

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C.

*In the Matter of*

RTI SOLUTIONS, INC.,  
RTI HK-G PTE. LTD.,  
RTI CONNECTIVITY PTE. LTD., AND  
GU HOLDINGS INC.

Application for a License to Land and Operate  
a Private Fiber-Optic Submarine Cable System  
Connecting Hong Kong and Guam,

THE HONG KONG-GUAM CABLE SYSTEM

File No. SCL-LIC-2019-\_\_\_\_\_

**JOINT 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, RTI Solutions, Inc. (“RTI Solutions”), RTI HK-G Pte. Ltd. (“RTI HKG”), RTI Connectivity Pte. Ltd. (“RTI Connectivity”), and GU Holdings, Inc. (“GU Holdings”) (collectively, “Applicants”) hereby apply for a license to land and operate within U.S. territory the Hong Kong-Guam (“HK-G”) cable system, a private fiber-optic submarine cable network connecting Hong Kong and Piti, Guam. The Applicants and their affiliates will operate the HK-G system on a non-common-carrier basis, either by providing bulk capacity to wholesale and enterprise customers on particularized terms and conditions pursuant to individualized negotiations or by using the HK-G system to serve their own connectivity needs. The existence of robust competition on the Hong Kong-Guam route obviates any need for common-carrier regulation of the system on public-interest grounds.

The Applicants intend to commence commercial operation of the HK-G system by the fourth calendar quarter of 2020. The Applicants therefore seek timely grant of a cable landing license by the Commission no later than July 2020 in order to permit construction activities to proceed on schedule. An expeditious grant of this application will significantly advance the public interest.

Guam is a hub for landing both intra-Asia and trans-Pacific submarine cable systems. By connecting Hong Kong and Guam directly, the HK-G system will provide substantial new and geographically-diverse capacity connecting Guam to another existing hub in the Asia-Pacific region. This will strengthen not only the Guam hub but also U.S. and global communications infrastructure.

The Applicants request streamlined processing pursuant to 47 C.F.R. § 1.767(k)(1) and (2), as the Applicants are either not foreign carriers, not affiliated with foreign carriers, or not affiliated with foreign carriers with market power in Hong Kong. They also request streamlined processing pursuant to 47 C.F.R. § 1.767(k)(4), as Guam does not require a consistency certification under the Coastal Zone Management Act with respect to a cable landing license issued by the Commission. Below, the Applicants provide information required by 47 C.F.R. § 1.767.

## **I. COMPLIANCE WITH 47 C.F.R. § 1.767**

### **A. Information Required by 47 C.F.R. § 1.767(a)(1)-(a)(3), (a)(8), (a)(9), (j), and (k)**

The Applicants provide company-specific responses to and certifications for 47 C.F.R. § 1.767(a)(1)-(a)(3), (a)(8), (a)(9), (j), and (k) in the following appendices:

- Appendix A: RTI Solutions, Inc.

- Appendix B: RTI HK-G Pte. Ltd.
- Appendix C: RTI Connectivity Pte. Ltd.
- Appendix D: GU Holdings Inc.

**B. System Description<sup>1</sup>**

The HK-G system will consist of one segment connecting Hong Kong and Piti, Guam, with four fiber pairs and a length of 3,693 kilometers. Each fiber pair on the HK-G system will have a total design capacity of 12 Tbps per fiber pair (for a total of 48 Tbps) using current technology. The Applicants have not yet decided on the initial lit capacity of the system. The Applicants expect the HK-G system to enter into commercial service in the fourth calendar quarter of 2020. In Appendix E, the Applicants provide a route map for the system.

**C. Landing Points<sup>2</sup>**

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

- Appendix F: Hong Kong
- Appendix G: Piti, Guam

**D. Regulatory Classification<sup>3</sup>**

The Applicants will operate the HK-G system 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 will advance the public interest.

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<sup>1</sup> See 47 C.F.R. § 1.767(a)(4).

<sup>2</sup> See *id.* § 1.767(a)(5).

<sup>3</sup> See *id.* § 1.767(a)(6).

First, the Commission should not subject the HK-G system to common-carrier regulation because the HK-G system will not operate on a common-carrier basis as defined in *NARUC I*.<sup>4</sup> 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.’”<sup>5</sup> On the HK-G system, however, the Applicants will not sell capacity indifferently to the user public:

- The HK-G system will provide the RTI Group<sup>6</sup> with capacity to support its wholesale capacity businesses in Asia and the Americas, offering bulk capacity to particular carrier, enterprise, and government customers pursuant to individually-negotiated indefeasible 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 HK-G system will provide GU Holdings and its affiliates with capacity to connect Google users, points of presence, and data centers. GU Holdings and its affiliates may also make capacity available to third parties pursuant to individually-negotiated IRUs and capacity leases, the terms of which will vary depending on the characteristics and needs of the particular capacity purchaser.

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<sup>4</sup> 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).

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

<sup>6</sup> RTI Solutions, RTI Connectivity, RTI HK-G, and their affiliates (including RAM Telecom International, Inc. and RTI JGA Pte. Ltd.) comprise the RTI Group, a developer of global telecommunications infrastructure and large-scale data connectivity and a carrier-neutral service provider.

The Commission has consistently found that such offerings do not make an applicant a common carrier.<sup>7</sup>

*Second*, the Commission should not subject the HK-G system to common-carrier regulation because there is no legal compulsion or other public-interest reason for the Applicants to operate HK-G in such a manner. Under the *NARUC I* test, the Commission must determine whether the public interest requires common-carrier operation of the submarine cable system.<sup>8</sup> Traditionally, the Commission has focused on whether the applicant has sufficient market power to warrant common-carrier regulation,<sup>9</sup> 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.<sup>10</sup> The HK-G system poses no such competitive or public-interest concerns.

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<sup>7</sup> 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 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* 13 FCC Rcd. 21,585 (1998), *aff’d sub nom. Virgin Islands Telephone Corp. v. FCC*, 198 F.3d 921 (D.C. Cir. 1999).

<sup>8</sup> *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”).

<sup>9</sup> *St. Thomas-St. Croix Cable Order*, 11 FCC Rcd. at 14,893 ¶ 30.

<sup>10</sup> 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”).

The HK-G system will enhance competition by competing vigorously with other submarine cable systems on the U.S.-Hong Kong and broader U.S.-Asia routes. Specifically, on the Guam-Hong Kong route, the HK-G system will compete directly with the existing Asia-America Gateway system. On the broader Guam-East Asia route, HK-G will compete with a multiplicity of systems, including the Australia-Japan Cable, TGN-Pacific, and the Guam Okinawa Kyushu Incheon system. The Commission has previously found that facilities need not be identical in order to offer pro-competitive benefits.<sup>11</sup> The existence of ample competing submarine cable facilities providing Guam-Hong Kong and Guam-East Asia connectivity ensures that the HK-G system would not function as a bottleneck facility on those routes. The Applicants' intended operation of the HK-G system therefore serves the Commission's long-standing policy to encourage competition through private submarine cable transmissions, a policy pursuant to which the Commission has granted numerous cable landing licenses.<sup>12</sup>

#### **E. Cable Ownership Information<sup>13</sup>**

The Applicants and their affiliates will own the HK-G system as shown in Tables 1 through 3 below.

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<sup>11</sup> *St. Thomas-St. Croix Cable Order*, 11 FCC Rcd. at 14,898 ¶ 44 (stating that “requiring current identical substitute common carrier facilities before non-common carrier facilities will be authorized would serve as a disincentive for entities to take risks and expend capital to expand and upgrade facilities”).

<sup>12</sup> *See Tel-Optik Ltd.*, Memorandum Opinion and Order, 100 FCC.2d 1033, 1040-41 (1985).

<sup>13</sup> *See* 47 C.F.R. § 1.767(a)(7).

**Table 1: Ownership of Fiber Pairs and Spectrum Bands**

Fiber Pair	Spectrum Band	Spectrum Band Owner
1	1	RTI HK-G
	2	GU Holdings and its affiliates
2	All	RTI HK-G
3	All	RTI HK-G
4	All	RTI HK-G

**Table 2: Ownership of Wet Infrastructure and Common Infrastructure (percentages reflect both voting and economic interests)**

Party	Portion in U.S. Territory	Portion in International Waters	Portion in Hong Kong Waters
RTI HK-G	82.29167%	82.29167%	82.29167%
GU Holdings	17.70833%	0.00%	0.00%
Google Infrastructure Bermuda Limited (“GIB”)	0.00%	17.70833%	0.00%
Infraco (Hong Kong) Limited (“Infraco”)	0.00%	0.00%	17.70833%

Because neither GIB nor Infraco will use the U.S. endpoints of the HK-G system, neither of these entities is required by 47 C.F.R. § 1.767(h)(2) to be an applicant for the cable landing license.

As described in more detail in Appendix C, RTI Connectivity will control RTI HK-G’s interests in the HK-G system through its role as Asset Manager of RTI HK-G. RTI Connectivity was appointed RTI HK-G’s Asset Manager through an Asset Management Agreement by and

between the two companies. RTI Connectivity may not be removed as Asset Manager except for cause or in the event RTI Connectivity’s majority shareholder, Mr. Russell Matulich (who is a U.S. citizen), holds less than a 50-percent interest in RTI Connectivity.

**Table 3: Cable Landing Stations**

<b>Cable Landing Station</b>	<b>New or Existing Facility?</b>	<b>Owner</b>	<b>Landing Party</b>
Piti 2	Under construction	Gateway Network Connections, LLC (“GNC”)	RTI Solutions
Hong Kong	Existing	NTT Com Asia Limited	RTI HK-G

As noted in Table 3 above, in Guam the HK-G system will land at a new cable landing station in Guam (known as Piti 2) owned and operated by GNC. As described further in Appendix A, RTI Solutions will serve as the U.S. landing party and control the Guam landing arrangements for the HK-G system under a contract with the cable landing station owner, GNC, a Guam limited liability company that is 51 percent owned by Asia Connectivity Elements, Inc. (“ACE”), a Guam corporation, and 49 percent owned by TeleGuam Holdings, LLC (“GTA”), the Guamanian carrier. Executives of the RTI Group (which includes RTI Solutions, RTI HK-G, RTI Connectivity, and other entities) collectively hold a 51-percent voting and economic interest in ACE. As stated in part II below, the Applicants seek a waiver of 47 C.F.R. § 1.767(h)(1), as GNC will have no ability to affect significantly the operation of the HK-G system.



## F. Certification Regarding Service to Executive Branch Agencies<sup>14</sup>

The Applicants have sent a complete copy of this application to the U.S. Departments of State, Commerce, and Defense. 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)

The Applicants request a waiver of 47 C.F.R. § 1.767(h)(1) rules so that GNC—the owner of the Piti 2 cable landing station—need not be a joint applicant for the HK-G 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.”<sup>15</sup> As explained below, GNC, the owner of the Piti 2 cable landing station, will not have any ability to affect significantly the HK-G system’s operation. Inclusion of GNC as a joint applicant is not necessary to ensure compliance by the Applicants 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 longstanding Commission precedent.<sup>16</sup>

For the Guam landing, RTI Solutions will contract with GNC for the provision of certain limited services that would not provide GNC with any ability to affect significantly the HK-G

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<sup>14</sup> See *id.* § 1.767(j).

<sup>15</sup> See *Actions Taken Under 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)).

<sup>16</sup> See, e.g., *Actions Taken Under Cable Landing License Act*, Public Notice, 32 FCC Rcd. 1436, 1438 (Int’l Bur. 2017) (accepting the applicant’s representations that Tata “will not have the ability to affect significantly Atisa’s operation” and declining to require that Tata be a joint applicant for the cable landing license); *Actions Taken Under Cable Landing License Act*, Public Notice, 24 FCC Rcd. 7828, 7829-30 (Int’l Bur. 2009) (accepting the applicants’

system's operation. RTI Solutions will enter into long-term leases for colocation space for power feed equipment for the Piti 2 cable landing station, and it will retain operational authority over the HK-G system landing facilities and provide direction to GNC in all matters relating to the HK-G system. RTI Solutions will ensure that all IRU and lease agreements have initial terms, with extension options at RTI Solutions' sole discretion, for a total of 25 years each, coextensive with the term of the cable landing license.

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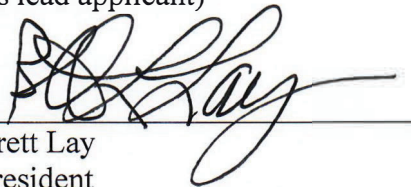
representations that “Tata will not be able to affect significantly the operation of HANTRU1” and declining to require Tata be a joint applicant for the cable landing license); *Actions Taken Under Cable Landing License Act*, Public Notice, 24 FCC Rcd. 226, 227-28 (Int’l Bur. 2009) (noting that “Applicants 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 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 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 the HK-G system pursuant to streamlined processing.

Respectfully submitted,

RTI Solutions, Inc.  
(as lead applicant)



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November 22, 2019

Attachments

## **LIST OF APPENDICES**

**Appendix A: RTI Solutions, Inc., Information Responsive to 47 C.F.R. § 1.767(a)(1)-(a)(3), (a)(8), (a)(9), (j), and (k)**

**Appendix B: RTI HK-G Pte. Ltd. Information Responsive to 47 C.F.R. § 1.767(a)(1)-(a)(3), (a)(8), (a)(9), (j), and (k)**

**Appendix C: RTI Connectivity Pte. Ltd., Information Responsive to 47 C.F.R. § 1.767(a)(1)-(a)(3), (a)(8), (a)(9), (j), and (k)**

**Appendix D: GU Holdings Inc., Information Responsive to 47 C.F.R. § 1.767(a)(1)-(a)(3), (a)(8), (a)(9), (j), and (k)**

**Appendix E: HK-G Route Map**

**Appendix F: Hong Kong Landing Point Information**

**Appendix G: Piti, Guam Landing Point Information**

**APPENDIX A**  
**RTI SOLUTIONS, INC.**

RTI Solutions, Inc. (“RTI Solutions,” FRN 0027052489) is a Singapore private limited company with its principal place of business in Singapore. RTI Solutions will serve as the U.S. landing party and control the Guam landing arrangements for the Hong Kong-Guam (“HK-G”) system. HK-G is owned and controlled by its affiliates and license co-applicants RTI HK-G Pte. Ltd. (“RTI HK-G”) and RTI Connectivity Pte. Ltd. (“RTI Connectivity”), as described in part I.E of the main narrative application. RTI Solutions is also a joint applicant for the cable landing license for the JGA North system, FCC File No. SCL-LIC-20181106-00035. RTI Solutions, RTI Connectivity, RTI HK-G, and their affiliates (including RAM Telecom International, Inc. and RTI JGA Pte. Ltd.) comprise the RTI Group, a developer of global telecommunications infrastructure and large-scale data connectivity and a carrier-neutral service provider. Below, RTI Solutions provides information required by 47 C.F.R. § 1.767(a)(1)-(a)(3), (a)(8), (a)(9), (j), and (k).

**(1) Applicant’s Name, Address, and Telephone Number<sup>1</sup>**

RTI Solutions’ full legal name, address, and telephone number are as follows:

RTI Solutions, Inc.  
268 Bush Street #77  
San Francisco, California 94194  
+1 619 888 7166

**(2) Applicant’s Place of Incorporation<sup>2</sup>**

RTI Solutions is a California corporation.

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<sup>1</sup> See 47 C.F.R. § 1.767(a)(1).

<sup>2</sup> See *id.* § 1.767(a)(2).

**(3) Contact Information<sup>3</sup>**

Russell Matulich  
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*Counsel for RTI Solutions, Inc.*

**(4) Certification Regarding Ownership, Citizenship, Principal Business, and Interlocking Directorates<sup>4</sup>**

RTI Solutions certifies that it has the following 10-percent-or-greater direct or indirect interest holders:

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<sup>3</sup> See *id.* § 1.767(a)(3).

<sup>4</sup> See *id.* §§ 1.767(a)(8)(i), 63.18(h).

**Russell Alan Matulich**

*Address:* 955 Serendipity Way, Napa, California 94558

*Citizenship:* USA

*Principal Business:* telecommunications

*Relationship:* Mr. Matulich holds a 16.4-percent voting and economic interest in RTI Solutions.

**Brian Scott Mass**

*Address:* 7 Turtleback Lane, Westport, Connecticut 06880

*Citizenship:* USA

*Principal Business:* development and operation of subsea cable infrastructure

*Relationship:* Mr. Mass holds a 14.5-percent voting and economic interest in RTI Solutions.

**Christopher Michael Brungardt**

*Address:* 3130 Ryer Island Street, West Sacramento, California 95691

*Citizenship:* USA

*Principal Business:* development and operation of subsea cable infrastructure

*Relationship:* Mr. Brungardt holds a 10.0-percent voting and economic interest in RTI Solutions.

**LSF Capital Pte Ltd**

*Address:* 438 Alexandra Road #04-02, Alexandra Point, Singapore 199958

*Place of Organization:* Singapore

*Principal Business:* investments

*Relationship:* LSF Capital Pte Ltd holds a 35.0-percent voting and economic interest in RTI Solutions.

**LIM Soon Foo**

*Address:* No. 1 JLN Kelab Golf 13/10C, Seksyen 13, Kelab Golf Saas 40100 Shah Alam, Selangor, Malaysia

*Citizenship:* Malaysian

*Principal Business:* investments

*Relationship:* LIM Soon Foo holds a 75.0-percent voting and economic interest in LSF Capital Pte Ltd

The remaining voting and economic interests in RTI Solutions are held by individuals, none of whom has a 10-percent-or-greater interest. RTI Solutions has no interlocking directorates with foreign carriers.

**(5) Certification Regarding the Anti-Drug Abuse Act of 1988<sup>5</sup>**

RTI Solutions certifies that it is not subject to a denial of federal benefits under Section 5301 of the Anti-Drug Abuse Act of 1988, as amended.<sup>6</sup>

**(6) Certification Regarding Foreign Carrier Status and Foreign Affiliations<sup>7</sup>**

RTI Solutions certifies that it: (A) is not a foreign carrier in any foreign country; (B) does not own or control a cable landing station in any foreign country; and (C) is not affiliated with any foreign carrier, or with any entity that owns or controls a cable landing station, in a foreign country.

**(7) Certification Regarding Destination Countries<sup>8</sup>**

RTI Solutions certifies to the following: (A) it is not a foreign carrier in Hong Kong, the only foreign destination market in which the system will land; (B) it does not control a foreign carrier in Hong Kong; (C) no entity owning more than 25 percent of it, or controlling it, controls a foreign carrier in Hong Kong; and (D) no grouping of two or more foreign carriers in Hong Kong (or parties that control foreign carriers in Hong Kong) own, in aggregate, more than 25 percent of RTI Solutions 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 the system in the United States.

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<sup>5</sup> See *id.* §§ 1.767(a)(8)(i), 63.18(o).

<sup>6</sup> 21 U.S.C. § 862(a). Pub. L. 100-690, title V, §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 101-647, title X, § 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.

<sup>7</sup> See 47 C.F.R. § 1.767(a)(8)(ii).

<sup>8</sup> See *id.* § 1.767(a)(8)(iii).



**(8) Certifications Regarding WTO Status and Affiliations with Foreign Carriers Having Market Power in Foreign Destination Markets<sup>9</sup>**

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

**(9) Certification Regarding Routine Conditions<sup>10</sup>**

RTI Solutions certifies that it accepts and will abide by the routine conditions specified in 47 C.F.R. § 1.767(g).

**(10) Streamlining—Market Power<sup>11</sup>**

RTI Solutions requests streamlined processing pursuant to 47 C.F.R. § 1.767(k)(1). RTI Solutions certifies that it is not a foreign carrier and is not affiliated with a foreign carrier in Hong Kong, the only foreign destination market in which the system will land.

**(11) Streamlining—CZMA<sup>12</sup>**

RTI Solutions 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). Guam does not list, and has never proposed to list, a cable landing license as a federal activity requiring a consistency certification.<sup>13</sup>

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<sup>9</sup> *See id.* § 1.767(a)(8)(iv).

<sup>10</sup> *See id.* § 1.767(a)(9).

<sup>11</sup> *See id.* § 1.767(j), (k).

<sup>12</sup> *See id.*

<sup>13</sup> *See* Guam's Listed Federal Actions, National Oceanic and Atmospheric Administration, Office for Coastal Management, <https://coast.noaa.gov/czm/consistency/media/guam.pdf>.


## CERTIFICATION

On behalf of RTI Solutions, I certify that all of the information contained in this Appendix A and application to which it is attached is true and correct to the best of my knowledge and belief.

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## APPENDIX B

### RTI HK-G PTE. LTD.

RTI HK-G Pte. Ltd. (“RTI HK-G,” FRN 0028976900) is a Singapore private limited company with its principal place of business in Singapore. RTI HK-G holds an 82.29167-percent voting and economic interest in the wet segment and common infrastructure, as well as a 100-percent voting and economic interest in Segments 2 through 4, of the Hong Kong-Guam (“HK-G”) system, as described in part I.E of the main narrative application. RTI HK-G and its affiliates (including RTI Connectivity Pte. Ltd., RTI Solutions, Inc., RAM Telecom International, Inc., RTI JGA Pte. Ltd. and other entities) comprise the RTI Group, a developer of global telecommunications infrastructure and large-scale data connectivity and a carrier-neutral service provider. Below, RTI HK-G provides information required by 47 C.F.R. § 1.767(a)(1)-(a)(3), (a)(8), (a)(9), (j), and (k).

**(1) Applicant’s Name, Address, and Telephone Number<sup>1</sup>**

RTI HK-G’s full legal name, address, and telephone number are as follows:

RTI HK-G Pte. Ltd.  
4 Robinson Road #05-01  
The House of Eden  
Singapore 048543  
+65 6438 4307

**(2) Applicant’s Place of Incorporation<sup>2</sup>**

RTI HK-G is a Singapore private limited company.

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<sup>1</sup> See 47 C.F.R. § 1.767(a)(1).

<sup>2</sup> See *id.* § 1.767(a)(2).

**(3) Contact Information<sup>3</sup>**

Russell Matulich  
Chief Executive Officer  
RTI Group  
268 Bush Street #77  
San Francisco, California 94104  
+1 415 837 3511  
russ.matulich@rticable.com

*and*

Grace Guang  
General Counsel  
RTI Group  
8 Eu Tong Sen Street #14-94  
The Central  
Singapore 059818  
+65 8511 7567  
grace.guang@rticable.com

*with a copy to:*

Kent Bressie  
Colleen Sechrest  
Harris, Wiltshire & Grannis LLP  
1919 M Street, N.W., Suite 800  
Washington, D.C. 20036-3537  
+1 202 730 1337  
kbressie@hwglaw.com  
csechrest@hwglaw.com

*Counsel for RTI HK-G Pte. Ltd.*

**(4) Certification Regarding Ownership, Citizenship, Principal Business, and Interlocking Directorates<sup>4</sup>**

RTI HK-G certifies that it has the following 10-percent-or-greater direct or indirect interest holders, as illustrated in Attachment 1 to this Appendix:

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<sup>3</sup> See *id.* § 1.767(a)(3).

<sup>4</sup> See *id.* §§ 1.767(a)(8)(i), 63.18(h).

**Fund Corporation for the Overseas Development of Japan’s ICT and Postal Services, Inc. (“JICT”)**

*Address:* 1-2-1, Uchisaiwai-cho, Chiyoda-ku, Tokyo, Japan

*Place of Organization:* Japan

*Principal Business:* investments

*Relationship:* JICT holds a 45.0-percent economic interest in RTI HK-G through its ownership of 100 percent of RTI HK-G’s Class A Preferred Shares. The Japanese Ministry of Finance holds a 50.0-percent voting-and-equity interest in JICT. The remaining voting and economic interests of JICT are held by 21 Japanese corporations, none of which has a 10-percent-or-greater voting or economic interest in RTI HK-G.

**NEC Corporation (“NEC”)**

*Address:* 7-1, Shiba 5-chome, Minato-ku, Tokyo 108-8001, Japan

*Place of Organization:* Japan

*Principal Business:* information technology

*Relationship:* NEC holds a 50.0-percent economic interest in RTI HK-G through its ownership of 100 percent of RTI HK-G’s Class B Preferred Shares. NEC’s shares trade publicly on the Tokyo Stock Exchange, and NEC has no 10-percent-or-greater direct or indirect interest holders.

**Russell Alan Matulich**

*Address:* 955 Serendipity Way, Napa, California 94558

*Citizenship:* USA

*Principal Business:* telecommunications

*Relationship:* Mr. Matulich holds a 2.7-percent economic interest in RTI HK-G through his ownership of 54-percent of RTI HK-G Class C shares.

**The RTI HK-G Share Trust (“RTI HK-G Trust”)**

*Address:* 4 Robinson Road #05-01, Singapore 048543

*Place of Organization:* Singapore

*Principal Business:* investments

*Relationship:* RTI HK-G Trust holds all shares of RTI HK-G in trust for the economic interest holders. It owns one ordinary share of RTI HK-G. RTI Connectivity exercises control via the Asset Management Agreement with RTI HK-G.

**Ocorian Singapore Trust Company Pte. Ltd. (“STC”)**

*Address:* 4 Robinson Road #05-01, Singapore 048543

*Place of Organization:* Singapore

*Principal Business:* regulated trust company in Singapore

*Relationship:* STC serves as the Trustee of the RTI HK-G Trust.

**STC Group Ltd. (“STC Group”)**

*Address:* Vistra Corporate Services Centre, Wickhams Cay II, Road Town, Tortola, VG1110, British Virgin Islands

*Place of Organization:* British Virgin Islands

*Principal Business:* holding company

*Relationship:* STC Group holds a 100-percent voting and economic interest in STC.

**Ocorian Limited (“Ocorian”)**

*Address:* 26 New Street, St Helier, Jersey JE2 3RA

*Place of Organization:* Bailiwick of Jersey

*Principal Business:* trust administration

*Relationship:* Ocorian holds a 100-percent voting and economic interest in STC.

**Inflexion Supplemental Fund IV (No. 1) LP (“Inflexion Supplemental”)**

*Address:* Third Floor, La Plaiderie Chambers, La Plaiderie, St. Peter Port, Guernsey GY1 WG

*Place of Organization:* Guernsey

*Principal Business:* investments

*Relationship:* Inflexion Supplemental holds a 16-percent voting and economic interest in Ocorian. Inflexion Supplemental has no controlling interest holder.

**Inflexion Buyout Fund IV (No. 1) LP (“Inflexion No. 1”)**

*Address:* Third Floor, La Plaiderie Chambers, La Plaiderie, St. Peter Port, Guernsey GY1 WG

*Place of Organization:* Guernsey

*Principal Business:* investments

*Relationship:* Inflexion No. 1 holds a 29-percent voting and economic interest in Ocorian. Inflexion No. 1 has no controlling interest holder.

Other than the entities listed above, no person or entity holds a 10-percent-or-greater voting or economic interest in RTI HK-G. RTI HK-G has no interlocking directorates with foreign carriers.

**(5) Certification Regarding the Anti-Drug Abuse Act of 1988<sup>5</sup>**

RTI HK-G certifies that it is not subject to a denial of federal benefits under Section 5301 of the Anti-Drug Abuse Act of 1988, as amended.<sup>6</sup>

**(6) Certification Regarding Foreign Carrier Status and Foreign Affiliations<sup>7</sup>**

RTI HK-G certifies that it: (A) is not a foreign carrier in any foreign country; (B) does not own or control a cable landing station in any foreign country; and (C) is not affiliated with any foreign carrier, or with any entity that owns or controls a cable landing station, in a foreign country.

**(7) Certification Regarding Destination Countries<sup>8</sup>**

RTI HK-G certifies to the following: (A) it is not a foreign carrier in Hong Kong, the only foreign destination market in which the system will land; (B) it does not control a foreign carrier in Hong Kong; (C) no entity owning more than 25 percent of it, or controlling it, controls a foreign carrier in Hong Kong; and (D) no grouping of two or more foreign carriers in Hong Kong (or parties that control foreign carriers in Hong Kong) own, in aggregate, more than 25 percent of RTI HK-G 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 the system in the United States.

---

<sup>5</sup> See *id.* §§ 1.767(a)(8)(i), 63.18(o).

<sup>6</sup> 21 U.S.C. § 862(a). Pub. L. 100-690, title V, §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 101-647, title X, § 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.

<sup>7</sup> See 47 C.F.R. § 1.767(a)(8)(ii).

<sup>8</sup> See *id.* § 1.767(a)(8)(iii).

**(8) Certifications Regarding WTO Status and Affiliations with Foreign Carriers Having Market Power in Foreign Destination Markets<sup>9</sup>**

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

**(9) Certification Regarding Routine Conditions<sup>10</sup>**

RTI HK-G certifies that it accepts and will abide by the routine conditions specified in 47 C.F.R. § 1.767(g).

**(10) Streamlining—Market Power<sup>11</sup>**

RTI HK-G requests streamlined processing pursuant to 47 C.F.R. § 1.767(k)(1). RTI HK-G certifies that it is not a foreign carrier and is not affiliated with a foreign carrier in Hong Kong, the only foreign destination market in which the system will land.

**(11) Streamlining—CZMA<sup>12</sup>**

RTI HK-G 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). Guam does not list, and has never proposed to list, a cable landing license as a federal activity requiring a consistency certification.<sup>13</sup>

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<sup>9</sup> *See id.* § 1.767(a)(8)(iv).

<sup>10</sup> *See id.* § 1.767(a)(9).

<sup>11</sup> *See id.* § 1.767(j), (k).

<sup>12</sup> *See id.*

<sup>13</sup> *See* Guam's Listed Federal Actions, National Oceanic and Atmospheric Administration, Office for Coastal Management, <https://coast.noaa.gov/czm/consistency/media/guam.pdf>.



## CERTIFICATION

On behalf of RTI HK-G, I certify that all of the information contained in this Appendix B and application to which it is attached is true and correct to the best of my knowledge and belief.



Kent Bressie  
Colleen Sechrest  
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Dipali Mohan Saraf  
Director  
RTI HK-G Pte. Ltd.  
4 Robinson Road #05-01  
The House of Eden  
Singapore 048543

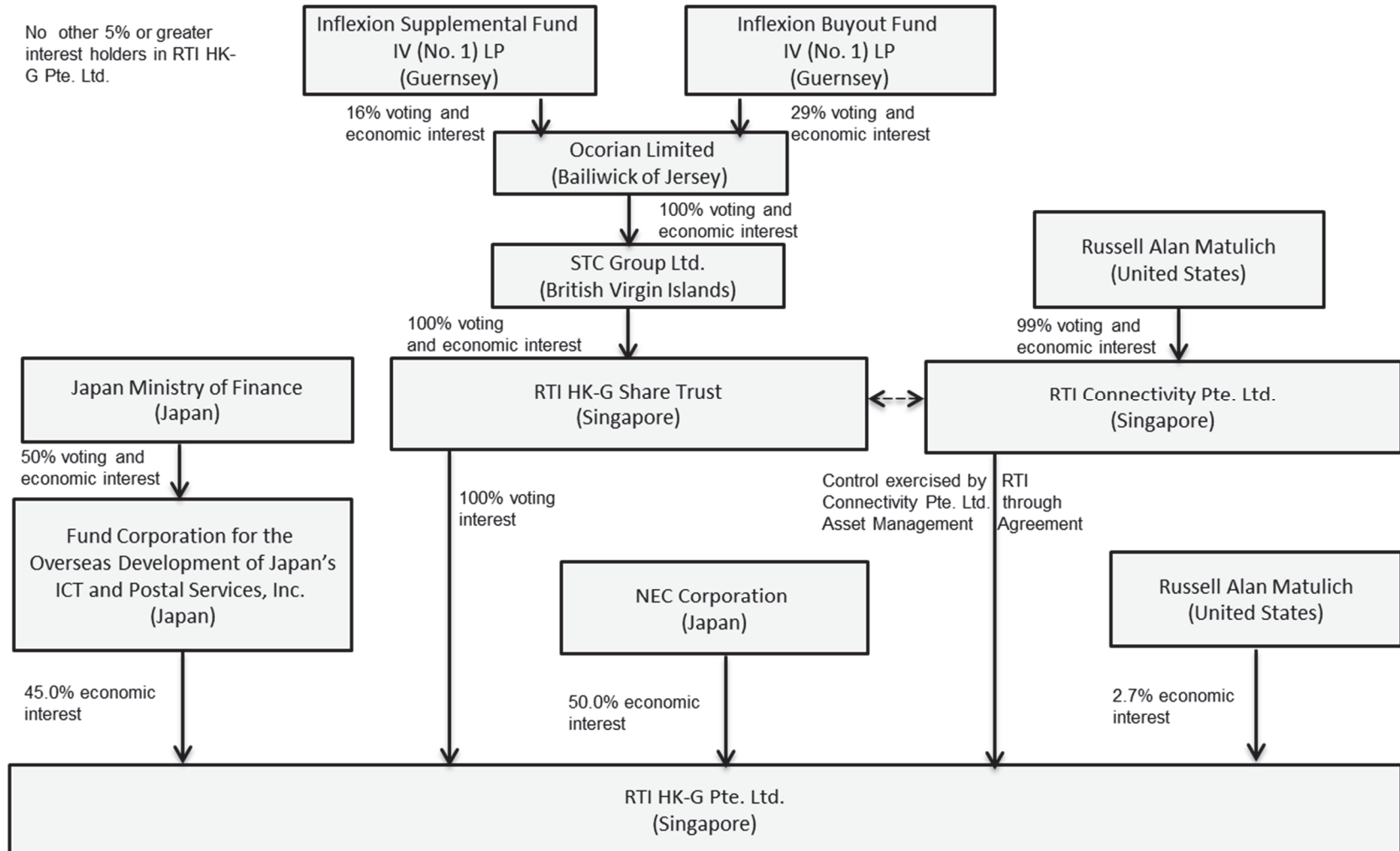
*Counsel for RTI HK-G Pte. Ltd.*

Dated: November 22, 2019

**ATTACHMENT 1:**

**OWNERSHIP AND CONTROL OF RTI HK-G PTE. LTD.**

No other 5% or greater interest holders in RTI HK-G Pte. Ltd.



←--→ Asset Management Agreement

## APPENDIX C

### RTI CONNECTIVITY PTE. LTD.

RTI Connectivity Pte. Ltd. (“RTI Connectivity,” FRN 0027759307) is a Singapore private limited company with its principal place of business in Singapore. RTI Connectivity will control the interests in the Hong Kong-Guam (“HK-G”) system owned by its affiliate and license co-applicant RTI HK-G Pte. Ltd. (“RTI HK-G”), as described in part I.E of the main narrative application. RTI Connectivity serves as Asset Manager of RTI HK-G pursuant to an Asset Management Agreement by and between the two companies. RTI Connectivity may not be removed as Asset Manager except for cause or in the event RTI Connectivity’s majority shareholder, Mr. Russell Matulich, holds less than a 50-percent interest in RTI Connectivity. RTI Connectivity is also a joint applicant for the cable landing license for the JGA North system, FCC File No. SCL-LIC-20181106-00035, and the JGA South System, FCC File No. SCL-LIC-20190502-00016. RTI Connectivity, RTI HK-G, and their affiliates (including RTI Solutions, Inc., RAM Telecom International Inc., RTI JGA Pte. Ltd., and other entities) comprise the RTI Group, a developer of global telecommunications infrastructure and large-scale data connectivity and a carrier-neutral service provider. Below, RTI Connectivity provides information required by 47 C.F.R. § 1.767(a)(1)-(a)(3), (a)(8), (a)(9), (j), and (k).

**(1) Applicant’s Name, Address, and Telephone Number<sup>1</sup>**

RTI Connectivity’s full legal name, address, and telephone number are as follows:

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<sup>1</sup> See 47 C.F.R. § 1.767(a)(1).

RTI Connectivity Pte. Ltd.  
8 Eu Tong Sen Street #14-94  
The Central  
Singapore 059818  
+65 6438 4307

**(2) Applicant's Place of Incorporation<sup>2</sup>**

RTI Connectivity is a Singapore private limited company.

**(3) Contact Information<sup>3</sup>**

Russell Matulich  
Chief Executive Officer  
RTI Group  
268 Bush Street #77  
San Francisco, California 94104  
+1 415 837 3511  
russ.matulich@rticable.com

*and*

Grace Guang  
General Counsel  
RTI Group  
8 Eu Tong Sen Street #14-94  
The Central  
Singapore 059818  
+65 8511 7567  
grace.guang@rticable.com

*with a copy to:*

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Colleen Sechrest  
Harris, Wiltshire & Grannis LLP  
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+1 202 730 1337  
kbressie@hwglaw.com  
csechrest@hwglaw.com

*Counsel for RTI Connectivity Pte. Ltd.*

---

<sup>2</sup> See *id.* § 1.767(a)(2).

<sup>3</sup> See *id.* § 1.767(a)(3).

**(4) Certification Regarding Ownership, Citizenship, Principal Business, and Interlocking Directorates<sup>4</sup>**

RTI Connectivity certifies that it has the following 10-percent-or-greater direct or indirect interest holder:

**Russell Matulich**

*Address:* 955 Serendipity Way, Napa, California 94558

*Citizenship:* USA

*Principal Business:* telecommunications

*Relationship:* Mr. Matulich holds a 99-percent voting and economic interest in RTI Connectivity.

Other than the person listed above, no person or entity holds a 10-percent-or-greater voting or economic interest in RTI Connectivity. RTI Connectivity has no interlocking directorates with foreign carriers.

**(5) Certification Regarding the Anti-Drug Abuse Act of 1988<sup>5</sup>**

RTI Connectivity certifies that it is not subject to a denial of federal benefits under Section 5301 of the Anti-Drug Abuse Act of 1988, as amended.<sup>6</sup>

**(6) Certification Regarding Foreign Carrier Status and Foreign Affiliations<sup>7</sup>**

RTI Connectivity certifies that it: (A) is not a foreign carrier in any foreign country; (B) does not own or control a cable landing station in any foreign country; and (C) is not affiliated

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<sup>4</sup> See *id.* §§ 1.767(a)(8)(i), 63.18(h).

<sup>5</sup> See *id.* §§ 1.767(a)(8)(i), 63.18(o).

<sup>6</sup> 21 U.S.C. § 862(a). Pub. L. 100-690, title V, §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 101-647, title X, § 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.

<sup>7</sup> See 47 C.F.R. § 1.767(a)(8)(ii).

with any foreign carrier, or with any entity that owns or controls a cable landing station, in a foreign country.

**(7) Certification Regarding Destination Countries<sup>8</sup>**

RTI Connectivity certifies to the following: (A) it is not a foreign carrier in Hong Kong, the only foreign destination market in which the system will land; (B) it does not control a foreign carrier in Hong Kong; (C) no entity owning more than 25 percent of it, or controlling it, controls a foreign carrier in Hong Kong; and (D) no grouping of two or more foreign carriers in Hong Kong (or parties that control foreign carriers in Hong Kong) own, in aggregate, more than 25 percent of RTI Connectivity 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 the system in the United States.

**(8) Certifications Regarding WTO Status and Affiliations with Foreign Carriers Having Market Power in Foreign Destination Markets<sup>9</sup>**

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

**(9) Certification Regarding Routine Conditions<sup>10</sup>**

RTI Connectivity certifies that it accepts and will abide by the routine conditions specified in 47 C.F.R. § 1.767(g).

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<sup>8</sup> See *id.* § 1.767(a)(8)(iii).

<sup>9</sup> See *id.* § 1.767(a)(8)(iv).

<sup>10</sup> See *id.* § 1.767(a)(9).

**(10) Streamlining—Market Power<sup>11</sup>**

RTI Connectivity requests streamlined processing pursuant to 47 C.F.R. § 1.767(k)(1).

RTI Connectivity certifies that it is not a foreign carrier and is not affiliated with a foreign carrier in Hong Kong, the only foreign destination market in which the system will land.

**(11) Streamlining—CZMA<sup>12</sup>**

RTI Connectivity 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). Guam does not list, and has never proposed to list, a cable landing license as a federal activity requiring a consistency certification.<sup>13</sup>

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<sup>11</sup> *See id.* § 1.767(j), (k).

<sup>12</sup> *See id.*

<sup>13</sup> *See* Guam’s Listed Federal Actions, National Oceanic and Atmospheric Administration, Office for Coastal Management, <https://coast.noaa.gov/czm/consistency/media/guam.pdf>.

**CERTIFICATION**

On behalf of RTI Connectivity, I certify that all of the information contained in this Appendix C and application to which it is attached is true and correct to the best of my knowledge and belief.

Kent Bressie  
Colleen Sechrest  
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*Counsel for RTI Connectivity  
Pte Ltd.*

Dated: November 22, 2019

  
\_\_\_\_\_  
Brett Lay  
President  
RTI Connectivity Pte. Ltd.  
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Singapore 059818  
+1 619 888 7166  
brett.lay@rticable.com



## APPENDIX D

### **GU Holdings Inc.**

GU Holdings Inc. (“GU Holdings,” FRN 0017777483), a Delaware corporation with its principal place of business in Mountain View, California, will—with its affiliates—hold 17.71 percent of the participation (*i.e.* economic) and voting interests in the Wet Infrastructure and Common Infrastructure of the Hong Kong-Guam system, as described in part I.E. of the main narrative application.

GU Holdings is an indirect, wholly-owned subsidiary of Google LLC (“Google”), whose innovative search technologies and other Internet applications connect people around the world with information every day.

GU Holdings currently holds FCC cable landing licenses for the Unity, Monet, FASTER, Havfrue, and Curie systems.<sup>1</sup> GU Holdings is an applicant to the Commission for a cable landing license for the PLCN, Dunant, and JGA South systems.<sup>2</sup> Below, GU Holdings provides information required by 47 C.F.R. § 1.767(a)(1)-(a)(3), (a)(8), (a)(9), (j), and (k).

#### **(1) Applicant’s Name, Address, and Telephone Number<sup>3</sup>**

GU Holdings Inc.  
1600 Amphitheatre Parkway  
Mountain View, CA 94043  
+1 650 253 0000

#### **(2) Applicant’s Place of Incorporation<sup>4</sup>**

GU Holdings is a Delaware corporation.

#### **(3) Contact Information<sup>5</sup>**

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<sup>1</sup> File Nos. SCL-LIC-20080516-00010 (Unity), SCL-LIC-20150408-00008 (Monet), SCL-LIC-20150626-00015 (FASTER), SCL-LIC-20180511-00010 (Havfrue), and SCL-LIC-20181008-00034 (Curie).

<sup>2</sup> File Nos. SCL-LIC-20170421-00012 (PLCN), SCL-LIC-20190410-00015 (Dunant), and SCL-LIC-20190502-00016 (JGA South).

<sup>3</sup> See 47 C.F.R. § 1.767(a)(1).

<sup>4</sup> See *id.* § 1.767(a)(2).

<sup>5</sup> See *id.* § 1.767(a)(3).

Correspondence concerning the application should be sent to the following:

Stephanie Selmer  
Corporate Counsel  
Google LLC  
25 Massachusetts Avenue NW, 9th Floor  
Washington, DC 20001  
+1 202 346 1404  
selmer@google.com

With a copy to:

Richard Sofield  
Wiley Rein LLP  
1776 K Street NW  
Washington, DC 20006  
+1 202 719 4500  
rsofield@wileyrein.com

**(4) Certification Regarding Ownership, Citizenship, Principal Business, and Interlocking Directorates<sup>6</sup>**

GU Holdings certifies that it has the following 10-percent-or-greater direct or indirect interest holders as of April 22, 2019:

Name:	Google International LLC (“Google International”)
Address:	1600 Amphitheatre Parkway, Mountain View, CA 94043
Citizenship:	Delaware
Principal Business:	Holding company
Relationship:	Google International holds a 100-percent voting and equity interest in GU Holdings.

Name:	Google LLC
Address:	1600 Amphitheatre Parkway, Mountain View, CA 94043
Citizenship:	Delaware
Principal Business:	Technology search services and advertising

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<sup>6</sup> See *id.* §§ 1.767(a)(8)(i), 63.18(h).

Relationship: Google directly holds a 97-percent voting and equity interest in Google International.

Name: XXVI Holdings Inc. (“XXVI Holdings”)  
Address: 1600 Amphitheatre Parkway, Mountain View, CA 94043  
Citizenship: Delaware  
Principal Business: Holding company  
Relationship: XXVI Holdings holds a 100-percent voting and equity interest in Google LLC.

Name: Alphabet Inc. (“Alphabet”)  
Address: 1600 Amphitheatre Parkway, Mountain View, CA 94043  
Citizenship: Delaware  
Principal Business: Holding company  
Relationship: Alphabet holds more than 99 percent of the voting and equity interest in XXVI Holdings.

Name: Larry Page  
Address: 1600 Amphitheatre Parkway, Mountain View, CA 94043  
Citizenship: USA  
Principal Business: CEO, Co-Founder, and Director of Alphabet  
Relationship: Mr. Page holds 42.9 percent of Alphabet’s Class B common stock, giving him a 26.1-percent voting interest in Alphabet.

Name: Sergey Brin  
Address: 1600 Amphitheatre Parkway, Mountain View, CA 94043  
Citizenship: USA  
Principal Business: Co-Founder, President, and Director of Alphabet  
Relationship: Mr. Brin holds 41.3 percent of Alphabet’s Class B common stock, giving him a 25.2-percent voting interest in Alphabet.

Alphabet’s shares trade publicly on the Nasdaq Stock Market under the ticker symbols “GOOG” and “GOOGL.” As there is an active market in Alphabet’s shares, Alphabet’s share ownership is always fluid. Moreover, Alphabet 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 April 22, 2019, Alphabet has no 10-percent-or-greater direct or indirect shareholders other than Messrs. Page and Brin.

GU Holdings further certifies that no corporate officer or director of GU Holdings is also an officer or director of any foreign carrier.

**(5) Certification Regarding the Anti-Drug Abuse Act of 1988<sup>7</sup>**

GU Holdings certifies that it is not subject to a denial of federal benefits under Section 5301 of the Anti-Drug Abuse Act of 1988, as amended.<sup>8</sup>

**(6) Certification Regarding Foreign Carrier Status and Foreign Affiliations<sup>9</sup>**

GU Holdings certifies that it:

- (A) is not a foreign carrier in any foreign country;
- (B) does not own or control a cable landing station in any foreign country;
- (C) is affiliated with foreign carriers as noted in Table 1 below; and

**Table 1: Affiliated Foreign Carriers<sup>10</sup>**

Entity	Country
Google Cable Japan G.K.	Japan
Google Infraestrutura Brasil Ltda.	Brazil
Google Korea, LLC	Korea
Google Singapore Pte Ltd	Singapore
Infraco (Hong Kong) Limited	Hong Kong
Google Voice Ltd.	Denmark France

<sup>7</sup> See *id.* §§ 1.767(a)(8)(i), 63.18(o).

<sup>8</sup> 21 U.S.C. § 862(a). Pub. L. No. 100-690, title V, §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 101-647, title X, § 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.

<sup>9</sup> See 47 C.F.R. § 1.767(a)(8)(ii).

<sup>10</sup> GU Holdings is affiliated with Inversiones y Servicios Dataluna Limitada, which is currently applying for a telecommunications authorization in Chile.

	Ireland Netherlands Spain Sweden Switzerland United Kingdom
Google Voice Canada Corp.	Canada
Google Voice Inc.	Japan

(D) is affiliated with the entities owning or controlling cable landing stations in Table 2 below:

**Table 2: Affiliated Entities Owning Cable Landing Stations**

Entity	CLS Location	Ownership
Google Infraestrutura Brasil Ltda.	Santos, Brazil (Monet cable)	100% ownership interest
Dapsi International ApS	Blaaberg, Denmark (Havfrue cable)	Non-controlling ownership interest of 25%

**(7) Certification Regarding Destination Countries<sup>11</sup>**

GU Holdings certifies to the following:

- (A) GU Holdings is not a foreign carrier in Hong Kong, the only foreign destination market in which the system will land.
- (B) GU Holdings does not control a foreign carrier in Hong Kong.
- (C) Alphabet indirectly holds 100 percent of both GU Holdings and Infracore, which holds a Class License in Hong Kong for purposes of swapping/reselling excess submarine cable capacity.

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<sup>11</sup> See *id.* § 1.767(a)(8)(iii).

(D) No grouping of two or more foreign carriers in Hong Kong (or parties that control foreign carriers in Hong Kong) own, in aggregate, more than 25 percent of GU Holdings 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 the system in the United States.

**(8) Certifications Regarding WTO Status and Affiliations with Foreign Carriers Having Market Power in Foreign Destination Markets<sup>12</sup>**

No response is required. As noted above, GU Holdings is affiliated with a foreign carrier in Hong Kong, which is a member of the World Trade Organization (WTO).

**(9) Certification Regarding Routine Conditions<sup>13</sup>**

GU Holdings certifies that it accepts and will abide by the routine conditions specified in 47 C.F.R. § 1.767(g).

**(10) Streamlining—Market Power<sup>14</sup>**

GU Holdings requests streamlined processing pursuant to 47 C.F.R. § 1.767(k)(2). GU Holdings certifies that it is not a foreign carrier in Hong Kong, the only foreign destination market in which the system will land. GU Holdings is affiliated with Infraco, a foreign carrier in Hong Kong. Hong Kong is a WTO member and Infraco—which accounts for only a small fraction of Hong Kong’s international capacity—lacks 50 percent market share in the international transport and local access markets in Hong Kong. Indeed, in addition to land routes into Hong Kong through mainland China, a number of international cables currently land in the territory<sup>15</sup> and Infraco does not land any of those cables or have an ownership interest in any landing station. Moreover, Infraco does not appear on the Commission’s list of foreign carriers presumed to have market power in foreign destination markets.<sup>16</sup>

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<sup>12</sup> *See id.* § 1.767(a)(8)(iv).

<sup>13</sup> *See id.* § 1.767(a)(9).

<sup>14</sup> *See id.* § 1.767(j), (k).

<sup>15</sup> *See TeleGeography, Submarine Cable Map*, <http://www.submarinecablemap.com> (last visited Nov. 13, 2019).

<sup>16</sup> *See International Bureau Revises and Reissues the Commission’s List of Foreign Telecommunications Carriers that Are Presumed to Possess Market Power in Foreign Telecommunications Markets*, Public Notice, 22 FCC Rcd. 945 (Int’l Bur. 2007).

**(11) Streamlining—CZMA**<sup>17</sup>

GU Holdings 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). Guam does not list, and has never proposed to list, a cable landing license as a federal activity requiring a consistency certification.<sup>18</sup>

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<sup>17</sup> *See id.*

<sup>18</sup> *See* Guam's Listed Federal Actions, National Oceanic and Atmospheric Administration, Office for Coastal Management, <https://coast.noaa.gov/czm/consistency/media/guam.pdf>.

## CERTIFICATION

On behalf of GU Holdings, I certify that all of the information contained in this Appendix D is true and correct to the best of my knowledge and belief.



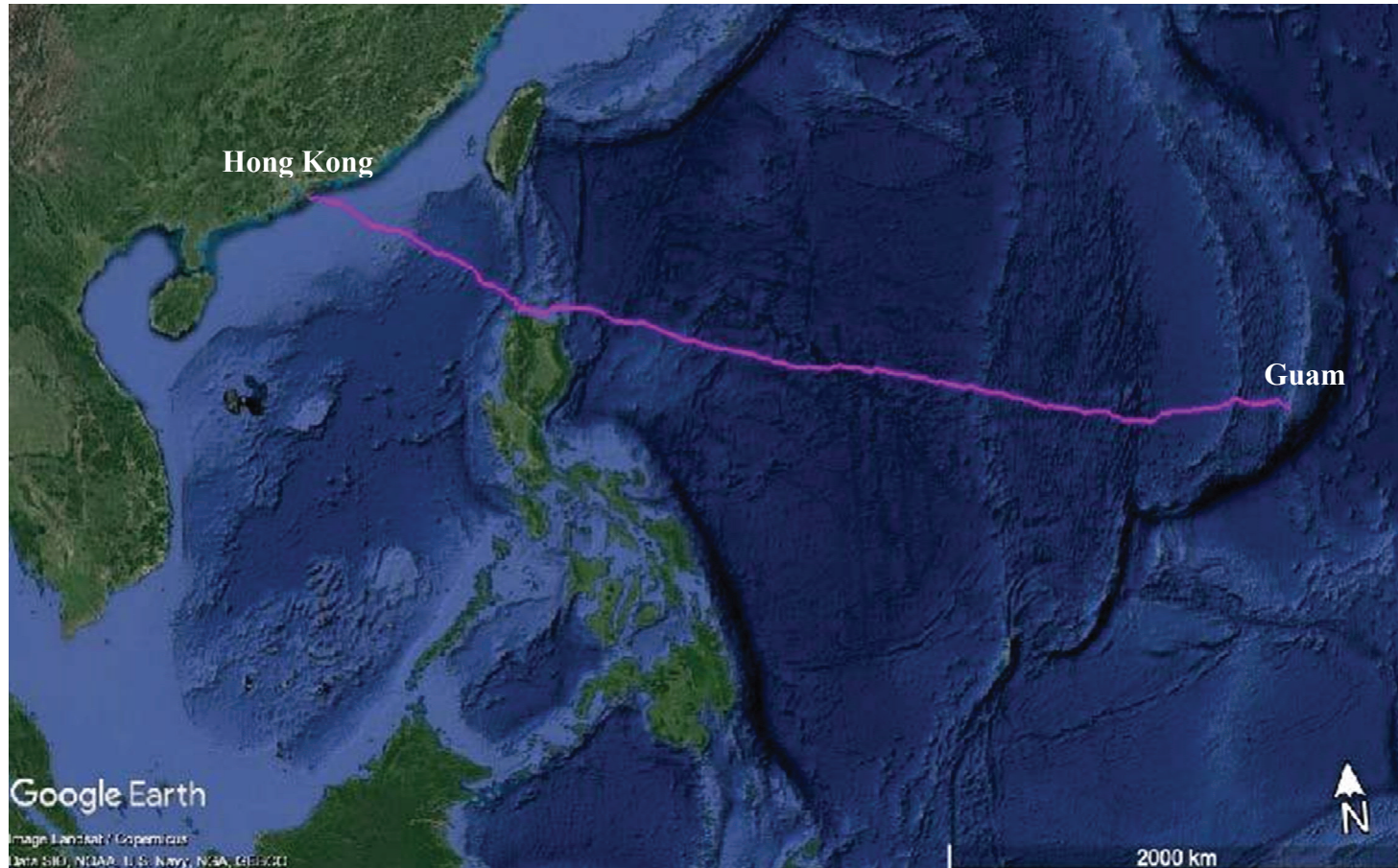
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Austin Schlick  
President, GU Holdings Inc.  
25 Massachusetts Avenue NW, 9th Floor  
Washington, DC 20001

November 19, 2019



APPENDIX E:  
HK-G ROUTE MAP



## APPENDIX F:

### HONG KONG LANDING POINT INFORMATION



Beach manhole geographic coordinates: 22°16'55.05"N 114°16'2.65"E  
Cable station geographic coordinates: 22°17'7.44"N 114°16'19.59"E  
Cable landing station street address: 6 Chun Kwong Street, Tseung Kwan O  
Industrial Estate, Tseung Kwan O, N.T., Hong Kong

**APPENDIX G:**

**PITI, GUAM, LANDING POINT INFORMATION**



Beach manhole geographic coordinates: 13°27'53.697"N, 144°41'35.334"E

Cable station geographic coordinates: 13°27'49.20"N, 144°41'34.49"E

Cable landing station street address: 115 Route 1, Piti, Guam 96925

## 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 HK-G submarine cable system, by hand delivery or electronic mail this 22nd day of November, 2019 to the following:

Robert L. Strayer  
Deputy Assistant Secretary of State for Cyber and  
International Communications and Information Policy  
Bureau of Economic and Business Affairs  
U.S. DEPARTMENT OF STATE  
EB/CIP : Room 4634  
2201 C Street, N.W.  
Washington, D.C. 20520-4634

Kathy Smith  
Chief Counsel  
U.S. DEPARTMENT OF COMMERCE/NTIA  
14th Street and Constitution Avenue, N.W.  
Room 4713  
Washington, D.C. 20230

William E. Brazis II  
General Counsel  
DEFENSE INFORMATION SYSTEMS AGENCY  
6910 Cooper Avenue  
Fort Meade, Maryland 20755

A handwritten signature in black ink, appearing to read 'Kent L. Bressie', is written over a horizontal line.

Kent Bressie