



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
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Report No. SCL-00366NS

Thursday March 17, 2022

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 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. 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.

Unless otherwise specified, filings relating to these applications 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 CFR § 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 CFR § 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.

INFORMATIVE

SCL-LIC-20220114-00004

AT&T Corp.

On March 14, 2022, the Department of Homeland Security notified the Commission that it is reviewing the application filed by AT&T Corp. for the renewal of the St. Thomas-St. Croix Cable System for national security issues and requests that the Commission defer action on the application until it completes its review. Through this Public Notice, pursuant to Commission practice, the application is being referred to the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector (Committee) for its views on any national security or law enforcement concerns related to the application. See Process Reform for Executive Branch Review of Certain FCC Applications and Petitions Involving Foreign Ownership, IB Docket 16-155, Report and Order, 35 FCC Rcd 10927 (2020).

SCL-STA-20220303-00010

The Bahamas Telecommunications Company Limited

A request was filed for special temporary authority (STA) by The Bahamas Telecommunications Company Limited (BTC) to continue operation of the BAHAMAS II Cable System while the Commission considers an application for another 25-year term for the cable landing license for the cable system (SCL-LIC-19960329-00128; SCL-MOD-19980303-00004). BTC acknowledges that grant of such STA will not prejudice action by the Commission on the underlying application, and that the STA is subject to cancellation or modification upon notice without a hearing.

Interested parties may file comments on or before March 31, 2022.

SCL-T/C-20220222-00006

Telxius Cable America, S.A.

On March 16, 2022, the Committee for the Assessment of Foreign Participation in the United States Telecommunications Service Sector (Committee) notified the Commission that it is reviewing the submarine cable and international section 214 applications for transfer of control filed by Telxius Cable America, S.A. (SCL-T/C-20220222-00006, SCL-T/C-20220222-00007, SCL-T/C-20220222-00008, SCL-T/C-20220222-00009, ITC-T/C-20220222-00030, and ITC-T/C-20220222-00031) for any national security and law enforcement concerns and requests that the Commission defer action on the applications until it completes its review.

SCL-T/C-20220222-00007

Telxius Cable Colombia, S.A.

On March 16, 2022, the Committee for the Assessment of Foreign Participation in the United States Telecommunications Service Sector (Committee) notified the Commission that it is reviewing the submarine cable and international section 214 applications for transfer of control filed by Telxius Cable America, S.A. (SCL-T/C-20220222-00006, SCL-T/C-20220222-00007, SCL-T/C-20220222-00008, SCL-T/C-20220222-00009, ITC-T/C-20220222-00030, and ITC-T/C-20220222-00031) for any national security and law enforcement concerns and requests that the Commission defer action on the applications until it completes its review.

SCL-T/C-20220222-00008

Telxius Cable Puerto Rico, Inc.

On March 16, 2022, the Committee for the Assessment of Foreign Participation in the United States Telecommunications Service Sector (Committee) notified the Commission that it is reviewing the submarine cable and international section 214 applications for transfer of control filed by Telxius Cable America, S.A. (SCL-T/C-20220222-00006, SCL-T/C-20220222-00007, SCL-T/C-20220222-00008, SCL-T/C-20220222-00009, ITC-T/C-20220222-00030, and ITC-T/C-20220222-00031) for any national security and law enforcement concerns and requests that the Commission defer action on the applications until it completes its review.

SCL-T/C-20220222-00009

Telxius Cable USA, Inc.

On March 16, 2022, the Committee for the Assessment of Foreign Participation in the United States Telecommunications Service Sector (Committee) notified the Commission that it is reviewing the submarine cable and international section 214 applications for transfer of control filed by Telxius Cable America, S.A. (SCL-T/C-20220222-00006, SCL-T/C-20220222-00007, SCL-T/C-20220222-00008, SCL-T/C-20220222-00009, ITC-T/C-20220222-00030, and ITC-T/C-20220222-00031) for any national security and law enforcement concerns and requests that the Commission defer action on the applications until it completes its review.

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 CFR §§ 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.