

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

In the Matter of)	
)	
Pacific Carriage Limited Inc., and)	File No. SCL-LIC-20190809-00026
Southern Cross Cables Limited)	
)	
Application for a License to Land and)	
Operate a Private Fiber-Optic Submarine)	
Cable System Connecting Australia, New)	
Zealand, Fiji, Samoa, Tokelau, Kiribati, and)	
California)	

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

The Department of Homeland Security (“DHS”), with the concurrence of the Department of Defense (“DOD”)(collectively the “USG Parties”) 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, the USG Parties 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 commitment of Pacific Carriage Limited Inc. (“PCLI”) and Pacific Carriage Limited (“PCL,” together with PCLI, “Licensees”) to abide by the undertakings set forth in the July 3, 2020 Letter of Assurances (“LOA”), which is attached hereto as Attachment A. The above-referenced proceeding involves an application seeking Commission approval to land and operate within the United States a private fiber-optic submarine cable network connecting Australia,

¹ 47 C.F.R. § 1.41.

New Zealand, Fiji, Samoa, Tokelau, Kiribati, and California known as the Southern Cross NEXT Cable System (“SX NEXT”) (FCC File No. SCL-LIC-20190809-00026).

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 Comsat Corporation d/b/a Comsat Mobile Communications*, 16 FCC Rcd. 21661, 21707, ¶ 94 (2001).

After discussions with the Licensees in connection with the above-referenced proceeding, the USG Parties have 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, the USG Parties advise the Commission that they have no objection to the Commission granting the application in the above-referenced proceeding, provided that the Commission conditions its consent on compliance by the Licensees with the LOA.

Respectfully submitted,

/S/ Brien Beattie
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July 6, 2020

Attachment A (Letter of Assurances)