



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
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Report No. SCL-00150S

Wednesday January 15, 2014

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 license; (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.

Transfer of Control

Current Licensee: Antilles Crossing-St. Croix, Inc.

FROM: GLOBAL CARIBBEAN FIBER, SAS

TO: Fibre Investments Holdings Limited IBC

Application for consent to the transfer of control of the cable landing license for the Antilles Crossing system, SCL-LIC-20031125-00032, held by Antilles Crossing-St. Croix, Inc. (ACSC) from Global Caribbean Fiber SAS (GCF) to Fibre Investment Holdings Limited IBC (FIHL). The Antilles Crossing system is a non-common carrier cable system extending between the U.S. Virgin Islands, St. Lucia, and Barbados.

GCF, and certain of its affiliates, have entered in to a Share and Asset Purchase Agreement with FIHL, a newly formed company organized under the laws of St. Lucia, and Digicel Investments France SAS (DIF), a newly formed company organized under the laws of France and an affiliate of FIHL. Pursuant the terms of the Agreement GCF has agreed to sell to FIHL all of GCF's shares in ACSC and in AC (Barbados) IBC, the parent of Antilles Crossing (St. Lucia) Limited (AC St. Lucia). GCF has agreed to sell to DIF a 99.99% interest in AC Barbaos LP (ACBLP) and a 99.99% interest in Antilles Crossing International, LP (ACI). ACSC owns the subsea portion of the Antilles Crossing system in U.S. territorial waters and the landing station in St. Croix; AC St. Lucia owns the subsea portion of the system in St. Lucia's territorial waters and the landing station in St. Lucia; ACBLP owns the subsea portion of the system in Barbados territorial waters and the landing station in Barbados; and, ACI owns the subsea portions of the Antilles Crossing system in international waters.

FIHL is a wholly owned by Fibre Investments Ltd (St.Lucia) IBC, which is wholly owned by Digicel International Finance Limited (DIFL), both St. Lucia entities. DIFL is wholly-owned by Digicel Holdings (Bermuda) LTD, which is wholly-owned by Digicel Limited, which in turn is wholly-owned by Digicel Group Limited (DGL), all Bermuda entities. DGL is 99.9% owned by Digicel Investments Limited (DIL), a Bermuda entity. Mr. Denis O'Brien, a citizen of Ireland, has 100% ownership of DIL.

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.