



# PUBLIC NOTICE

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**Report No. SCL-00434S**

**Friday October 6, 2023**

## **Streamlined Submarine Cable Landing License Applications Accepted For Filing**

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 CFR § 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 CFR § 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](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at 202-418-0530. 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.

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**Modification**

GCI Communication Corp. (GCICC) has filed an application for authority to modify the cable landing license for the AU-Aleutian Submarine Cable System (AU-Aleutian), SCL-LIC-20171031-00024, to include two new cable segments with cable landing points in Port Lions and Ouzinkie, Alaska. GCICC filed a supplement on September 15, 2023.

The AU-Aleutian system is a non-common carrier cable system that consists entirely of U.S. domestic landing points. GCICC was granted a cable landing license for AU-Aleutian on June 13, 2019. See File No. SCL-LIC-20171031-00024, Report No. SCL-00243, Actions Taken Under Cable Landing License Act, Public Notice, DA 19-567 (IB rel. June 17, 2019) (AU-Aleutian Grant PN). The two new segments (Segment 13 and Segment 14) will connect the new landing points, both located on Kodiak Island, to branching units located on Segment 1. AU-Aleutian currently provides commercial service for 7 of the 12 authorized landing points, and GCICC expects to commence commercial service at the remaining landing points, including the new landing points, between 2024 and 2026.

The AU-Aleutian system is approximately 1,491 kilometers in length with 16 segments and 14 landing points. Segment 1: Kodiak to Larson Bay, will include the 2 new segments, and consists of the following 3 segments: (a) Segment 1A, Kodiak to Ouzinkie Branch Unit (BU), 16.5 kilometers, 12 fiber pairs; (b) Segment 1B, Ouzinkie BU to Port Lions BU, 18.7 kilometers, 12 fiber pairs, and (c) Segment 1C, Port Lions BU to Larson Bay, 121.8 kilometers, 12 fiber pairs. Segment 2: Larson Bay to Chignik Bay, 367.2 kilometers, 6 fiber pairs. Segment 3: Chignik Bay to Perryville BU, 135.5 kilometers, 6 fiber pairs. Segment 4: Perryville BU to Sand Point, 120.3 kilometers, 6 fiber pairs. Segment 5: Sand Point to King Cove, 175.9 kilometers, 6 fiber pairs. Segment 6: King Cove to False Pass BU, 60.7 kilometers, 6 fiber pairs. Segment 7: False Pass BU to Akutan BU, 212 kilometers, 6 fiber pairs. Segment 8: Akutan BU to Dutch Harbor, 58.5 kilometers, 6 fiber pairs. Segment 9: Akutan to Akutan BU, 27.3 kilometers, 6 fiber pairs. Segment 10: False Pass to False Pass BU, 44.2 kilometers, 6 fiber pairs, Segment 11: King Cove to Cold Bay, 43.1 kilometers, 6 fiber pairs. Segment 12: Perryville to Perryville BU, 45.9 kilometers, 6 fiber pairs. Segment 13: Port Lions to Port Lions BU, 7.9 kilometers, 6 fiber pairs. Segment 14: Ouzinkie to Ouzinkie BU, 1.2 kilometers, 6 fiber pairs. Segment 15: Chignik Bay to Chignik Lagoon, 16.5 kilometers, 12 fiber pairs. Segment 16: Chignik Lagoon to Chignik Lake, 18.2 kilometers, 12 fiber pairs.

The AU-Aleutian system has the following landing points: (1) Akutan; (2) Dutch Harbor; (3) False Pass; (4) King Cove; (5) Cold Bay; (6) Sand Point; (7) Perryville; (8) Chignik Bay; (9) Chignik Lagoon; (10) Chignik Lake; (11) Larsen Bay; (12) Kodiak; (13) Port Lions, and (14) Ouzinkie.

According to the Applicant, the new landing points at Port Lions and Ouzinkie, both located on Kodiak Island, are cable landings in connection with a larger fiber buildout designed to bring 2 Gbps of fiber service to more than half a dozen remote communities in Alaska. The fiber build will be funded through the Tribal Broadband Connectivity Program of the National Telecommunications and Information Administration (NTIA), of which Port Lions is a grantee, with GCICC as the subgrantee.

GCICC will own and operate the entire AU-Aleutian system, including the wet links for all 16 segments and cable landing facilities (cable landing stations/equipment huts and beach manholes) for all 14 landing points in Alaska.

GCICC is a direct, wholly-owned subsidiary of GCI Holdings, Inc. (GCI Holdings), which in turn is wholly owned by Ventures Holdco, LLC (Ventures Holdco), both Delaware entities. Ventures Holdco is wholly owned by GCI, LLC (GCI) which is wholly owned Grizzly Merger Sub 1 LLC (Grizzly) which in turn, is wholly-owned by Liberty Broadband Corporation (Liberty Broadband), all Delaware entities. Dr. John C. Malone, a U.S. citizen, holds an approximate 48.9% voting interest and an approximate 6.074% equity interest in Liberty Broadband. Liberty Broadband's shares trade publicly on the NASDAQ exchange. GCICC states that it has no other 10% or greater direct or indirect voting or equity interest holders.

GCICC 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).

The grant of the cable landing license for the AU-Aleutian system was conditioned upon compliance by GCICC with the commitments and undertakings regarding the AU-Aleutian system contained in a June 3, 2019, Letter of Assurances from Dan Boyette, V.P. and General Manager, AU-Aleutian Program, GCI Communications Corp. to the Assistant Secretary for Border, Immigration, and Trade, Office of Policy, Department of Homeland Security (2019 LOA). See AU-Aleutian Grant PN at 3. The 2019 LOA is publicly available and may be viewed on the FCC's website through the International Communications Filing System (ICFS) by searching for SCL-MOD-20230803-00022 and accessing the "Other Filings related to this application" from the Document Viewing Area.

GCICC states that it is in compliance with the 2019 LOA and will continue to comply with the 2019 LOA. GCICC requests that the Commission condition grant of this modification application on its continued compliance with the 2019 LOA.

In the Executive Branch Review Process Order, the Commission set out types of applications that would generally be referred to the Executive Branch for review for national security, law enforcement, foreign policy, and trade policy issues. 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 10927, 10935-36, para. 24 (2020); see also 47 CFR § 1.40001(a)(1). Those applications do not include cable landing license applications where there is no reportable foreign ownership as is the case here. Therefore, we are not referring this application to the Executive Branch agencies. Although we are not formally referring this application, we will provide a courtesy copy of this public notice to the Executive Branch agencies due to the request from GCICC to condition grant of the application on compliance with the 2019 LOA.

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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 CFR §§ 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.