



# PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION  
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**Report No. SCL-00117S**

**Friday May 13, 2011**

## **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](mailto: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.

Transfer of Control

**Current Licensee:** Global Transit Ltd

**FROM:** Global Transit Ltd

**TO:** TIME dotCom Berhad

Application for consent to the transfer of control of the interest in the cable landing license for the Unity Cable System, SCL-LIC-20080516-00010, held by Global Transit Limited (GTL) from the current shareholders of GTL to TIME dotcom Berhad (TdC). The Unity Cable System connects the United States and Japan, with landing stations in Hermosa Beach, California and Chikura, Japan. GTL holds a 10 percent equity and voting interest in the Unity Cable System. (The ownership interests of other licensees of the Unity Cable System will not change as a result of the proposed transaction.)

Pursuant to a Sale and Purchase Agreement, dated December 6, 2010, TdC will acquire 100% of the issued and paid up share capital of GTL, resulting in TdC acquiring de jure and de facto control of GTL.

TdC is a publicly traded company in Malaysia. The following Malaysian entities have a 10 percent or greater direct ownership in TdC: (1) Pulau Kapas Ventures Sdn Bhd (30.04%), and (2) TIME Engineering Bhd (24.74%). The remaining 45.22% TdC shares are owned by unrelated public shareholders, none of which has a ten percent or greater interest in TdC.

The following entities have a 10 percent or greater indirect ownership interest in TdC through Pulau Kapas Ventures Sdn Bhd: Khazanah Nasional Berhad, a wholly-owned entity of the Malaysian Government (61.2%) (18.38% in TdC), and, Global Transit International Sdn Bhd, a Malaysian company (38.8%) (11.65% in TdC). Global Transit International Sdn Bhd is wholly owned by Megawisra Sdn Bhd, a Malaysian company (11.65% in TdC), which is wholly-owned by Megawisra Investment Ltd, a British Virgin Islands company (11.65% in TdC). No individual or shareholder of Megawisra Investment Ltd holds a 10% or greater indirect ownership in TdC.

The following Malaysian entities have a 10 percent or greater indirect ownership interest in GTL through TIME Engineering Bhd, a publicly traded company: UEM Group Berhad (45.03%) (11.14% in TdC) which, in turn, is wholly-owned by Khazanah Nasional Berhad, which, in turn, is wholly-owned by Malaysian Ministry of Finance. (The combined indirect ownership of the Malaysian Ministry of Finance in GTL will be 29.52%.) The remaining 54.97% shares of TIME Engineering Bhd are held by unrelated public shareholders, none of which has a ten percent or greater interest in TdC.

Applicant agrees to accept and abide by the routine conditions specified in section 1.767(g) of the Commission's rules, 47 C.F.R. §1.767(g).

## 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](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](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.