

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	File Nos. ITC-T/C-20180319-00055,
OHCP Northeastern Fiber Buyer)	ITC-T/C-20180319-00056,
Holdco, L.P.,)	ITC-T/C-20180319-00058,
<i>Assignor/Transferor,</i>)	ITC-T/C-20180319-00059,
)	ITC-T/C-20180319-00060, and
and)	ISP-PDR-2018031900001
)	
Flight Group Holdings LP,)	WC Docket No. 18-83
<i>Assignee/Transferee.</i>)	
)	ULS File No. 0008139073
)	

**PETITION TO ADOPT CONDITIONS TO
AUTHORIZATIONS AND LICENSES**

The Department of Justice (“DOJ”), with the concurrence of the Department of Homeland Security (“DHS”) and the U.S. Department of Defense (“DOD” and, collectively with the DOJ and the DHS, the “Agencies”), submits this Petition to Adopt Conditions to Authorizations and Licenses (“Petition”) pursuant to Section 1.41 of the Federal Communications Commission (“Commission”) rules.¹ Through this Petition, should the Commission decide to grant the authorities sought in the above-referenced proceedings, the DOJ: (1) petitions to remove the existing conditions to comply with an August 24, 2014, letter from Oxford Network Holdings and Oxford Telephone & Telegraph Company to the DOJ in relation to FCC file numbers ITC-214-19961216-00630 and ITC-214-19970902-00523; (2) petitions the Commission to grant the above-referenced authorities on the condition that Flight Group Holdings LP (“Flight Group” or “Assignee”) and its parent entities, OHCP Northeastern Fiber

¹ 47 C.F.R. § 1.41.

Buyer, Inc. (“NFB”), Antin Infrastructure Partners III, FCPI (“Antin III France”), and Antin Infrastructure Partners III, L.P. (together with NFB and Antin III France, “the Parent Entities”), abide by the commitments and undertakings set forth in the attached July 9, 2018, Letter of Agreement (“Agreement”); (3) advises the Commission that, assuming that such a conditions are placed on the authorities sought, the DOJ has no objection to the FCC granting the authorities sought in the above-referenced proceedings; and (4) advises the Commission that it is the DOJ’s understanding that the DOD and the DHS have no objection to the relief sought by the DOJ or to the granting of the applications filed in the above-referenced proceedings.

The Commission has long recognized that law enforcement, national security, and public safety concerns are part of its public interest analysis, and has accorded deference to the views of other U.S. government agencies with expertise in those areas. *See In the Matter of Comsat Corporation d/b/a Comsat Mobile Communications, etc.*, 16 FCC Rcd. 21,661, 21707 ¶ 94 (2001).

After discussions and communications with the representatives of the Assignee and Assignor in connection with the above-referenced proceedings, the DOJ has concluded that the additional commitments set forth in the Agreement 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. Accordingly, the DOJ advises the Commission that: it has no objection to the Commission granting the applications in the above-referenced proceedings, provided that the Commission grants this petition, removes the pre-existing conditions attached to FCC file numbers ITC-214-19961216-00630 and ITC-214-19970902-00523, and conditions its consent of authorities on Flight Group’s and the Parent Entities’ compliance with the Agreement. Further, it is the DOJ’s understanding that the DOD

and the DHS have no objections regarding the applications at issue or to the DOJ's herein-requested relief.

Respectfully submitted,

____s/Richard Sofield _____
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July 9, 2016