

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

In the Matter of)
)
America Europe Connect 2 USA, Inc.;) File No. SCL-LIC-20180511-00010
America Europe Connect 2 Limited; Edge)
Cable Holdings USA, LLC; GU Holdings)
Inc.; Optibulk Havfrue AS,)
)
Application for a License to Land and)
Operate a Private Fiber-Optic Submarine)
Cable System Connecting Wall, New Jersey;)
Blaabjerg, Denmark; Old Head Beach,)
Leckanvy, Ireland; Kristiansand, Norway,)

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

The Department of Homeland Security (“DHS”) hereby 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, DHS advises the Commission that DHS has no objection to the Commission approving the authority sought in the above-referenced proceedings, provided that the Commission conditions its approval on the commitment of America Europe Connect 2 USA, Inc. (“AEC2 USA”), America Europe Connect 2 Limited (“AEC2”), Edge Cable Holdings USA, LLC (“Edge”), GU Holdings Inc. (“GU Holdings”), and Optibulk Havfrue AS (“Optibulk”) (collectively, the “Licensees”) to abide by the undertakings set forth in the September 2, 2019 Letter of Assurances (“LOA”), which is attached hereto as Attachment A. The above-referenced proceedings involve an application seeking Commission approval to land and operate a fiber optic submarine cable system connecting Wall, New Jersey; Blaabjerg, Denmark; Old Head Beach, Leckanvy, Ireland; and

¹ 47 C.F.R. § 1.41.

Kristiansand, Norway (FCC File No. SCL-LIC-20180511-00010).

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 the Licensees in connection with the above-referenced proceedings, DHS has concluded that the commitments set forth in the LOA 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, DHS advises the Commission that it has no objection to the Commission granting the applications in the above-referenced proceedings, provided that the Commission conditions its consent on compliance by the Licensees with the LOA.

Respectfully submitted,

/S/ Brien Beattie
Brien Beattie
U.S. Department of Homeland Security
Director – Foreign Investment Risk Management
Office of Strategy, Policy and Plans
U.S. Department of Homeland Security
2707 Martin Luther King Jr. Ave SE
Washington, D.C. 20528-0445
IP-FCC@hq.dhs.gov

September 5, 2019

Attachment A (Letter of Assurances)