



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

August 13, 2012

FY 2012 REGULATORY FEES

SUBMARINE CABLE SYSTEMS

The Commission's automated filing and payment system ("Fee Filer") is now available for filing and payment of FY 2012 regulatory fees. Regulatory fee payments must be made no later than 11:59 PM, ET, on September 13, 2012.

As set forth in 47 U.S.C. 159(a), the Commission is required by Congress to collect regulatory fees to recover the regulatory costs associated with its enforcement, policy and rulemaking, user information, and international activities. Licensees and regulatees are assessed fees calculated as set forth in (*See Assessment and Collection of Regulatory Fees for Fiscal Year 2012*, Report and Order, 77 FR 46307 at ¶ 4 (August 3, 2012)). The Commission also publishes industry-specific guidance in *Who Owes Fees & What is My Fee FY 2012*, which can be found on the Commission website at <http://transition.fcc.gov/fees/regfees.html>.

In the *Submarine Cable Fee Order*,¹ the Commission changed its methodology for calculating regulatory fees for international submarine cable operators. This change in methodology became effective on July 15, 2009.² Hence, beginning with Fiscal Year 2009, the Commission calculates regulatory fees for international submarine cable operators licensed and operating on December 31 of the prior year on a per cable landing license basis, with a higher fee for larger submarine cable systems and lower fees for smaller systems.³ This methodology does not distinguish between submarine cables operated on a common carrier basis and those operated on a non-common basis.

To assist submarine cable operators in making their FY 2012 regulatory fee payment, the Commission has compiled from public documents a listing of the international submarine cables licensed and operational on December 31, 2011 and the licensees associated with each cable.⁴

¹ *Assessment and Collection of Regulatory Fees for Fiscal Year 2008*, Second Report and Order, 24 FCC Rcd 4208, ¶ 1 (2009) ("*Submarine Cable Fee Order*").

² *Assessment and Collection of Regulatory Fees for Fiscal Year 2009*, Report and Order, FCC 09-62, (rel. July 31, 2009) at ¶ 9.

³ *See Submarine Cable Fee Order*, 24 FCC Rcd at 4214-15, ¶¶ 13-18; see also 47 C.F.R. § 1.1156(c).

⁴ *See 2009 Reg Fee Order* at ¶ 29 ("the Commission in FY 2009 will publish a Public Notice that identifies the license holders for each submarine cable system.")

The attached table identifies the submarine cable, licensee(s), the amount of fee based on the cable system's capacity, and other information relevant to each cable.

The Commission will only accept a single payment for the full regulatory fee obligation for each international submarine cable license. Therefore it is very important for submarine cables with multiple licensees that the licensees determine amongst themselves the portion of the fee each owes and how they will make a single regulatory fee payment. From the Commission's perspective, each licensee of a submarine cable is equally responsible for the payment of regulatory fees.⁵ In the event of a non payment or underpayment, the Commission will hold each and every licensee equally responsible for the regulatory fee obligation.

To make a payment, please log into Fee Filer at (www.fcc.gov/feefiler), or from the left side of the FCC Fees page, click on the link (<http://transition.fcc.gov/fees/regfees.html>). For additional information, please refer to – “Regulatory Fees Fact Sheet – What You Owe – International and Satellite Services Licensees for FY 2012”.

-FCC-

⁵ See *id.* 24 FCC Red at 4212, 4215, ¶¶ 6, 17