



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
45 L STREET NE
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-00321S

Friday July 16, 2021

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. Unless otherwise specified, interested parties may file comments with respect to these applications 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 for authority to modify the cable landing license for the Columbus II Cable System (Columbus II), SCL-LIC-20190326-00010, to remove Telefonica Larga Distancia de Puerto Rico, Inc. (TLDI) as a licensee pursuant to section 1.767(m)(2) of the Commission's rules, 47 CFR § 1.767(m)(2). The Columbus II system connects Florida to the United States Virgin Islands.

TLDI states that on August 8, 2020, it withdrew its participation in the Columbus II Construction and Maintenance Agreement pursuant to an agreement with the remaining participants. TLDI states that its voting and ownership interest of 6.52626% in Columbus II was reallocated to other consortium members. As a result, TLDI states that it no longer has any interests in Columbus II and therefore is not required to be a licensee under section 1.767(h)(2) of the Commission's rules, 47 CFR § 1.767(h)(2). TLDI further states that the remaining licensees, AT&T Corp. (approx. 76.4% voting and ownership interest) and Servicio de Telecomunicacion de Aruba (SETAR) N.V. (approx. 11.9% voting and ownership interest) will continue to exercise de jure and de facto control of the U.S. portion of Columbus II.

TLDI states that it served copies of this modification application on AT&T Corp and SETAR as required by 47 C.F.R. § 1.767(m)(2).

AT&T Corp. will continue to be required to abide by the commitments and undertakings regarding the Columbus II Cable System contained in the June 22, 2020, Letter of Assurances from Juan G. Flores, Senior Vice President, Core Network Operations, AT&T Corp. to the Assistant Secretary for Trade and Economic Security, Office of Strategy, Policy and Plans, Department of Homeland Security (2020 LOA). See Actions Taken Under Cable Landing License Act, File No. SCL-LIC-20190326-00010, Public Notice Report No. SCL-00272, 35 FCC Rcd 6761 (IB 2020). A copy of the 2020 LOA is publicly available and may be viewed on the FCC website through the International Bureau Filing System (IBFS) by searching for SCL-LIC-20190326-00010 and accessing "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.