



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
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Report No. SCL-00279S

Thursday August 27, 2020

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.

Assignment

Current Licensee: BP Exploration and Production Inc.

FROM: BP Exploration and Production Inc.

TO: Tampnet Inc.

Application filed for consent to the assignment of the submarine cable landing license and related assets for the Gulf of Mexico fiber optic network, SCL-LIC-20061115-00010 (Gulf Fiber Network), held by BP Exploration & Production Inc. (BP) to Tampnet Inc. (Tampnet). The Gulf Fiber Network links Freeport, Texas to Pascagoula, Mississippi and is used to support BP's oil and gas drilling and production platforms in the Gulf of Mexico and to support other assets, including other oil and gas production operators. The Applicants filed a revised Application on August 11, 2020, which provides corrected voting and equity interest percentages for Colombo Investment Holdings Limited.

BP and Tampnet have entered into a Purchase and Sale Agreement whereby Tampnet has agreed to purchase from BP, among other BP assets, the Gulf Fiber Network. Upon consummation, the Gulf Fiber Network and related assets will be wholly owned by Tampnet.

Tampnet, a Delaware company, currently operates a deep-water fiber broadband network in the Gulf of Mexico for oil and gas purposes. By acquiring the Gulf Fiber Network, Tampnet claims it will be able to increase its reach into the Gulf of Mexico and will be able to provide new and existing customers with enhanced services, provide route diversity, and add a layer of redundancy, resiliency, and reliability to its network.

The following entities and individuals will a 10% or greater direct or indirect equity and voting interests in Tampnet : (1) Colombo US Bidco Inc., a Delaware company (100% equity and voting interest in Tampnet); (2) Colombo Bidco Limited, a United Kingdom company (100% equity and voting interest in Colombo US Bidco Inc.); (3) Colombo Holdco Limited, a United Kingdom company (100% equity and voting interest in Colombo Bidco Limited); (4) Colombo Investment Holdings Limited, a United Kingdom company (100% equity and voting interest in Colombo Holdco Limited); (5) Colombo Topco Limited, a United Kingdom company (approximate 87.2% equity and 85% voting interest in Colombo Investment Holdings Limited); (6) Arbejdsmarkedets Tillaegspension (ATP), a Denmark Pension Fund (50% equity and voting interest in Colombo Topco Limited); (7) 3i Tampnet Holdings Limited, a United Kingdom company (50% equity and voting interest in Colombo Topco Limited); (8) 3i Infrastructure plc, a publicly traded Jersey company (100% equity and voting interest in 3i Tampnet Holdings Limited); (9) 3i Investments plc, a United Kingdom company, is the exclusive investment manager to 3i Infrastructure and ATP with respect to their respective indirect investments in Tampnet, and 3i Investments plc has sole, indirect control over the day-to-day management of Tampnet; (10) 3i plc, a United Kingdom company (100% equity and voting interest in 3i Investments plc); (11) 3i Holding plc, a United Kingdom company (100% equity and voting interest in 3i plc); and (12) 3i Group plc, a publicly traded United Kingdom company (100% equity and voting interest in 3i Holdings plc, and also an approximate 30% equity interest in 3i Infrastructure). 3i Group plc is the ultimate parent company of 3i Investments and holds indirect control of Tampnet. The remaining approximate 15% voting and 12.8% equity interest in Colombo Investment Holdings Limited is held by certain managers and executives of the Tampnet companies, none of which hold an individual voting or equity stake of 10% or more. The remaining shares of 3i Infrastructure are publicly held and widely dispersed. No other person or entity holds a direct or indirect 10% or greater equity or voting interest in Tampnet.

Tampnet agrees to comply with the routine conditions set out in 1.767(g) of the Commission's rules, 47 CFR § 1.767(g), and with the requirements of section 1.768 of the Commission's rules, 47 CFR § 1.768 (Notification by and prior approval for submarine cable landing licensees that are or propose to become affiliated with a foreign carrier).

Referral to Executive Branch Agencies. Through this Public Notice, pursuant to Commission practice, this application is being referred to the relevant Executive Branch agencies for their views on any national security, law enforcement, foreign policy or trade policy concerns related to the foreign ownership of the Applicants. See Rules and Policies on Foreign Participation in the U.S. Telecommunications Market; Market Entry and Regulation of Foreign- Affiliated Entities, IB Docket Nos. 97-142 and 95-22, Report and Order and Order on Reconsideration, 12 FCC Rcd 23891, 23918-19, paras. 61-63 (1997) (Foreign Participation Order), recon. denied, 15 FCC Rcd 18158 (2000).

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.