



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
445 12th STREET S.W.
WASHINGTON D.C. 20554

News media information 202-418-0500
Internet: <http://www.fcc.gov> (or <ftp.fcc.gov>)
TTY (202) 418-2555

Report No. SCL-00290NS

Tuesday November 10, 2020

Non-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. 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 licensee; (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. These applications are not subject to the streamlined processing procedures set forth in Section 1.767 of the Commission's rules, 47 CFR § 1.767.

Filings relating to this application must be received within 14 days of this notice. 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.

These applications are being coordinated with the Department of State and other Executive Branch agencies pursuant to section 1.767(b) of the Commission's rules, 47 C.F.R. §1.767(b), and consistent with procedures established with the Department of State. See Review of Commission Consideration of Applications under the Cable Landing License Act, IB Docket No. 00-106, Report and Order, 16 FCC Rcd 22167, 22192-93, paras. 51-52 (2001) (Submarine Cable Landing License Report and Order); Streamlined Procedures for Executive Branch Review of Submarine Cable Landing License Requests, State Department Media Note (Revised) (rel. Dec. 20, 2001) available at <http://2001-2009.state.gov/r/pa/prs/ps/2001/6951.htm>.

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 ninety (90) days after release of this public notice, unless it determines that additional time is needed.

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.

Transfer of Control

Current Licensee: Telia Carrier U.S. Inc.

FROM: Telia Company AB

TO: Oura BidCo US, Inc.

Application filed for consent to transfer control of the interest held by Telia Carrier U.S. Inc. (Telia Carrier) in the TAT-14 submarine cable (TAT-14 cable), SCL-LIC-19990303-00004, SCL-MOD-20040301-00011, from Telia Company AB (Telia Company) to Oura BidCo US, Inc (BidCo US) (collectively, Applicants). Telia Carrier holds a 6.87243% ownership interest in the TAT-14 cable. The TAT-14 cable is a non-common carrier cable connecting the United States, Denmark, Germany, the Netherlands, France, and the United Kingdom. This transaction does not affect the interests of the other licensees of TAT-14.

Telia Carrier, a Delaware corporation, is a wholly owned subsidiary of Telia Company, a corporation organized under the laws of Sweden. BidCo US, a Delaware corporation, is an indirect wholly owned subsidiary of Polhem Infra KB, a fund that invests in and manages infrastructure assets.

On October 5, 2020, Telia Company and Polhem Infra KB, the indirect parent of BidCo US, entered into the Master Share Purchase Agreement, pursuant to which Telia Company will sell its entire stake in 34 Telia Carrier subsidiaries, including Telia Carrier, to Polhem Infra KB's wholly owned, indirect subsidiaries. As part of this transaction, Telia Company's stake in Telia Carrier will be sold to BidCo US. BidCo US will thus acquire 100% direct ownership and control of Telia Carrier, and Polhem Infra KB will acquire 100% indirect ownership and control of Telia Carrier. A Local Share Transfer Agreement regarding the entire stake in Telia Carrier will be concluded between Telia Company and BidCo US on closing of the proposed transaction.

Post consummation, the following entities will hold direct or indirect ten-percent-or-greater equity interests in BidCo US: (1) Oura BidCo AB, a Swedish corporation that is currently registered in Sweden as "GOLDCUP 26133 AB" but filed necessary paperwork with the Swedish Companies Registration Office on September 29, 2020 to change its corporate name to "Oura BidCo AB" (direct 100% interest in BidCo US); (2) Oura MidCo AB, a Swedish corporation (direct 100% interest in Oura BidCo AB); (3) Oura LoanCo AB, a Swedish corporation (direct 100% interest in Oura MidCo AB); (4) Oura TopCo AB, a Swedish corporation (direct 100% interest in Oura LoanCo AB); (5) Polhem Infra KB, a Swedish limited partnership that is controlled by its general partner Polhem Infra AB (direct 100% interest in Oura TopCo AB); (6) Polhem Infra AB, a Swedish corporation (0.01% interest in Polhem Infra KB); (7) Första AP-fonden/First Swedish National Pension Fund, a Swedish AP Fund (33.33% limited partner of Polhem Infra KB and 33.33% equity interest in Polhem Infra AB); (8) Tredje AP-fonden/Third Swedish National Pension Fund, a Swedish AP Fund (33.33% limited partner of Polhem Infra KB and 33.33% equity interest in Polhem Infra AB); (9) Fjärde AP-fonden/Fourth National Swedish Pension Fund, a Swedish AP Fund (33.33% limited partner of Polhem Infra KB and 33.33% equity interest in Polhem Infra AB). Applicants state that post-consummation, no other individual or entity will hold directly or indirectly a 10% or greater equity interest in BidCo US or Telia Carrier.

BidCo US certifies that it accepts and will abide by the routine conditions specified in Section 1.767(g) of the Commission's rules, 47 CFR. § 1.767(g).

Pursuant to Commission practice, the 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 proposed foreign ownership of Telia Carrier.

INFORMATIVE

SCL-LIC-20191122-00037

RTI Solutions, Inc.

By letter filed November 6, 2020, RTI Solutions, Inc., RTI HK-G Pte. Ltd., RTI Connectivity Pte. Ltd., and GU Holdings Inc. (collectively, Applicants), notified the Commission of the withdrawal of the application for the Hong Kong-Guam cable system.

SCL-MOD-20180605-00013

ARCOS-1 USA, Inc.

By letter filed October 26, 2020, ARCOS-1 USA, Inc. and A.SurNet, Inc. (together, Applicants) notified the Commission of the withdrawal of the request to modify the license for the ARCOS-1 submarine cable system - SCL-LIC-19981222-00032, SCL-MOD-20010302-00007, and SCL-MOD-20020701-00056 - to include a new landing point in Cuba.

REMINDER:

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 47 C.F.R. §§ 1.2001–2003.

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 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.