



# PUBLIC NOTICE

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DA No. 03-2646  
August 13, 2003

## ACTIONS TAKEN UNDER CABLE LANDING LICENSE ACT

### Section 1.767(a) Cable Landing Licenses, Modifications, and Assignments or Transfers of Control of Interests in Cable Landing Licenses (47 C.F.R. § 1.767(a))

#### By the Chief, Policy Division, International Bureau:

Pursuant to An Act Relating to the Landing and Operation of Submarine Cables in the United States, 47 U.S.C. §§ 34-39 (Cable Landing License Act), Executive Order No. 10530, Exec. Ord. No. 10530 *reprinted as amended in* 3 U.S.C. § 301, and section 1.767 of the Commission's rules, 47 C.F.R. § 1.767, the following application ARE GRANTED. These grants of authority are taken under section 0.261 of the Commission's rules, 47 C.F.R. § 0.261, and are effective upon release of this public notice. Petitions for reconsideration under section 1.106 or applications for review under section 1.115 of the Commission's rules, 47 C.F.R. §§ 1.106, 1.115, may be filed within 30 days of the date of this public notice.

This public notice serves as each cable landing licensee's Cable Landing License, or modification thereto, pursuant to the Cable Landing License Act and sections 1.767 and 1.768 of the Commission's rules. Cable landing licensees should review carefully the terms and conditions of their licenses. Failure to comply with these terms and conditions or relevant Commission rules and policies could result in fines or forfeitures.

The Commission most recently amended its rules applicable to submarine cable landing licenses in *Review of Commission Consideration of Applications under the Cable Landing License Act*, IB Docket No. 00-106, FCC 01-332 (rel. Dec. 14, 2001), 67 Fed. Reg. 1615 (Jan. 14, 2002). An updated version of sections 1.767 and 1.768 of the rules is available at <http://www.fcc.gov/ib/pd/pf/telecomrules.html>. See also [http://hraunfoss.fcc.gov/edocs\\_public/attachmatch/DA-02-598A1.pdf](http://hraunfoss.fcc.gov/edocs_public/attachmatch/DA-02-598A1.pdf) for a March 13, 2002 Public Notice; [http://hraunfoss.fcc.gov/edocs\\_public/attachmatch/FCC-01-332A1.pdf](http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-01-332A1.pdf) for the December 14, 2001 Report and Order.

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SCL-ASG-20030604-00009

PCI Communications, Inc. (Licensee)  
PCI Communications, Inc. (Assignor)  
Guam Cable Group, Inc. (Assignee)

## ASSIGNMENT

Action Taken: Grant of authority to assign the minority interests in the cable landing licenses for the TPC-5 Cable System (SCL-92-005-(M)-2); China-US Cable System (SCL-LIC-98-002); and Guam-Philippines Cable system (SCL-LIC-98-004) held by PCI Communications, Inc., to Guam Cable Group, Inc.

Conditions and Requirements: See *PCI Communications, Inc.*, TPC-5 Cable Landing License, File No. SCL-LIC-92-005(M)-2, 11 FCC Rcd 12148 (IB 1996); *AT&T Corp. et al.*, China-US Cable Landing License, File No. SCL-LIC-98-002, 13 FCC Rcd 16232 (IB 1998), SCL-LPN-19981009-00021 (IB 1998); *AT&T Corp. et al.*, Guam-Philippines Cable Landing License, File No. SCL-LIC-98-004, 14 FCC Rcd 1923 (IB 1998). Licensees shall comply with the requirements of Section 1.768 (notifications and prior approval for submarine cable landing licensees that are or propose to become affiliated with a foreign carrier), 47 C.F.R. § 1.768.

Licensee Information: PCI Communications, Inc. (“PCI”) is a Guam corporation that provides domestic and international long distance and Internet access services to residential and commercial customers in Guam and the Commonwealth of the Northern Mariana Islands. PCI holds minority interests in the cable landing licenses for the TPC-5 Cable System, China-US Cable System and the Guam-Philippines Cable System. PCI is a wholly-owned subsidiary of Startec Global Communications Corporation, Debtor-in-Possession (“Startec Parent”), a Delaware corporation.

This application was filed in connection with the proposed emergence of Startec Parent’s emergence out of bankruptcy and to avoid PCI having to be placed into liquidation as well. After consummation of the proposed transaction, Guam Cable Group, Inc. (“Guam Cable”), a corporation organized under the laws of Delaware, will own and control all of PCI’s Network Assets.<sup>1</sup>

Guam Cable will operate as a joint venture of Startec Global Operating Company, Debtor-in-Possession (“Startec Operating”), a Delaware corporation that itself is a wholly-owned subsidiary of Startec Parent, and EC Communications, LLC (“ECC”), a limited liability company organized under the laws of Guam. Upon closing, Startec Operating and ECC will each own 50% of the issued and outstanding common shares of Guam Cable. ECC will assume certain of the liabilities from PCI, and Guam Cable will assume the remainder.

ECC is a wholly-owned subsidiary of E.C. Development, LLP, a Guam limited liability partnership. E.C. Development, LLP is owned and controlled by partners Edward M. Calvo, Eduardo A. Calvo, and John T. Calvo, all U.S. citizens.

Interlocking Directorates: Guam Cable states that it has no interlocking directorate with a foreign carrier.

Regulatory Status of Cable: The TPC-5 Cable System operates on a common carrier basis. The China-US and Guam-Philippines Systems operate on a non-common carrier basis. See File Nos. SCL-LIC-92-005(M)-2 (11 FCC Rcd 12148); SCL-LIC-98-002 (13 FCC Rcd 16232); SCL-LIC-98-004 (14 FCC Rcd 1923).

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<sup>1</sup> “Network Assets” refers to rights in the cable systems and cable landing licenses, several collocation agreements and terrestrial fiber leases.

Cable Design and Capacity: See File Nos. SCL-LIC-92-005(M)-2 (11 FCC Rcd 12148); SCL-LIC-98-002 (13 FCC Rcd 16232) SCL-LPN-19981009-00021; SCL-LIC-98-004 (14 FCC Rcd 1923).