in Australia. Telekom PNG Limited owns and operates the PNG Spur and cable landing station in Papua New Guinea. (Telekom PNG Limited is not part of this transaction, and this transaction does not affect the ownership of the PNG Spur and cable landing station in Papua New Guinea.)

On November 11, 2009, PIPE Networks and TPG Telecom entered into a merger agreement whereby TPG Telecom will acquire all of the outstanding shares of PIPE Networks. Upon closing TPG Telecom will indirectly own and control PPC 1 Limited and PPC 1 US.

TPG Telecom is an Australian corporation whose shares are publicly traded on the Australian Securities Exchange. Washington H. Soul Pattinson and Company Limited, an Australian public corporation, holds a 28.26% direct interest in TPG Telecom, and is in turn 42.85% directly owned by Brickworks Limited, also an Australian public corporation. David Teoh and Vicky Teoh each individually holds 19.25% direct interest in TPG Telecom's ordinary shares. No other individuals or entities have a ten percent or greater equity or voting ownership in TPG Telecom and consequently in PPC 1 Limited and PPC 1 US.

REMINDERS:

Applicants must certify that neither the applicant nor any party to the application is subject to a denial of federal benefits by federal and/or state courts under authority granted in 21 U.S.C. § 862. See C.F.R. §§ 1.2001-1.2003.

The Commission's rules applicable to submarine cable landing licenses (47 C.F.R. §§ 1.767, 1.768) are available at <http://www.fcc.gov/ib/td/pf/telecomrules.html>. See also http://hraunfoss.fcc.gov/edoc_public/attachmatch/DA-02-5981A1.pdf for a March 13, 2002 Public Notice; http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-01-332A1.pdf for the December 14, 2001 Report and Order.

By this notice, we inform the public that submarine cable landing license applications and international section 214 applications that are part of larger transactions involving multiple Commission licenses or authorizations may involve "extraordinary circumstances" as referenced in Review of Commission Consideration of Applications under the Cable Landing License Act, Report and Order, 16 FCC Rcd 22167 (2001) and Rules and Policies on Foreign Participation in the U.S. Telecommunications Market, Report and Order and Order on Reconsideration, 12 FCC Rcd 23891 (1997), paras. 327-28, Order on Reconsideration, 15 FCC Rcd 18158 (2000). Additionally, these extraordinary circumstances may result where Executive Branch agencies petition the Commission to defer decision on certain transactions pending the resolution of potential national security, law enforcement, foreign policy and trade policy issues. Accordingly, these applications may not be acted on within the 90-day review period that the Commission has established as the period of time normally required to reach a decision on non-streamlined cable landing licenses and international section 214 applications. This notice shall serve as public notice to applicants that, in these circumstances, additional time may be required for Commission review and final action. No additional formal public notice will be provided routinely with respect to specific applications in the event that the applicable review period extends beyond 90 days.