

FILED/ACCEPTED

JAN 9 - 2008

Federal Communications Commission
Office of the Secretary

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

In the Matter of)	
)	
MCI International, Inc.)	
)	File No. SCL-LIC-20070222-00002
Application for Authority to Land and)	
Operate a Non-Common Carrier Fiber-Optic)	
Submarine Cable System ("Trans-Pacific)	
Express Cable Network"))	
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)	

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

The Department of Justice ("DOJ"), the Department of Homeland Security ("DHS"), and the Department of Defense (collectively, the "Agencies"), submit 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, the Agencies advise the Commission that they have no objection to the Commission approving the authority sought in the above-referenced proceeding, provided that the Commission conditions its approval on the agreement of Verizon Business Global LLC and its affiliates and subsidiaries, including MCI International, Inc. (collectively, "the Companies") to abide by the commitments and undertakings set forth in the December 20, 2007 agreement (the "Agreement") from the Companies to the Agencies, which is attached hereto.

In the above-referenced proceeding, the Companies have petitioned the Commission on

¹ 47 C.F.R. § 1.41.

behalf of the Trans-Pacific Express Cable Network Consortium for authority under the Cable Landing License Act of 1921² and Executive Order 10530³ to land and operate a non-common carrier fiber-optic submarine cable system, the Trans-Pacific Express Cable Network.

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 with representatives of the Companies in connection with the above-referenced proceeding, the Agencies have concluded that the additional commitments set forth in the Agreement will help ensure that the Agencies and other entities with responsibility for enforcing the law, protecting the national security, and preserving public safety can proceed appropriately to satisfy those responsibilities. Accordingly, the Agencies advise the Commission that they have no objection on those grounds to the Commission granting the above-referenced requests for transfer of control, provided that the Commission conditions its consent on compliance by the Companies with the commitments set forth in the Agreement.

² Pub. Law No. 8, 67th Congress, 42 Stat. 8 (1921); 47 U.S.C. §§ 34-39.

³ Exec. Ord. No. 10530 § 5(a) (May 10, 1954), reprinted as amended in 3 U.S.C. § 301.

The Agencies are authorized to state that the Companies do not object to the grant of this
Petition.

Respectfully submitted,

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