

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.

In the Matter of

DOCOMO PACIFIC, INC.,

Application for a License to Land and Operate
a Private Fiber-Optic Submarine Cable System
Connecting Guam with Saipan, Rota, and Tinian
in the Commonwealth of the Northern Mariana
Islands,

THE ATISA SYSTEM

File No. SCL-LIC-2016-_____

**APPLICATION FOR CABLE LANDING LICENSE—
STREAMLINED PROCESSING REQUESTED**

Pursuant to 47 U.S.C. § 34, Executive Order No. 10,530, and 47 C.F.R. § 1.767, DOCOMO Pacific, Inc. (“DOCOMO Pacific,” FRN 0004242723), hereby applies for a license to land and operate within the United States a private fiber-optic submarine cable network connecting Guam with Saipan, Rota, and Tinian in the Commonwealth of the Northern Mariana Islands (“CNMI”). This system will be known as the Atisa system. (“Atisa” means “to brighten” and also “to increase” in the Chamorro language native to Guam and the CNMI.) DOCOMO Pacific will operate the Atisa system on a non-common-carrier basis by using capacity as an input for its retail and enterprise customers on Guam and in the CNMI and by providing bulk capacity to customers on particularized terms and conditions pursuant to individualized negotiations. The existence of competition and competing facilities on the Guam-CNMI route obviates any need for common-carrier regulation on public-interest grounds.

DOCOMO Pacific intends to commence commercial operation of the Atisa system in the second calendar quarter of 2017. DOCOMO Pacific therefore views timely grant of a cable

landing license by the Commission no later than December 2016 of paramount importance. An expeditious grant of this application will significantly advance the public interest.

First, DOCOMO Pacific’s Atisa system will provide redundancy and geographic diversity on the Guam-CNMI route, ensuring greater network resilience in the CNMI. As the Commission is well-aware, the CNMI suffered a nearly-total communications blackout in July 2015 following damage to the Mariana-Guam Cable, the sole submarine cable currently serving the Guam-CNMI route, and impairment of the fixed microwave network connecting Guam, Saipan, Rota, and Tinian following an earlier typhoon.¹ The July 2015 cable cut on the Mariana-Guam Cable occurred in the shallows of the Tinian Channel. Atisa, by contrast, will avoid the Tinian Channel and route directly between Guam and Saipan through deeper waters, which provide greater security from cable cuts.

Second, Atisa will provide service using secure, highly-reliable, high-capacity facilities using the latest technology. Atisa will use double-armorings (consisting of two sets of steel wire rods enveloping the cable sheath) to further minimize the risk of cable damage through abrasion, anchor drops, and snagged fishing gear. Atisa will consist of six fiber pairs with an initial capacity of 100 gigabits per second (“Gbps”) on the Guam-Saipan express route and 10 Gbps on the other local routes. Atisa will have a design capacity of 4.8 terabits per second (“Tbps”) using today’s technology. Atisa is designed to provide connectivity until the year 2042 (assuming a

¹ See, e.g., Gaynor Dumat-ol Daleno, *CNMI disconnected: Cut cable shuts down phones, banking*, PACIFIC DAILY NEWS (July 9, 2015), <http://www.guampdn.com/story/news/2015/07/07/thousands-ite-telecommunications-cnmi-guam-customers-lose-service/29844973/>; Gaynor Dumat-ol Daleno, *As CNMI struggles to reconnect, Guam not as vulnerable*, PACIFIC DAILY NEWS (July 10, 2015), <http://www.guampdn.com/story/news/2015/07/09/cnmi-telecommunications-outage-0710/29899663/>.

25-year useful life)—far beyond the useful life of the existing Mariana-Guam cable, which entered into service in 1997.²

Third, Atisa will provide much-needed competition on the Guam-CNMI route and thereby support the launch of access to bandwidth-intensive services and, more generally, support new economic activity in an otherwise-depressed market. Exorbitant capacity prices on the existing Mariana-Guam Cable—more than \$1,000 per megabit per month—have retarded deployment of competitive broadband services in the CNMI. Such prices limit competition in the provision of residential and enterprise Internet access services and limit the efficacy of bandwidth-intensive applications such as telemedicine. More competitively-priced, high-speed connectivity will therefore greatly benefit consumers. It will also facilitate the development of call centers and other services businesses and thereby assist in reviving the CNMI economy, which has suffered greatly since the demise of its garment manufacturing industry more than a decade ago.

This application raises no competition or other public-interest concerns. DOCOMO Pacific requests streamlined processing pursuant to 47 C.F.R. § 1.767(k)(1), as it is a domestic submarine cable system that does not raise affiliation issues involving foreign destination markets for the submarine cable system.

I. COMPLIANCE WITH 47 C.F.R. § 1.767

A. Applicant's Name, Address, and Telephone Number³

DOCOMO Pacific, Inc.
219 South Marine Corps Drive, Suite 206
Tamuning, Guam 96913
+1 671 688 2355

² *Submarine Cable Map: Mariana-Guam Cable*, TELEGEOGRAPHY (last updated Feb. 17, 2016), <http://www.submarinecablemap.com/#/submarine-cable/mariana-guam-cable>.

³ See 47 C.F.R. § 1.767(a)(1).

B. Applicant’s Place of Incorporation⁴

DOCOMO Pacific, Inc., is a Guam corporation.

C. Contact Information⁵

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Counsel for DOCOMO Pacific, Inc.

D. System Description⁶

Atisa will consist of five segments:

- **Segment 1** will connect the Guam cable landing station with the Rota branching unit.
- **Segment 2** will connect the Rota branching unit with the Rota cable landing station (the “Rota Spur”).
- **Segment 3** will connect the Rota branching unit to the Tinian branching unit.
- **Segment 4** will connect the Tinian branching unit with the Tinian cable landing station (the “Tinian Spur”).

⁴ See *id.* § 1.767(a)(2).

⁵ See *id.* § 1.767(a)(3).

⁶ See *id.* § 1.767(a)(4).

- **Segment 5** will connect the Tinian branching unit with the Saipan cable landing station (and which, with Segments 1 and 3, will form the trunk between Guam and Saipan).

Atisa will have six fiber pairs and a total length (trunk plus spurs) of approximately 279 kilometers. Three express fiber pairs will connect Guam with Saipan. Two fiber pairs will connect Guam, Tinian, and Saipan. One fiber pair will connect Guam, Rota, Tinian, and Saipan. Atisa will have an initial capacity of 100 Gbps on the Guam-Saipan express route and 10 Gbps on the other local routes (*i.e.*, Guam-Rota, Guam-Tinian, Rota-Tinian, Rota-Saipan, and Tinian-Saipan) and a total design capacity of 4.8 Tbps using current technology. DOCOMO Pacific expects Atisa to enter into commercial service in the second calendar quarter of 2017. In Appendix A, DOCOMO Pacific provides a route map for Atisa.

E. Landing Points⁷

DOCOMO Pacific provides specific landing point information (including geographic coordinates and street addresses, where available, for beach manholes and cable landing stations) in the following appendices:

- Appendix B: Piti, Guam
- Appendix C: Sugar Dock South, Saipan
- Appendix D: CUC Sewer Outfall, Songsong Village, Sasanlagu, Rota
- Appendix E: Tachognya Beach, Tinian

⁷ See *id.* § 1.767(a)(5).

F. Regulatory Classification⁸

DOCOMO Pacific will operate Atisa on a non-common-carrier basis. Non-common-carrier classification of the proposed system is consistent with established Commission policy and precedent and with judicial precedent, and it will advance the public interest.

First, the Commission should not subject Atisa to common-carrier regulation because Atisa will not operate on a common-carrier basis as defined in *NARUC I*.⁹ The courts have stated that “[t]he primary *sine qua non* of common carrier status is a quasi-public character, which arises out of the undertaking ‘to carry for all people indifferently.’”¹⁰ On Atisa, however, DOCOMO Pacific will not sell capacity indifferently to the user public. Instead, DOCOMO Pacific will: (a) use Atisa capacity as an input for other services offered to retail, enterprise, and government customers in Guam and the CNMI, and (b) sell bulk capacity to particular enterprise and government customers pursuant to individually-negotiated infeasible rights of use (“IRUs”) and capacity leases, the terms of which will vary depending on the characteristics and needs of the particular capacity purchaser. The Commission has consistently found that such offerings do not make an applicant a common carrier.¹¹

⁸ See *id.* § 1.767(a)(6).

⁹ See *Nat’l Ass’n of Regulatory Utility Comm’rs v. FCC*, 525 F.2d 630, 642 (D.C. Cir. 1976) (“*NARUC I*”) (stating that the court must inquire “whether there are reasons implicit in the nature of [the] operations to expect an indifferent holding out to the eligible user public”), *cert. denied*, 425 U.S. 992 (1976); see also *Virgin Islands Tel. Corp. v. FCC*, 198 F.3d 921 (D.C. Cir. 1999) (affirming FCC’s use of *NARUC I* test for distinguishing common-carrier and private-carrier services following enactment of the Telecommunications Act of 1996).

¹⁰ *Nat’l Ass’n of Regulatory Utility Comm’rs v. FCC*, 533 F.2d 601, 608 (D.C. Cir. 1976) (quoting *Semon v. Royal Indemnity Co.*, 279 F.2d 737, 739 (5th Cir. 1960)).

¹¹ See *AT&T Corp. et al.*, Cable Landing License, 13 FCC Rcd. 16,232, 16,238 (Int’l Bur. 1998) (finding that individualized decisions concerning the sale or lease of capacity on the China-U.S. Cable Network would not constitute the effective provision of a service to the public so as to make the applicant a common carrier); *AT&T Submarine Systems, Inc.*, Cable Landing License, 11 FCC Rcd. 14,885, 14,904 ¶ 64 (Int’l Bur. 1996) (“*St. Thomas-St. Croix*

Second, the Commission should not subject Atisa to common-carrier regulation because there is no legal compulsion or other public-interest reason for DOCOMO Pacific to operate Atisa in such a manner. Under the *NARUC I* test, the Commission must determine whether the public interest requires common-carrier operation of the cable system.¹² Traditionally, the Commission has focused on whether the applicant has sufficient market power to warrant common carrier regulation,¹³ although the Commission “is not limited to that reasoning” and has looked more broadly to determine whether common-carrier licensing is in the public interest.¹⁴ Atisa poses no such competitive or other public-interest concerns so as to warrant common-carrier regulation.

The Commission has consistently found that competing submarine cable facilities ensure that a new submarine cable on the same route would not function as a bottleneck facility.¹⁵ The

Cable Order”) (finding that an “offer of access, nondiscriminatory terms and conditions and market pricing of IRUs does not rise to the level of an ‘indiscriminate’ offering” so as to constitute common carriage), *aff’d AT&T Submarine Systems, Inc.*, Memorandum Opinion and Order, 13 FCC Rcd. 21,585 (1998), *aff’d sub nom. Virgin Islands Tel. Corp. v. FCC*, 198 F.3d 921 (D.C. Cir. 1999).

¹² *NARUC I*, 525 F.2d at 642 (stating that the court must inquire “whether there will be any legal compulsion . . . to serve [the public] indifferently”).

¹³ *See St. Thomas-St. Croix Cable Order*, 11 FCC Rcd. at 14,893 ¶ 30.

¹⁴ *See AT&T Corp. et al.*, Cable Landing License, 14 FCC Rcd. 13,066, 13,080 ¶ 39 (1999) (stating that “[a]lthough this public interest analysis has generally focused on the availability of alternative facilities, we are not limited to that reasoning”); *Australia-Japan Cable (Guam) Limited*, Cable Landing License, 15 FCC Rcd. 24,057, 24,062 ¶ 13 (Int’l Bur. 2000) (stating that “[t]his public interest analysis generally has focused on whether an applicant will be able to exercise market power because of the lack of alternative facilities, although the Commission has not limited itself to that reasoning”); *Telefonica SAM USA, Inc. et al.*, Cable Landing License, 15 FCC Rcd. 14,915, 14,920 ¶ 11 (Int’l Bur. 2000) (stating that “[t]his public interest analysis has focused on the availability of alternative facilities, although the Commission has stated it is not limited to that reasoning”).

¹⁵ *See, e.g., Actions Taken Under the Cable Landing License Act*, Public Notice, 29 FCC Rcd. 12,743, 12,744 (Int’l Bur. 2015) (finding that showing by Emerald Networks (now Aquacomms) of multiple competing submarine cable systems on the North Atlantic route obviated the need for common-carrier regulation of the AEConnect system under the public-

Commission has also found that competing terrestrial microwave and satellite facilities, while not perfect substitutes for submarine fiber, sufficiently constrain the exercise of market power to make common carrier regulation unnecessary.¹⁶

Atisa will enhance competition by competing vigorously with the other submarine cable system serving the Guam-CNMI routes: the Mariana-Guam Cable owned and operated by one of DOCOMO Pacific's principal competitors in Guam and the CNMI, IT&E Overseas ("IT&E"). Atisa will also compete with IT&E's fixed microwave system that connects Guam, Saipan, Tinian, and Rota. These competing facilities ensure that Atisa would not function as a bottleneck facility on Guam-CNMI routes. DOCOMO Pacific's intended operation of Atisa is therefore consistent with the Commission's long-standing policy to encourage competition through private submarine cable transmissions,¹⁷ pursuant to which the Commission has granted numerous cable landing licenses.

In addition to offering additional capacity and competition on the Guam-CNMI route, Atisa will further benefit the public interest by providing geographic diversity on Guam-CNMI routes with a more secure, reliable, high-capacity system using the latest technology, as noted in the introductory section above.

interest prong of the NARUC I test); Telefonica International Wholesale Services USA, Inc., Order and Authorization, 29 FCC Rcd. 496, 503 ¶ 24 (Int'l Bur. 2015) (finding that "there are seven cable systems currently serving the region of the proposed PCCS cable. Given the availability of these alternative facilities in the region to be served by the PCCS cable, we find that there is no public interest reason to require the licensee to offer capacity on the proposed cable on a common carrier basis. Therefore, we find that the Applicants have met the first part of the non-common carrier test." (footnote omitted)).

¹⁶ *General Communication, Inc.*, Cable Landing License, 12 FCC Rcd. 18,292, 18,297 ¶ 16 (Int'l Bur. 1997) (noting that the proposed route was served by terrestrial microwave service); *AT&T Corp., et. al.*, Cable Landing License, 14 FCC Rcd. 1923, 1927 ¶ 10 (Int'l Bur. 1998) (finding that satellite facilities offer some competition).

¹⁷ *See Tel-Optik Ltd.*, Memorandum Opinion and Order, 100 FCC.2d 1033, 1041 (1985).

G. Cable Ownership Information¹⁸

DOCOMO Pacific will own Atisa Segments 1 through 5—including the Guam-Saipan trunk and the Rota and Tinian Spurs—in their entirety.

On Guam, Atisa will land at an existing cable landing station owned and operated by Tata Communications (America) Inc. (“Tata”). As stated in part II below, DOCOMO Pacific seeks a waiver of 47 C.F.R. § 1.767(h)(1), as Tata will have no ability to affect significantly the operation of Atisa. On Saipan, Rota, and Tinian, DOCOMO Pacific will land at cable landing stations to be controlled by DOCOMO Pacific.

H. Certification Regarding Ownership, Citizenship, Principal Business, and Interlocking Directorates¹⁹

By the signature below, DOCOMO Pacific certifies that it has four 10-percent-or-greater direct or indirect interest holders:

(1) DOCOMO Guam Holdings, Inc. (“DMGH”)

Address: DOCOMO Pacific, Inc., 219 South Marine Corps Drive, Suite 206
Tamuning, Guam 96913

Citizenship: Guam

Principal Business: holding company

Relationship: DMGH owns 100 percent of DOCOMO Pacific’s shares.

(2) NTT DOCOMO, Inc. (“DOCOMO”)

Address: Sanno Park Tower, 2-11-1, Nagata-cho, Chiyoda-ku, Tokyo 100-6150,
Japan

Citizenship: Japan

Principal Business: telecommunications

Relationship: DOCOMO owns 100 percent of DMGH’s shares.

¹⁸ See 47 C.F.R. § 1.767(a)(7).

¹⁹ See *id.* §§ 1.767(a)(8)(i), 63.18(h).

(3) Nippon Telegraph and Telephone Corporation (“NTT”)

Address: Otemachi First Square, East Tower, Otemachi 1-Chome, Chiyoda-ku, Tokyo 100-8116, Japan

Citizenship: Japan

Principal Business: telecommunications

Relationship: NTT owns 63.32 percent of DOCOMO’s shares and holds a 66.65-percent voting interest in DOCOMO.

(4) Ministry of Finance

Address: 3-1-1 Kasumigaseki, Chiyoda, Tokyo 100-0013, Japan

Citizenship: Japan

Principal Business: government

Relationship: The Japanese Ministry of Finance owns 35.21 percent of NTT’s shares.

The remainder of NTT’s shares trade publicly on the Tokyo Stock Exchange. As there is an active market in NTT’s shares, NTT’s share ownership is always fluid. Moreover, NTT can ascertain its significant shareholders only on the basis of its records and may not know of possibly related or affiliated shareholders that are not disclosed to it. Recognizing these limitations, as of January 31, 2016, no NTT shareholder holds an interest sufficient to give it a 10-percent-or-greater direct or indirect interest in DOCOMO Pacific.

DOCOMO Pacific has one interlocking directorate. Keisuke Yoshizawa, who is a director for DOCOMO Pacific, Inc., is also a director of Hutchison Telephone Company Limited (a foreign carrier in Hong Kong), Far Eastone Telecommunications Co., Ltd. (a carrier in Taiwan), and Robi Axiata Limited (a carrier in Bangladesh).

I. Certification Regarding the Anti-Drug Abuse Act of 1988²⁰

By its signature below, DOCOMO Pacific certifies that no party to this application is subject to a denial of federal benefits under Section 5301 of the Anti-Drug Abuse Act of 1988, as amended.²¹

²⁰ See *id.* §§ 1.767(a)(8)(i), 63.18(o).

J. Certification Regarding Foreign Carrier Status and Foreign Affiliations²²

By the signature below, DOCOMO Pacific certifies that it:

(A) is not a foreign carrier in any foreign country;

(B) does not own or control a cable station in any foreign country; and

(C) is affiliated with foreign carriers, including foreign carriers that control cable landing stations in foreign countries, as summarized in Table 1 below.

TABLE 1: AFFILIATED FOREIGN CARRIERS

Entity	Country	Owns/Controls Cable Landing Station? Y/N
HKNet Company Ltd.	Hong Kong SAR, China	N
HKNet Wireless Co. Ltd.	Hong Kong SAR, China	N
Nippon Telecommunications Network Co., Ltd.	Japan	N
Nippon Telegraph and Telephone East Corporation	Japan	N
Nippon Telegraph and Telephone West Corporation	Japan	N
NTT Australia Pty Ltd.	Australia	N
NTT Com Asia Ltd.	Hong Kong SAR, China	N
NTT Com Asia Network Systems (Guangzhou)	China	N
NTT Communications China Co., Ltd.	China	N
NTT Communications Corporation	Japan	Y
NTT Communications India Private Ltd.	India	N
NTT Communications (Thailand) Co., Ltd.	Thailand	N
NTT Communications (Vietnam) Ltd.	Vietnam	N
NTT DOCOMO, Inc.	Japan	N
NTT Korea Co., Ltd	Korea	N
NTT MSC Sdn. Bhd	Malaysia	N
NTT Singapore Pte. Ltd	Singapore	N

²¹ 21 U.S.C. § 862(a); Anti-Drug Abuse Act of 1988, Pub. L. No. 100-690, title V, Section 5301, 102 Stat. 4310 (1988), which related to denial of Federal benefits to drug traffickers and possessors—previously codified at 21 U.S.C. § 853(a)—was renumbered section 421 of the Controlled Substances Act by Public Law, Pub. L. No. 101-647, title X, Section 1002(d)(1), 104 Stat. 4827 (1990), and has been recodified as 21 U.S.C. § 862(a). 47 C.F.R. § 63.18(o) does not reflect this recodification.

²² See 47 C.F.R. § 1.767(a)(8)(ii).

Entity	Country	Owns/Controls Cable Landing Station? Y/N
NTT Taiwan Ltd.	Taiwan	N
PT NTT Indonesia	Indonesia	N
Robi Axiata Limited	Bangladesh	N
Tata Teleservices Limited	India	N

K. Certification Regarding Destination Countries²³

By the signature below, DOCOMO Pacific certifies that it does not seek to land and operate a submarine cable connecting to any foreign country in which: (A) DOCOMO Pacific is a foreign carrier; (B) DOCOMO Pacific controls a foreign carrier; (C) there exists any entity that owns more than 25 percent of DOCOMO Pacific, or controls DOCOMO Pacific, or controls a foreign carrier in such a country; and (D) a grouping of two or more foreign carriers in such a country (or parties that control foreign carriers in such a country) own, in aggregate, more than 25 percent of it and are parties to, or beneficiaries of, a contractual relation affecting the provision or marketing of arrangements for the terms of acquisition, sale, lease, transfer, and use of capacity on Atisa in the United States. Atisa is a U.S. domestic submarine cable system and does not land in any foreign destination country.

L. Certification Regarding WTO Status and Affiliations with Foreign Carriers Having Market Power in Foreign Destination Markets²⁴

No response is required, as DOCOMO Pacific did not identify any non-WTO markets in response to 47 C.F.R. § 1.767(a)(8)(iii).

²³ See *id.* § 1.767(a)(8)(iii).

²⁴ See *id.* § 1.767(a)(8)(iv).

M. Certification Regarding Routine Conditions²⁵

By the signature below, DOCOMO Pacific certifies that it accepts and will abide by the routine conditions specified in 47 C.F.R. § 1.767(g).

N. Streamlining—Market Power²⁶

DOCOMO Pacific requests streamlined processing pursuant to 47 C.F.R. § 1.767(k)(1). As Atisa is a U.S. domestic submarine cable system, it does not land in any foreign countries for which an affiliation showing is required.

O. Streamlining—CZMA²⁷

By the signature below, DOCOMO Pacific certifies that it is not required to submit a consistency certification to any state or territory pursuant to Section 1456(c)(3)(A) of the Coastal Zone Management Act, codified at 16 U.S.C. § 1456(c)(3)(A). Neither Guam nor the CNMI, the only U.S. states or territories in which Atisa will land, has listed, or ever proposed to list, a cable landing license as a federal activity requiring a consistency certification.²⁸

²⁵ *See id.* § 1.767(a)(9).

²⁶ *See id.* § 1.767(j), (k).

²⁷ *See id.*

²⁸ *See* National Oceanic and Atmospheric Administration, Coastal Zone Management Program, *Guam's Listed Federal Actions*, <https://coast.noaa.gov/czm/consistency/media/guam.pdf> (last accessed Feb. 8, 2016); National Oceanic and Atmospheric Administration, Coastal Zone Management Program, *Northern Mariana Islands' Listed Federal Actions*, <https://coast.noaa.gov/czm/consistency/media/cnmi.pdf> (last accessed Feb. 8, 2016).

P. Certification Regarding Service to Executive Branch Agencies²⁹

DOCOMO Pacific has sent a complete copy of this application to the U.S. Departments of State, Commerce, and Defense. DOCOMO Pacific counsel has certified such service in the certificate of service attached to this application.

II. REQUEST FOR WAIVER OF 47 C.F.R. § 1.767(h)(1)

DOCOMO Pacific hereby requests a waiver of 47 C.F.R. § 1.767(h)(1) rules so that Tata need not be a joint applicant for the Atisa cable landing license. “The purpose of [Section 1.767(h)(1)] is to ensure that entities having a significant ability to affect the operation of the cable system become licensees so that they are subject to the conditions and responsibilities associated with the license.”³⁰ Tata, however, will not have the ability to affect significantly Atisa’s operation. Inclusion of Tata as a joint applicant is also not necessary to ensure compliance by DOCOMO Pacific with the Cable Landing License Act, the Commission’s cable landing license rules, or the terms of any cable landing license. Grant of the waiver is therefore consistent with Commission precedent.³¹

²⁹ See 47 C.F.R. § 1.767(j).

³⁰ See *Actions Taken Under the Cable Landing License Act*, Public Notice, 23 FCC Rcd. 227, 229 (Int’l Bur. 2008) (“*TPE Cable Landing License*”) (citing *Review of Commission Consideration of Applications under the Cable Landing License Act*, Report and Order, 16 FCC Rcd. 22,167, 22,194-95 ¶¶ 53-54 (2001)).

³¹ See, e.g., *Actions Taken Under the Cable Landing License Act*, Public Notice, 24 FCC Rcd. 7828, 7829-30 (Int’l Bur. 2009) (accepting the applicants representations that “Tata will not be able to affect significant the operation of HANTRU-1” and declining to require Tata be a joint applicant for the cable landing license); *Actions Taken Under the Cable Landing License Act*, Public Notice, 24 FCC Rcd. 226. 227-28 (Int’l Bur. 2009) (noting that “Applicants will retain operational authority over their ASHC System facilities and provide direction to AT&T in all matters relating to the ASHC System”); *Actions Taken Under the Cable Landing License Act*, Public Notice, 23 FCC Rcd. 13,419, 13,420 (Int’l Bur. 2008) (declining to require that Tata Communications (US) Inc.—which owns the existing cable station at Piti, Guam, where the PPC 1 System will land—be a joint applicant or licensee for

For Atisa’s Guam landing, DOCOMO Pacific will seek to have Tata provide certain limited services that would not provide it with any ability to affect significantly Atisa’s operation. DOCOMO Pacific seeks to enter into an agreement with Tata granting DOCOMO Pacific an IRU for Tata’s beach manhole and one of its bore pipes at Piti and for conduit connecting the beach manhole with Tata’s cable station. Under the contemplated agreement, Tata will also grant to DOCOMO Pacific a long-term lease for collocation space in Tata’s cable landing station—space for which DOCOMO Pacific will have exclusive access and control. DOCOMO Pacific will seek to ensure that both the IRU and lease agreements will have initial 15-year terms, with the option of two five-year extensions that may be exercised at DOCOMO Pacific’s sole discretion, for a maximum of 25 years each.

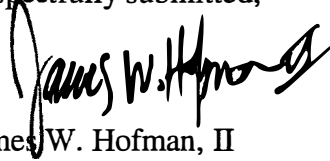
DOCOMO Pacific will have exclusive control over and access to Atisa terminal equipment, which it will collocate in Tata’s cable landing station. Equipment for Atisa will be separately caged and controlled exclusively by DOCOMO Pacific from DOCOMO Pacific’s network operations center in Guam. DOCOMO Pacific will retain operational authority over its Atisa facilities and provide direction to Tata in all matters relating to Atisa.

the PPC 1 System, noting that “Applicants will retain operational authority over PPC 1 System facilities and provide direction to [Tata] in all matters relating to the PPC 1 System.”); *TPE Cable Landing License*, 23 FCC Rcd. at 229 (declining to require that WCI Cable, Inc. (“WCIC”)—which owns an existing cable station at Nedonna Beach, Oregon—be a joint applicant or licensee for the Trans-Pacific Express Network (“TPE”), which will land at WCIC’s Nedonna Beach cable station, finding that “WCIC will not have the ability to affect the operation of the TPE Network. Verizon will retain effective operational authority and provide direction to WCIC in all matters relating to the TPE Network”).

CONCLUSION

For the foregoing reasons, the Commission should expeditiously grant this cable landing license application for Atisa pursuant to streamlined processing.

Respectfully submitted,



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Counsel for DOCOMO Pacific, Inc.

March 14, 2016

Attachments

LIST OF APPENDICES

Appendix A: Atisa Route Map

Appendix B: Piti, Guam, Landing Point Information

Appendix C: Yellow Beach, Saipan, Landing Point Information

**Appendix D: CUC Sewer Outfall, Songsong Village, Sasanlagu,
Rota, Landing Point Information**

Appendix E: Tachognya Beach, Tinian, Landing Point Information

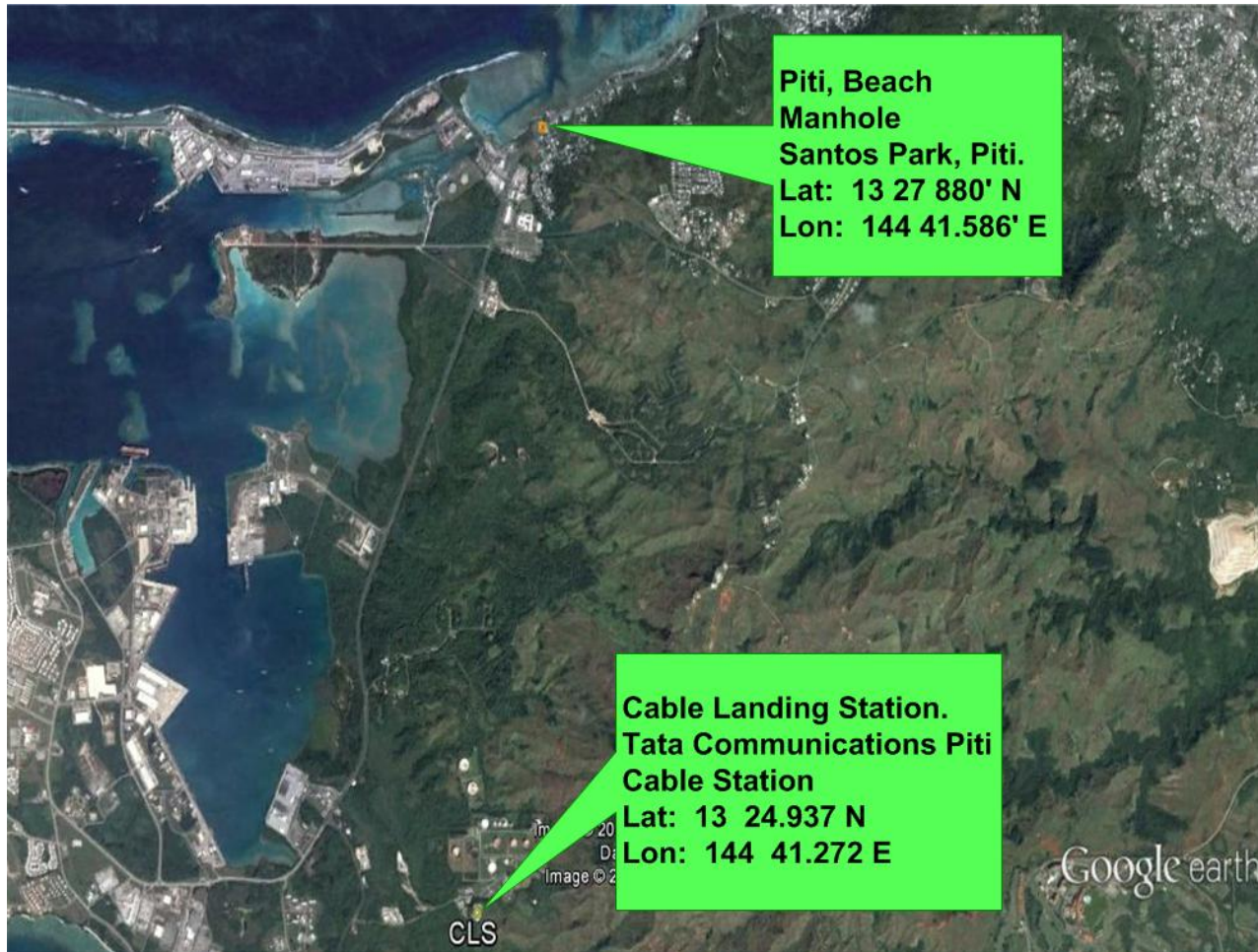
Appendix F: Ownership and Control of DOCOMO Pacific, Inc.

**APPENDIX A:
ATISA ROUTE MAP**



APPENDIX B:

PITI, GUAM, LANDING POINT INFORMATION



Cable landing station street address: 312 Route 2A, Shell Fuel Farm Road, Piti, Guam 96925

APPENDIX C:

SUGAR DOCK SOUTH, SAIPAN, LANDING POINT INFORMATION



Cable landing station street address: none

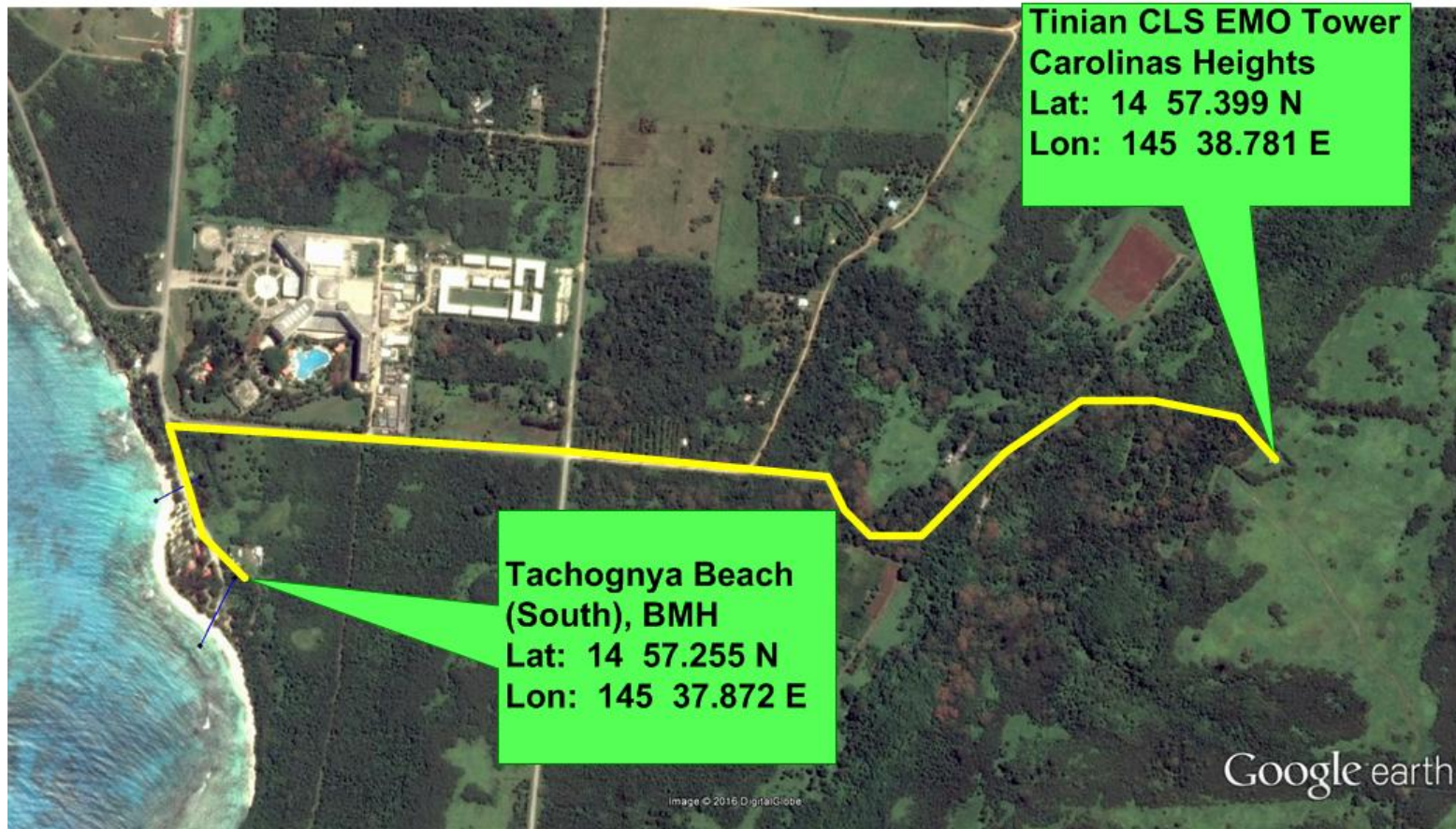
APPENDIX D:

CUC SEWER OUTFALL, SONGSONG VILLAGE, SASANLAGU, ROTA, LANDING POINT INFORMATION



Cable landing station street address: none

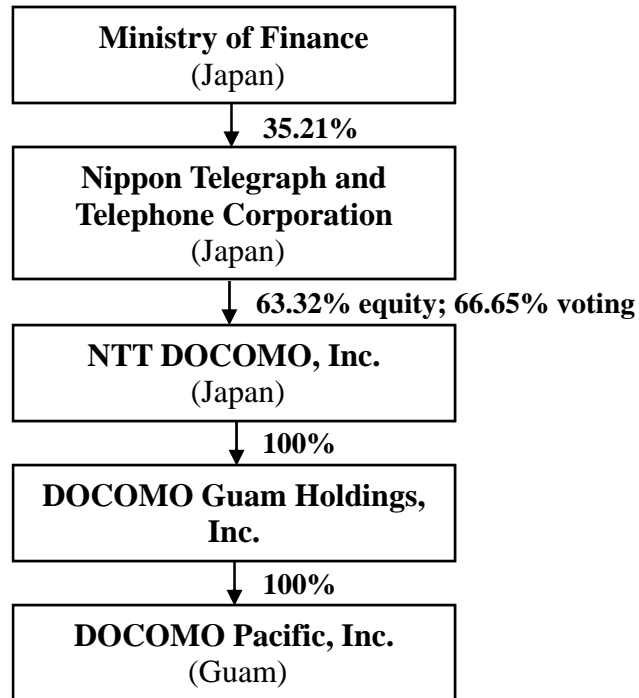
APPENDIX E:
TACHOGNYA BEACH, TINIAN, LANDING POINT INFORMATION



Cable landing station street address: none

APPENDIX F:

OWNERSHIP AND CONTROL OF DOCOMO PACIFIC, INC.



CERTIFICATE OF SERVICE

I, Kent Bressie, hereby certify that consistent with 47 C.F.R. § 1.767(j), I have served copies of the foregoing application for a cable landing license for the Atisa system, by hand delivery or electronic mail this 14th day of March, 2016, to the following:

Ambassador Daniel Sepulveda
U.S. Coordinator and Deputy Assistant Secretary of State
Int'l Communications & Information Policy
Bureau of Economic and Business Affairs
U.S. DEPARTMENT OF STATE
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Kent Bressie