



PUBLIC NOTICE

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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 upon further examination an application is 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.

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), 1-888-835-5322 (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.

Modification

Application filed by Telxius Cable USA, Inc. (Telxius USA), Telxius Cable Puerto Rico, Inc. (Telxius Puerto Rico), and Telxius Cable America, S.A. (Telxius America) (together, the "Applicants") for authority to modify the cable landing license for the South America-1 submarine cable system (SAM-1 cable), SCL-LIC-20000204-00003, SCL-MOD-20061207-00012, SCL-MOD-20180605-00016, SCL-MOD-20180905-00032, to authorize segments of the SAM-1 cable connecting Punta Canero, Ecuador, and Mancora, Peru (SAM-1 Ecuador and Peru Spurs). Applicants were granted Special Temporary Authority and authorized by the Commission for the Ecuador and Peru segments of the cable. See File No. SCL-STA-20190826-00029. Applicants filed a supplement on January 18, 2020.

The Commission granted a cable landing license for the SAM-1 cable in 2000 and subsequently modified that cable landing license in 2006 to authorize the extension of SAM-1 to Colombia, and in 2019 to authorize a segment to the Dominican Republic. See Telefonica SAM USA, Inc. and Telefonica SAM de Puerto Rico, Inc., Cable Landing License, 15 FCC Rcd 14915 (IB 2000); SCL-MOD-20061207-00012, Actions Taken Under Cable Landing License Act, Public Notice, 22 FCC Rcd. 6630 (IB 2007); SCL-MOD-20180905-00032, Actions Taken Under Cable Landing License Act, Public Notice, DA 19-1272 (IB rel. Dec. 16, 2019). Upon review of the licensing history of the cable, the Applicants discovered that no request had been filed with the Commission seeking to modify the SAM-1 cable landing license to add the segments connecting Punta Canero, Ecuador, and Mancora, Peru, which were constructed in 2006 and 2007 and entered commercial service on October 31, 2007.

The SAM-1 Cable is a non-common carrier cable system that is approximately 25,000 kilometers in length and connects Boca Raton, Florida; San Juan, Puerto Rico; Las Toninas, Argentina; Fortaleza, Rio de Janeiro, Salvador, and Santos, Brazil; Arica and Valparaiso, Chile; Barranquilla, Colombia; Punta Canero, Ecuador; Puerto Barrios and Puerto San Jose, Guatemala; and Lurin and Mancora, Peru. The SAM-1 cable has up to four fiber pairs per segment, with each fiber pair having a current design capacity of 19.2 Terra bits per second (Tbps) per fiber pair.

The facilities connecting the SAM-1 system to Punta Canero, Ecuador, and Mancora, Peru, consist of three segments. Segment M1 connects Branching Unit 3 on the original SAM-1 system to Branching Unit 3A, off the coast of Ecuador. It has a length of 680 kilometers and has two fiber pairs. Segment M2 connects Branching Unit 3A to a new landing point at Punta Canero, Ecuador, with the cable landing station located inland at Salinas, Ecuador. It has a length of 112 kilometers and has two fiber pairs. Segment M3 connects Branching Unit 3A to a beach manhole located at Mancora, Peru. It has a length of 226 kilometers and has two fiber pairs. The current design capacity of all fiber pairs of Segments M1, M2, and M3 is 4.8 Tbps. The other segments of SAM-1 remain unchanged.

Telxius America owns Segment M1 and those portions of Segments M2 and M3 beyond the territorial seas of Ecuador and Peru. Telxius Cable Ecuador, S.A. (Telxius Ecuador) owns that portion of Segment M2 in the Ecuadorian territorial sea extending seaward from Punta Canero, as well as the cable landing station at Salinas, Ecuador, which was constructed in 2007. Telxius Cable Peru, S.A.C. (Telxius Peru) owns that portion of Segment M3 in the Peruvian territorial sea extending from Mancora, Peru. Telefonica del Peru, S.A.C. (Telefonica Peru) owns and operates the cable landing station at Mancora, Peru. Ownership of SAM-1's other segments remains unchanged.

Telxius USA will continue to own and control the cable landing station in Boca Raton, Florida and that portion of the SAM-1 system's wet segment in the U.S. territorial sea extending from Boca Raton. Telxius Puerto Rico will continue to own and control the cable landing station in San Juan, Puerto Rico and that portion of the SAM-1 system's wet segment in the U.S. territorial sea extending from San Juan. Telxius America will continue to own and control that portion of the SAM-1's wet segment in international waters.

Telxius USA, a Florida company, Telxius Puerto Rico, a Puerto Rico company, and Telxius America, a Uruguay company, are majority-owned, indirect subsidiaries of Telefonica S.A. (Telefonica Parent), whose shares are publicly-traded on the Spanish electronic trading system and listed on the London, Buenos Aires, Lima, and New York stock exchanges.

The following individuals and entities will have a ten-percent-or-greater direct or indirect interest in Telxius USA and Telxius Puerto Rico: (1) Telxius Cable America, S.A. (Telxius America), a Uruguay company (100% voting and equity); (2) Telxius Telecom S.A.U. (Telxius Parent), a Spain company (100% voting and equity interest in Telxius America); (3) Pontel Participaciones, S.L. (Pontel), a Spain company (60% voting and equity interest in Telxius Parent); (4) Telefonica Parent, a Spain company (83.5% voting and equity interest in Pontel); (5) Taurus Bidco S.a.r.l. (KKR Bidco), a Luxembourg company (40% voting and equity interest in Telxius Parent, and certain negative control rights as a result of investments by KKR Bidco in Telxius Parent); (6) Taurus Midco S.a.r.l. (KKR Midco), a Luxembourg company (100% voting and equity interest in KKR Bidco); (7) Taurus Topco S.a.r.l. (KKR Topco), a Luxembourg company (100% voting and equity interest in KKR Midco); and (8) KKR Taurus Aggregator L.P., a Canada company (100% voting and equity interest in KKR Topco).

The principal direct and indirect voting and equity interests in KKR Taurus Aggregator L.P. are held by and through the following entities: (1) KKR Taurus Aggregator GP Limited, a Cayman Islands company (general partner of and 100% voting and a less-than-1-percent equity interest in KKR Taurus Aggregator L.P.); (2) KKR Global Infrastructure Investors II L.P., a Cayman Islands company (sole shareholder of and 100% voting and equity interest in KKR Taurus Aggregator GP Limited, and limited partner of and 26.41% equity interest (no direct voting) in KKR Taurus Aggregator L.P.); (3) KKR Taurus Co-Invest L.P., a Canada company (limited partner of and 44.97% equity interest (no voting) in KKR Taurus Aggregator L.P.); (4) KKR Associates Infrastructure II L.P., a Cayman Islands company (general partner of and 100% voting and 5% equity interest in KKR Global Infrastructure Investors II L.P.); (5) KKR Infrastructure II Limited, a Cayman Islands company (general partner of and 100% voting and 99% equity interest in KKR Associates Infrastructure II L.P.); (6) KKR Financial Holdings LLC, a Delaware company (50% voting interest in, and a non-fixed economic interest based on the investment returns allocable to KKR Associates Infrastructure II L.P. as the general partner of KKR Global Infrastructure Investors II L.P.); (7) KKR Fund Holdings L.P., a Cayman Islands company (50% voting interest in, and a non-fixed economic interest based on the investment returns allocable to KKR Associates Infrastructure II L.P. as the general partner of KKR Global Infrastructure Investors II L.P.; KKR Fund Holdings L.P. also holds a 100% voting and equity interest in KKR Financial Holdings LLC); (8) KKR Fund Holdings GP Limited, a Cayman Islands company (general partner of and 100% voting interest (no equity) in KKR Fund Holdings L.P.); (9) KKR Group Holdings Corp., a Cayman Islands company (sole shareholder of and 100% voting and economic interest in KKR Fund Holdings GP Limited; general partner and limited partner of, and 63.3% equity interest in KKR Fund Holdings L.P.); (10) KKR & Co. Inc., a Delaware company (100% voting and equity interest in KKR Group Holdings Corp.); and (11) KKR Management LLC (KKR Management), a Delaware company (100% voting interest (no equity) in KKR & Co. Inc.). No entity holds a 10-percent-or-greater direct or indirect equity interest in the Applicants through either KKR Global Infrastructure Investors II L.P. or KKR Taurus Co-Invest L.P. The equity

interests in the Applicants that are held through KKR Bidco are predominantly by investment funds, all of which are limited partnerships organized under the laws of Canada, the Cayman Islands, and England and Wales. Telxius USA and Telxius Puerto Rico have no other 10-percent-or-greater direct or indirect interest holders.

Telxius USA, Telxius Puerto Rico, and Telxius America are affiliated with a foreign carrier that is presumed to have market power in Peru. They each agree to accept and abide by the reporting requirements in section 1.767(l), 47 CFR §1.767(l), for the U.S.-Peru route. In addition Telxius USA, Telxius Puerto Rico, and Telxius America are affiliated with a foreign carriers that are presumed to have market power in Argentina, Brazil, Chile, and Colombia. They each have previously agreed to accept and abide by the reporting requirements for the U.S.-Argentina, U.S.-Brazil, U.S.-Chile, and U.S.-Colombia routes. See SCL-MOD-20180905-00032.

Applicants agree to accept and abide by the routine reporting requirements specified in section 1.767(g) of the Commission's rules, 47 CFR § 1.767(g).

Telxius Cable USA, Inc. made commitments regarding potential national security, law enforcement and public safety issues related to the SAM-1 cable in a December 4, 2019 Letter of Assurances from from Guillermo Canete, President, Telxius Cable USA, Inc. to Assistant Secretary for Border, Immigration, and Trade, Office of Policy, Department of Homeland Security (2019 LOA). Applicants request that the Commission condition grant of this modification request on compliance with the 2019 LOA. A copy of the Petition and 2019 LOA are publicly available and may be viewed on the FCC website through the International Bureau Filing System (IBFS) by searching for SCL-MOD-20180905-00032 and accessing "Other filings related to this application" from the Document Viewing area.

SCL-MOD-20191223-00039 E GU Holdings Inc.

Modification

Application for authority to modify the cable landing license for the Curie submarine cable system (Curie system), SCL-LIC-20181008-00034, held by GU Holdings Inc. (GU Holdings), to include a new landing point in Panama City, Panama. The Curie system connects Los Angeles, California, and Valparaiso, Chile. It was licensed on September 20, 2019. See Actions Taken Under Cable Landing License Act, File No. SCL-LIC-20181008-00034, Public Notice, Report No. SCL-00252, 34 FCC Rcd 8628 (IB 2019). The cable has not been placed into commercial service yet. GU Holdings filed a supplement on January 14, 2020.

The Curie system is a non-common carrier cable system. The Main Trunk extends 10,476 kilometers between Los Angeles, California, and Valparaiso, Chile. It has three existing stubbed branches off the Main Trunk, each 10 kilometers in length, that point towards cable landing sites at Mexico (Mazatlan), Panama (Panama City), and Peru (Lurin). The Main Trunk and each stubbed branch consist of four fiber pairs, with each fiber pair having a total design capacity of 18 Terabits per second (Tb/s) (total of 72 Tb/s). The U.S. cable landing station at Los Angeles, California (LA4 Station) is owned by Equinix, Inc. (Equinix) and controlled by GU Holdings, and the cable station located in Chile is owned by Century Link Chile S.A. and controlled by Inversiones y Servicios Dataluna Limitada (Dataluna). GU Holdings holds 100% of the voting and equity interests in that portion of Curie in U.S. territorial waters, Google Infrastructure Bermuda Limited (GIB) holds 100% of the voting and equity interests in that portion of Curie in international waters, and Dataluna holds 100% of the voting and equity interests in that portion of Curie in Chilean territorial waters. GIB and Dataluna are affiliated companies of GU Holdings.

The Curie system will extend to Panama by connecting a new cable landing station at Panama City, Panama, to the previously installed stubbed branch (Panama Branch). The Panama Branch will be approximately 1,073 kilometers in length and consist of four fiber pairs with a total design capacity of 18 Tb/s per fiber pair (total of 72 Tb/s). GU Holdings' affiliates will own and control the Panama Branch as follows: (1) Google Singapore Pte. Ltd. will hold a 100% equity and voting interest in that portion of the Panama Branch in international waters; and (2) Google Infraestructura de Panama S.A. (GIP) will hold a 100% equity and voting interest in that portion of the Panama Branch in Panama territorial waters. TI Sparkle Panama S.A. will own and control the cable landing station at Panama City, Panama.

GU Holdings states that the expansion of telecommunications services to Panama will provide new and significant replacement capacity on the U.S.-Panama route and provide geographically diverse capacity. Since most cables connecting Panama to the U.S. land on the east coast (Maya-1, ARCOS-1, and PCCS), Applicant states that the addition of the Panama branch will make Curie only the second cable to directly connect Panama to the west coast of the United States. The other, the Pan-American Crossing cable, was constructed nearly 20 years ago.

GU Holdings, a Delaware company, is an indirect, majority-owned subsidiary of Google LLC (Google), a Delaware company. The 10-percent-or-greater direct or indirect interest holders of GU Holdings are: (1) Google International LLC (Google International) (100% voting and equity interest); (2) Google LLC (97% voting and equity interest in Google International); (3) XXVI Holdings Inc., a Delaware company (100% voting and equity interest in Google LLC); (4) Alphabet Inc. (Alphabet), a Delaware company (99% voting and equity interest in XXVI Holdings Inc.); (5) Mr. Larry Page, a U.S. citizen and CEO of Alphabet (26.1% voting interest in Alphabet through a 42.9% equity interest held in Alphabet's Class B common stock); and (6) Mr. Sergey Brin, a U.S. citizen and President of Alphabet (25.2% voting interest in Alphabet through a 41.3% equity interest held in Alphabet's Class B common stock). Alphabet's shares are publicly traded on the NASDAQ stock market. No other entity or individuals holds a 10-percent-or-greater voting or equity interest in Alphabet or GU Holdings.

GU Holdings Inc. agrees to accept and abide by the reporting requirements set out in section 1.767(g) of the Commission's rules, 47 CFR § 1.767(g).

GU Holdings Inc. made commitments regarding potential national security, law enforcement and public safety issues related to the Curie system in a September 19, 2019 Letter of Assurances from Austin Schlick, President, GU Holdings, Inc. to the Assistant Secretary for Border, Immigration and Trade, Office of Policy, Department of Homeland Security (2019 LOA). GU Holdings commits to apply to the proposed Panama branch the commitments and obligations that it agreed to in the 2019 LOA. A copy of the 2019 LOA is publicly available and may be viewed on the FCC's website through the International Bureau Filing System (IBFS) by searching for SCL-LIC-20181008-00034 and accessing the "Other Filings related to this application" from the Document Viewing Area.

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.

By this notice, we inform the public that submarine cable landing license 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, extraordinary circumstances result where Executive Branch agencies petition the Commission to defer action on an application pending the resolution of potential national security, law enforcement, foreign policy and trade policy issues. Accordingly, these applications may be removed from streamlined processing and 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. 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.