

November 30, 2020

BY ELECTRONIC FILING

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
45 L Street, N.E.
Washington, D.C. 20554

*Re: Pro Forma Assignment of an Interest in the Havfrue Cable Landing License,
File No. SCL-LIC-20180511-00010*

Dear Ms. Dortch:

Pursuant to 47 U.S.C. § 34, Executive Order No. 10,530, and 47 C.F.R. § 1.767(g)(7), the undersigned hereby notify the Commission of the *pro forma* assignment of an interest the cable landing license for the Havfrue submarine cable system, from America Europe Connect 2 Limited (“AEC2”) (FRN 0027231869) to Aqua Comms (Americas) Inc. (“Aqua Comms Americas”) (FRN 0029384567) in connection with the commissioning of the Havfrue system. The Commission originally licensed the Havfrue system on September 6, 2019,¹ and the system entered commercial service on November 17, 2020.²

During the project development process for the Havfrue system, AEC2 held the voting and participation interests in the wet segment of the Havfrue system identified in the cable landing license application. Upon commercial acceptance of the system from the supplier and commencement of commercial operations on Havfrue, the U.S.-territory portion of those interests have been assigned from AEC2 to Aqua Comms Americas.³ This internal and *pro forma* reorganization will simplify and streamline the ownership of these assets. Please note that this reorganization does not affect the activities or assets of America Europe Connect 2 USA Inc. (“AEC2 USA”), which will remain as the U.S. landing party for Havfrue and a joint cable landing licensee for the system.

¹ *Actions Taken Under Cable Landing License Act*, Public Notice, 31 FCC Rcd. 12,610 (Int’l Bur. 2016).

² Letter from Kent Bressie, Harris, Wiltshire & Grannis LLP, Counsel for America Europe Connect 2 USA Inc. and AEC2, to FCC Secretary Marlene H. Dortch, SCL-LIC-20180511-00010 (filed Nov. 17, 2020).

³ AEC2 has also assigned those interests in international waters and Irish territory to Aqua Comms (Ireland) Limited and those interests in Danish territorial waters to Aqua Comms (Denmark) ApS. Neither Aqua Comms (Ireland) Limited nor Aqua Comms (Denmark) ApS uses the U.S. endpoint of Havfrue or is required to be a licensee under 47 C.F.R. § 1.767(h).

Ms. Marlene H. Dortch
Federal Communications Commission
November 30, 2020
Page 2

Correspondence concerning this filing should be sent to:

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As required by 47 C.F.R. § 1.767(g)(7), Aqua Comms Americas certifies in the attached certification that this assignment is *pro forma* in nature (as defined in 47 C.F.R. § 63.24(f)(2)(ii)) and would not, when considered together with all previous *pro forma* transactions, result in a substantive transfer of control or assignment of any interest in the Havfrue cable landing license.

Respectfully submitted,



Kent Bressie
Colleen Sechrest
*Counsel for Aqua Comms (Americas) Inc., America
Europe Connect 2 Limited, and America Europe
Connect 2 USA Inc.*

Attachment

cc: Denise Coca
Jodi Cooper
David Krech

CERTIFICATION

I, Michael P. Sauer, VP Americas Partner/Federal of Aqua Comms (Americas) Inc. (“Aqua Comms Americas”), hereby certify as follows:

1. I have reviewed the attached *pro forma* assignment notification and believe that it states fully and accurately the circumstances of the *pro forma* assignment of an interest in the cable landing license to Aqua Comms Americas.
2. The transactions described therein are *pro forma* in nature under the Commission’s rules and, together with all previous *pro forma* transactions, would not result in a substantive transfer of control or assignment of an interest in the Havfrue cable landing license.

I certify under penalty of perjury that the foregoing is true and correct.

Michael P. Sauer
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Michael Sauer
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Executed November 30, 2020