



PUBLIC NOTICE

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ERRATUM

DOMESTIC SECTION 214 APPLICATION GRANTED FOR THE TRANSFER OF CONTROL OF DSCI, LLC TO U.S. TELEPACIFIC CORP.

WC Docket No. 16-67

On September 12, 2016, the Wireline Competition Bureau released a *Public Notice*, DA 16-1028, in the above captioned proceeding. This Erratum amends the *Public Notice* as indicated below:

In the second paragraph, delete the last two sentences and footnotes 5 and 6 and add a new third paragraph with footnotes to read as follows:

“On September 9, 2016, the Executive Branch Agencies submitted a Petition to Adopt Conditions to Authorizations and Licenses (Petition).⁵ In the Petition, the Executive Branch Agencies advise the Commission that they have no objection to the Commission approving the authority sought in this proceeding, provided that the Commission “conditions its approval on the assurance of U.S. TelePacific Corp. and U.S. TelePacific Holdings Corp. (together, TelePacific) to abide by the commitments and undertakings set forth in the September 2, 2016 Letter of Assurances (LOA).”⁶ The Department of Justice filed the Petition and LOA in WC Docket No. 16-67 on September 9, 2016. The Bureau finds, upon consideration of the record, that grant of the Application, subject to compliance with the LOA, will serve the public interest, convenience, and necessity. Consistent with Commission precedent, the Bureau accords the appropriate level of deference to the Executive Branch Agencies' expertise on national security and law enforcement issues.⁷ Therefore, pursuant to section 214 of the Act, 47 U.S.C. § 214, and sections 0.91 and 0.291 of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, the Bureau hereby grants the Application discussed in this Public Notice subject to compliance with the LOA described above. A failure to comply with and/or remain in compliance with any of the provisions of the LOA

⁵ Petition to Adopt Conditions to Authorizations and Licenses, WC Docket No. 16-67 and File No. ITC-T/C-20160307-00115 (filed Sept. 9, 2016).

⁶ *Id.* at 1.

⁷ The Commission considers national security, law enforcement, foreign policy, and trade policy concerns when analyzing a transfer of control or assignment application in which foreign ownership is an issue. *See Amendment of the Commission's Regulatory Policies to Allow Non-U.S. Licensed Satellites Providing Domestic and International Service in the United States*, Report and Order, 12 FCC Rcd 24094, 24170-72, paras. 178-82 (1997); *Rules and Policies on Foreign Participation in the U.S. Telecommunications Market*, IB Docket No. 97-142, Market Entry and Regulation of Foreign Affiliated Entities, IB Docket No. 95-22, Report and Order and Order on Reconsideration, 12 FCC Rcd 23891, 23919-21, paras. 61-66 (1997) (*Foreign Participation Order*), Order on Reconsideration, 15 FCC Rcd 18158 (2000). In assessing the public interest, the Commission considers the record and accords the appropriate level of deference to Executive Branch expertise on national security and law enforcement issues. *See Foreign Participation Order*, 12 FCC Rcd at 23919-21, paras. 61-66.

shall constitute a failure to meet a condition of this authorization and thus grounds for declaring the underlying authorizations terminated without further action on the part of the Commission. Failure to meet a condition of this authorization may also result in monetary sanctions or other enforcement action by the Commission.”

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