

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)
)
Liberty Communications of Puerto Rico,) File No. ITC-214-20170323-00053
LLC)
)
Application for Global or Limited)
Global Resale Authority Pursuant to)
Section 214 of the Communications)
Act of 1934, As Amended)

**PETITION TO ADOPT CONDITIONS
TO AUTHORIZATION AND LICENSE**

Pursuant to Executive Order 13913, the National Telecommunications and Information Administration (NTIA) submits this Petition to Adopt Conditions to Authorization and License (Petition) on behalf of the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector (Committee).¹ Through this Petition, and pursuant to section 1.41 of the Commission’s Rules, the Committee advises the Commission that it has no objection to the Commission approving the above-captioned application, provided that the Commission conditions its approval on the assurance of Liberty Communications of Puerto Rico, LLC (Liberty) to abide by the commitments and undertakings set forth in the November 20, 2020 Letter of Agreement (LOA), a copy of which is attached hereto.²

¹ Exec. Order No. 13913, § 9(h), 85 Fed. Reg. 19643, 19647-48 (2020). The Executive Order directs the Committee to “assist the [Commission] in its public interest review of national security and law enforcement concerns that may be raised by foreign participation in the United States telecommunications services sector.” *Id.* § 3(a), 85 Fed. Reg. at 19643.

² 47 C.F.R. § 1.41.

Section 214 of the Communications Act provides that no carrier may provide telecommunications service to, from, or within the United States until the Commission determines that the present or future public interest, convenience and necessity will be served thereby.³ As part of the public interest analysis of section 214 applications, the Commission considers whether any such application raises national security, law enforcement, foreign policy, or trade policy concerns related to the applicant's foreign ownership.⁴ With regard to these concerns, the Commission has long sought the expertise of the relevant Executive Branch agencies and has accorded deference to their expertise when they have identified such concerns in a particular application.⁵

After discussions with representatives of Liberty in connection with the above-captioned application, the Committee has concluded that the additional commitments set forth in the LOA will help ensure that those agencies with responsibility for enforcing the law, protecting the national security, and preserving public safety can proceed appropriately to satisfy those responsibilities.

³ 47 U.S.C. § 214(a).

⁴ See *Market Entry and Regulation of Foreign-affiliated Entities*, Report and Order, 11 FCC Rcd 3873, 3888, 3955, ¶¶ 38, 216-19 (1995).

⁵ *Id.* at 3955, ¶ 219.

Accordingly, NTIA on behalf of the Committee advises the Commission that the Committee has no objection to the Commission granting the above-captioned application, provided that the Commission conditions its consent on compliance with the November 20, 2020 LOA attached to this filing.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kathy Smith".

Kathy Smith
Chief Counsel

National Telecommunications and
Information Administration
1401 Constitution Avenue, NW
Washington DC 20230
(202) 482-1816

December 3, 2020