

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.

In the Matter of

EDGE CABLE HOLDINGS USA, LLC, AND
GU HOLDINGS INC.,

File No. SCL-LIC-2021-_____

Application for a License to Land and Operate
a Private Fiber-Optic Submarine Cable System
Connecting the United States, Singapore, and
Indonesia, to be Known as

THE ECHO CABLE SYSTEM

**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, Edge Cable Holdings USA, LLC (“Edge USA”) and GU Holdings Inc. (“GU Holdings,” together with Edge USA, the “Applicants”) hereby apply for a license to land and operate within U.S. territory the Echo cable system, a private fiber-optic submarine cable network connecting California, Guam, Singapore, and Indonesia. The Applicants and their affiliates will operate the Echo system on a non-common-carrier basis, either by using the Echo system to serve their own internal business connectivity needs or by providing bulk capacity to wholesale and enterprise customers on particularized terms and conditions pursuant to individualized negotiations. The existence of robust competition on the U.S.-Singapore, U.S.-Indonesia, and (more broadly) U.S.-Southeast Asia routes obviates any need for common-carrier regulation of the system on public-interest grounds.

The Applicants respectfully request streamlined processing of this application and a timely license grant following national security review, in order to facilitate construction and testing of the system beginning in August 2021. The Applicants intend to commence commercial operation of the Echo system by the third calendar quarter of 2023.

An expeditious grant of this application will significantly advance the public interest. *First*, the Echo system will leverage technological developments with ultra-longhaul submarine cable system technology to provide low-latency connectivity on the U.S.-Singapore and U.S.-Indonesia routes, with fiber pairs connecting California directly with Singapore and Indonesia without intermediate landings. Previously, for technical reasons, systems connecting the continental United States with Southeast Asia needed to land at intermediate points such as Hawaii and Guam, increasing the latency of such systems. *Second*, the Echo system will satisfy increasing demand for capacity on U.S.-Southeast Asia routes. *Third*, Echo will enhance geographic diversity and network resilience by landing in northern California, which is not currently a common landing point for submarine cables, and by routing through Indonesian archipelagic waters.

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 Singapore or Indonesia. They also request streamlined processing pursuant to 47 C.F.R. § 1.767(k)(4), as neither California nor Guam requires 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 required by 47 C.F.R. § 1.767(a)(1)-(a)(3), (a)(8), (a)(9), (j), and (k) in the following appendices:

- Appendix A: Edge USA
- Appendix B: GU Holdings

B. System Description¹

The Echo system will consist of four segments:

- The Main Trunk will connect Eureka, California with Singapore. It will have 12 fiber pairs, each having a design capacity of 12 Tb/s using current technology, and a length of 16,206 kilometers.
- The Piti Branch will connect Piti, Guam with a branching unit on the Main Trunk. It will have 12 fiber pairs, each having a design capacity of 12 Tb/s using current technology, and a length of 372 kilometers.
- The Agat Branch will connect Agat, Guam with a branching unit on the Main Trunk. It will have 12 fiber pairs, each having a design capacity of 12 Tb/s using current technology, and a length of 372 kilometers.
- The Indonesia Branch will connect Tanjung, Pakis, Indonesia with a branching unit on the Main Trunk. It will have four fiber pairs, each having a design capacity of 12 Tb/s using current technology, and a length of 234 kilometers.

¹ See 47 C.F.R. § 1.767(a)(4).

The Echo system will be constructed with a number of unused branching units on the Main Trunk. At this time, there are no specific plans regarding build out of those branches. The Applicants will request any necessary modification to the submarine cable landing license to add new landing points, in the event construction of any new branches goes forward. In Appendix C, the Applicants provide a route map for the system.

The Applicants have not yet decided on the initial lit capacity of the system. The Applicants expect the Echo system to commence commercial service during the third calendar quarter of 2023.

C. Landing Points²

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 D: Eureka, California
- Appendix E: Piti, Guam
- Appendix F: Agat, Guam
- Appendix G: Singapore
- Appendix H: Tanjung Pakis, Indonesia

D. Regulatory Classification³

The Applicants will operate the Echo system on a non-common-carrier basis. Non-common-carrier classification of the proposed system is consistent with established Commission policy and precedent and will advance the public interest.

² See *id.* § 1.767(a)(5).

³ See *id.* § 1.767(a)(6).

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

- For Edge USA and its affiliates, the Echo system will provide capacity to support Facebook’s global platform to connect its users, points of presence, and data centers.
- For GU Holdings and its affiliates, the Echo system will provide capacity to connect Google’s 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.

The Commission has consistently found that such offerings do not make an applicant a common carrier.⁶

⁴ 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 the enactment of the Telecommunications Act of 1996).

⁵ *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)).

⁶ 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

Second, the Commission should not subject the Echo system to common-carrier regulation because there is no legal compulsion or other public-interest reason for the Applicants to operate the Echo system 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.⁷ Traditionally, the Commission has focused on whether the applicant has sufficient market power to warrant common-carrier regulation,⁸ 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.⁹ The Echo system poses no such competitive or public-interest concerns.

The Echo system will enhance competition by competing vigorously with other submarine cable systems on the U.S.-Singapore, U.S.-Indonesia, and broader U.S.-Southeast Asia routes:

- On the U.S.-Singapore route, the Echo system will compete directly with the Asia-America Gateway system. It will also compete with a variety of systems (including the existing APCN-2, Asia Pacific Gateway, Asia Submarine-cable Express, EAC-C2C, and

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).

⁷ *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”).

⁸ *St. Thomas-St. Croix Cable Order*, 11 FCC Rcd. at 14,893 ¶ 30.

⁹ 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”).

Southeast Asia-Japan systems and the planned Southeast Asia-Japan-2 system) connecting Singapore to other points in Asia that are well-served by systems providing onward connectivity to the United States, particularly via Japan.

- On the U.S.-Indonesia route, the Echo system will compete directly with the SEA-US system and also with a combination of systems connecting Indonesia to Singapore and (as described above) Singapore to the United States.

The Commission has previously found that facilities need not be identical in order to offer pro-competitive benefits.¹⁰ The existence of ample competing submarine cable facilities providing U.S.-Singapore, U.S.-Indonesia, and U.S.-Southeast Asia connectivity ensures that the Echo system would not function as a bottleneck facility on those routes. The Applicants' intended operation of the Echo 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.¹¹

E. Cable Ownership Information¹²

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

¹⁰ *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").

¹¹ *See Tel-Optik Ltd.*, Memorandum Opinion and Order, 100 FCC.2d 1033, 1040-41 (1985).

¹² *See* 47 C.F.R. § 1.767(a)(7).

Table 1: Voting and Participation Interests in Main Trunk Wet Infrastructure and Common Infrastructure

Party	Portion in U.S. Territory	Portion in International and Indonesian Waters	Portion in Singapore Territory
Edge USA	50.00%	0.00%	0.00%
Edge Network Services Limited (“Edge”)	0.00%	50.00%	0.00%
Edge Network Services Limited (Singapore Branch) (“Edge Singapore”)	0.00%	0.00%	50.00%
GU Holdings	50.00%	0.00%	0.00%
Google Singapore Pte. Ltd. (“GSPL”)	0.00%	50.00%	50.00%
TOTAL	100.00%	100.00%	100.00%

Table 2: Voting and Participation Interests in Wet Infrastructure and Common Infrastructure of Piti and Agat Branches¹³

Party	Portion in U.S. Territory	Portion in International Waters
Edge USA	50.00%	0.00%
Edge	0.00%	50.00%
GU Holdings	50.00%	0.00%
GSPL	0.00%	50.00%
TOTAL	100.00%	100.00%

¹³ Edge USA and its affiliates will own 8 of 12 fiber pairs landing at Piti, with GU Holdings and its affiliates owning 8 of 12 fiber pairs landing at Agat.

Table 3: Voting and Participation Interests in Wet Infrastructure and Common Infrastructure of Indonesia Branch

Party	Portion in Indonesian Territory ¹⁴
Edge Network Services Limited (Indonesia Branch) (“Edge Indonesia”)	50.00%
GSPL	50.00%
TOTAL	100.00%

Because none of the non-Applicant entities listed in Tables 1 through 3 above will use the U.S. endpoints of the Echo system, none of these entities is required by 47 C.F.R. § 1.767(h)(2) to be an applicant for the cable landing license.

In Table 4 below, the Applicants describe the Echo system’s cable landing stations.

Table 4: Cable Landing Stations

Cable Landing Station	New or Existing Facility?	Owner	Landing Party
Eureka, California	New	EdgeConnex Arcata Holdings, LLC (“EdgeConneX”) ¹⁵	Edge USA
Singapore	Existing	Telstra International Limited	Google Singapore Pte Ltd
Piti, Guam	Existing	Tata Communications (America) Inc. (“TCA”)	Edge USA
Agat, Guam	Existing	TCA	Edge USA
Tanjung Pakis, Indonesia	New	PT XL Axiata Tbk	PT XL Axiata Tbk

¹⁴ Title of the Indonesia Branch will be transferred to the Indonesia landing party, PT XL Axiata Tbk, at system acceptance, but Edge Indonesia and GSPL receiving a reciprocal right of use for the branch.

¹⁵ EdgeConneX is a U.S.-based data center operator that is not affiliated with Edge USA or Facebook, Inc.

As stated in part II below, the Applicants seek waiver of 47 C.F.R. § 1.767(h)(1), as neither EdgeConneX nor TCA will have any ability to affect significantly the operation of the Echo system.

F. Certification Regarding Service to Executive Branch Agencies¹⁶

As certified in the attached certificate of service, the Applicants have sent a complete copy of this application to the U.S. Departments of State, Commerce, and Defense.

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

The Applicants request waivers of 47 C.F.R. § 1.767(h)(1) rules so that EdgeConneX (the owner of the Eureka cable landing station) and TCA (the owner of the Piti and Agat, Guam cable landing stations) need not be joint applicants for the Echo 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.”¹⁷ As explained below, neither EdgeConneX nor TCA will have any ability to affect significantly the Echo system’s operation. Inclusion of EdgeConneX and TCA as joint applicants is not necessary to ensure compliance by the Applicants with the Cable Landing License Act, the Commission’s cable landing license rules, or

¹⁶ See *id.* § 1.767(j).

¹⁷ 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)).

the terms of any cable landing license. Grant of the waiver is therefore consistent with longstanding Commission precedent and in the public interest.¹⁸

The Applicants will contract jointly with EdgeConneX for the Eureka landing and with TCA for the Piti and Agat landings for the provision of certain limited services that would not provide either EdgeConneX or TCA with any ability to affect significantly the Echo system's operation. The Applicants will enter into long-term leases with EdgeConneX and TCA for colocation space for power feed equipment for the Eureka, Piti, and Agat cable landing stations, and it will retain operational authority over the Echo system landing facilities and provide direction to EdgeConneX and TCA in all matters relating to the Echo system. The Applicants will ensure that all IRU and lease agreements have initial terms, with extension options at the

¹⁸ 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' representations that "Tata will not be able to affect significantly the operation of HANTRU1" 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. 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 Cable 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").

sole discretion of the Applicants, for a total of 25 years each, coextensive with the term of the cable landing license.

CONCLUSION

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

Respectfully submitted,

**Edge Cable Holdings USA, LLC
(as lead applicant)**



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March 29, 2021

Attachments

LIST OF APPENDICES

Appendix A: Edge Cable Holdings USA, LLC, Information Responsive to 47 C.F.R. § 1.767(a)(1)-(a)(3), (a)(8), (a)(9), (j), and (k)

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

Appendix C: Echo Route Map

Appendix D: Eureka, California Landing Point Information

Appendix E: Piti, Guam Landing Point Information

Appendix F: Agat, Guam Landing Point Information

Appendix G: Singapore Landing Point Information

Appendix H: Tanjung Pakis, Indonesia Landing Point Information

APPENDIX A:

Edge Cable Holdings USA, LLC

Edge Cable Holdings USA, LLC (“Edge USA,” FRN 0025613159), a Delaware corporation with its principal place of business in Menlo Park, California, will (together with its affiliates) hold participation and voting interests in the Echo submarine cable system, as described in part I.E of the main narrative application. It will also contract with a third-party cable landing station owner for services pertaining to the Eureka, California and Guam landings, as described in part II of the main narrative application.

Edge USA is a wholly-owned, direct subsidiary of Facebook, Inc. (“Facebook”), a Delaware corporation with its principal place of business in Menlo Park, California. Edge USA provides connectivity exclusively to data centers and points of presence in the United States owned and operated by its affiliates. Edge USA is a cable landing licensee for the Marea and Havfrue systems,¹⁹ and is a joint applicant for a cable landing license for the Bay-to-Bay Express, JUPITER, and Pacific Light Communications Network (“PLCN”) systems.²⁰ Below, Edge USA 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 Number²¹

Edge Cable Holdings USA, LLC
1601 Willow Road
Menlo Park, California 94025-1452
+1 650 543 4800

¹⁹ File Nos. SCL-LIC-20160525-00012 (Marea), SCL-LIC-20180511-00010 (Havfrue).

²⁰ File Nos. SCL-LIC-20181125-00037 (Bay-to-Bay Express), SCL-LIC-20180711-00018 (HKA), SCL-LIC-20180517-00012 (JUPITER), and SCL-LIC-20170421-00012 (PLCN).

²¹ See 47 C.F.R. § 1.767(a)(1).

(2) Applicant’s Place of Incorporation²²

Edge USA is a Delaware limited liability company.

(3) Contact Information²³

Correspondence concerning the application should be sent to the following:

Andrew Guhr
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Counsel for Edge Cable Holdings USA, LLC

(4) Certification Regarding Ownership, Citizenship, Principal Business, and Interlocking Directorates²⁴

Edge USA certifies that it has the following 10-percent-or-greater direct or indirect interest holders, based on the most current data as of December 31, 2020:

Facebook, Inc. (“Facebook”)

Address: 1601 Willow Road, Menlo Park, California 94025

Phone: +1 650 543 4800

Place of Organization: Delaware

Principal Business: software and technology

Relationship: Facebook holds a 100-percent voting and economic interest in Edge USA.

²² See *id.* § 1.767(a)(2).

²³ See *id.* § 1.767(a)(3).

²⁴ See *id.* §§ 1.767(a)(8)(i), 63.18(h).

CZI Holdings, LLC (“CZI”)

Address: 314 Lytton Avenue, Suite 200, Palo Alto, California 94301

Phone: +1 650 804 7100

Place of Organization: Delaware

Principal Business: philanthropy

Relationship: As of December 31, 2020, as disclosed on Schedule 13G/A filed by Mark Zuckerberg with the SEC on February 12, 2021, CZI holds 354,544,317 shares of Class B common stock, which amounts to 12.44-percent of Facebook’s outstanding shares of Class A and Class B and a 51.85-percent voting interest in Facebook.

Mark Zuckerberg

Address: 314 Lytton Avenue, Suite 200, Palo Alto, California 94301

Phone: +1 650 543 4810

Citizenship: USA

Principal Business: software and technology

Relationship: Mr. Zuckerberg’s ownership information is provided as of December 31, 2020, as disclosed on Schedule 13G/A filed with the SEC on February 12, 2021. Mr. Zuckerberg’s ownership of Facebook consists of (i) 5,669,204 shares of Class B common stock held of record by Mr. Zuckerberg, Trustee of The Mark Zuckerberg Trust dated July 7, 2006 (“2006 Trust”); (ii) 3,490,606 shares of Class A common stock and 1,908,602 shares of Class B common stock held of record by Chan Zuckerberg Initiative Foundation (“CZIF”); and (iii) the interest held through CZI as noted above. Collectively such shares amount to 12.83 percent of Facebook’s outstanding shares of Class A and Class B as of December 31, 2020. The 2006 Trust is the sole member of CZI. Mr. Zuckerberg is the sole trustee of the 2006 Trust and, therefore, is deemed to have sole voting and investment power over the securities held by CZI. Mr. Zuckerberg has sole voting and investment power over the securities held by CZIF, but no pecuniary interest in these securities. As of December 31, 2020, Mr. Zuckerberg held an approximate 57.8-percent voting interest in Facebook that includes (a) a 53.0-percent voting interest for securities he has voting and investment power over; and (b) a 4.8-percent voting interest that he exercises voting control over through an irrevocable proxy, except under limited circumstances, pursuant to a voting agreement with Mr. Zuckerberg, Facebook, and such stockholders.

Facebook’s Class A common stock trades publicly on the NASDAQ Stock Market under the symbol “FB.” As there is an active market in Facebook’s Class A common stock, Facebook’s share ownership is always fluid. Moreover, Facebook 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 December 31, 2020, Facebook has no 10-percent-or-greater direct or indirect shareholders other than those disclosed above.

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

(5) Certification Regarding the Anti-Drug Abuse Act of 1988²⁵

Edge USA 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.²⁶

(6) Certification Regarding Foreign Carrier Status and Foreign Affiliations²⁷

Edge USA certifies that it:

(A) is not a foreign carrier in any foreign destination market;

(B) does not own or control a cable landing station in any foreign destination market;

(C) is not affiliated with any foreign carrier and is not affiliated with any entity owning or controlling a cable landing station in any foreign destination market (although it is affiliated with Edge Network Holdings Limited, an entity that holds non-controlling ownership interests in cable landing stations in Blaabjerg, Denmark; Old Head Beach, Leckanvy, Ireland; and Bilbao, Spain).

(7) Certification Regarding Foreign Destination Markets²⁸

Edge USA certifies to the following: (A) it is not a foreign carrier in Singapore or Indonesia, the two foreign destination markets in which the Echo system will land; (B) it does not control a foreign carrier in Singapore or Indonesia; (C) no entity owning more than 25 percent of it or controlling it controls a foreign carrier in Singapore or Indonesia; and (D) no

²⁵ See *id.* §§ 1.767(a)(8)(i), 63.18(o).

²⁶ 21 U.S.C. § 862(a). The Anti-Drug Abuse Act of 1988, Pub. L. No. 100-690, title V, § 5301, 102 Stat. 4181, 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 the Crime Control Act of 1991, Pub. L. No. 101-647, title X, § 1002(d)(1), 104 Stat. 4789, 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.

²⁷ See 47 C.F.R. § 1.767(a)(8)(ii).

²⁸ See *id.* § 1.767(a)(8)(iii).

grouping of two or more foreign carriers in Singapore or Indonesia (or parties that control foreign carriers in Singapore or Indonesia) 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 the Echo cable system in the United States.

(8) Certifications Regarding WTO Status and Affiliations with Foreign Carriers Having Market Power in Foreign Destination Markets²⁹

No response is required.

(9) Certification Regarding Routine Conditions³⁰

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

(10) Streamlining—Market Power³¹

Edge USA requests streamlined processing pursuant to 47 C.F.R. § 1.767(k)(1). Edge USA certifies that it is not a foreign carrier and is not affiliated with a foreign carrier in Singapore or Indonesia, the two foreign destination markets in which the Echo system will land.

(11) Streamlining—CZMA³²

Edge USA certifies that it is not required to submit a consistency certification to any state pursuant to Section 1456(c)(3)(A) of the Coastal Zone Management Act, codified at 16 U.S.C. § 1456(c)(3)(A). California and Guam, the only U.S. state and territory in which the Echo

²⁹ See *id.* § 1.767(a)(8)(iv).

³⁰ See *id.* § 1.767(a)(9).

³¹ See *id.* § 1.767(j), (k).

³² See *id.*

system will land, do not list, and have never proposed to list, a cable landing license as a federal activity requiring a consistency certification.³³

³³ California's Listed Federal Actions, National Oceanic and Atmospheric Administration, Office for Coastal Management, <https://coast.noaa.gov/data/czm/consistency/media/ccc.pdf>; 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 Edge USA, I certify that all the information contained in this application and Appendix A is true and correct to the best of my knowledge and belief.

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March 29, 2021

APPENDIX B

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 100 percent of the participation (*i.e.*, economic) and voting interests in the 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 systems as noted in Table 1 below.

Table 1: Cable Landing Licenses

System Name	File No.
Unity	SCL-LIC-20080516-00010
Monet	SCL-LIC-20150408-00008
FASTER	SCL-LIC-20150626-00015
Havfrue	SCL-LIC-20180511-00010
Curie	SCL-LIC-20181008-00034
Dunant	SCL-LIC-20190410-00015
JGA South	SCL-LIC-20190502-00016

GU Holdings is an applicant for a cable landing license for the PLCN system (File No. SCL-LIC-20200827-00038) and the Grace Hopper system (File No. SCL-LIC-20210225-00014).

COMPLIANCE WITH 47 C.F.R. § 1.767

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: 47 C.F.R. § 1.767(a)(1)

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

(2) Applicant’s Place of Incorporation: 47 C.F.R. § 1.767(a)(2)

GU Holdings is a Delaware corporation.

(3) Contact Information: 47 C.F.R. § 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 1100
selmer@google.com

With a copy to:

Ulises R. Pin
Brett P. Ferenchak
Morgan, Lewis & Bockius LLP
1111 Pennsylvania Avenue NW
Washington, DC 20004
+1 202 373 6000
ulises.pin@morganlewis.com
brett.ferenchak@morganlewis.com

(4) Certification Regarding Ownership, Citizenship, Principal Business, and Interlocking Directorates: 47 C.F.R. §§ 1.767(a)(8)(i), 63.18(h)

GU Holdings certifies that it has the following 10-percent-or-greater direct or indirect interest holders as noted in Table 2 below.

Table 2: Direct or Indirect Interest Holders
As of February 16, 2021

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

Google LLC	
<i>Address</i>	1600 Amphitheatre Parkway, Mountain View, CA 94043
<i>Citizenship</i>	Delaware
<i>Principal Business</i>	Technology search services and advertising
<i>Relationship</i>	Google directly holds a 97-percent voting and equity interest in Google International.
XXVI Holdings Inc. (“XXVI Holdings”)	
<i>Address</i>	1600 Amphitheatre Parkway, Mountain View, CA 94043
<i>Citizenship</i>	Delaware
<i>Principal Business</i>	Holding company
<i>Relationship</i>	XXVI Holdings holds a 100-percent voting and equity interest in Google LLC.
Alphabet Inc. (“Alphabet”)	
<i>Address</i>	1600 Amphitheatre Parkway, Mountain View, CA 94043
<i>Citizenship</i>	Delaware
<i>Principal Business</i>	Holding company
<i>Relationship</i>	Alphabet holds more than 99 percent of the voting and equity interest in XXVI Holdings.
Larry Page	
<i>Address</i>	1600 Amphitheatre Parkway, Mountain View, CA 94043
<i>Citizenship</i>	USA
<i>Principal Business</i>	Co-Founder and Director of Alphabet
<i>Relationship</i>	Mr. Page holds 43.5 percent of Alphabet’s Class B common stock, giving him a 26.28-percent voting interest in Alphabet.
Sergey Brin	
<i>Address</i>	1600 Amphitheatre Parkway, Mountain View, CA 94043
<i>Citizenship</i>	USA
<i>Principal Business</i>	Co-Founder and Director of Alphabet
<i>Relationship</i>	Mr. Brin holds 41.8 percent of Alphabet’s Class B common stock, giving him a 25.25-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 February 16, 2021, 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: 47 C.F.R. §§ 1.767(a)(8)(i), 63.18(o)

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.¹

(6) Certification Regarding Foreign Carrier Status and Foreign Affiliations: 47 C.F.R. § 1.767(a)(8)(ii)

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 3 below; and

Table 3: Affiliated Foreign Carriers

Country	Entity
Brazil	Google Infraestrutura Brasil Ltda.
Canada	Google Voice Canada Corporation
Chile	Inversiones y Servicios Dataluna Limitada
Denmark	Google Voice Ltd.
France	Google Voice Ltd.
Germany	Google Voice Ltd.
Hong Kong	Infraco (Hong Kong) Limited

¹ 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.

Ireland	Google Voice Ltd.
Italy	Google Voice Ltd.
Japan	Google Cable Japan G.K. Google Voice Inc.
Korea	Google Korea, LLC.
Netherlands	Google Voice Ltd.
Singapore	Google Singapore Pte. Ltd.
Spain	Google Voice Ltd.
Sweden	Google Voice Ltd.
Switzerland	Google Voice Ltd.
United Kingdom	Google Voice Ltd.

- (D) is affiliated with the entities owning or controlling cable landing stations in Table 4 below:

Table 4: Affiliated Entities Owning Cable Landing Stations

Entity	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: 47 C.F.R. § 1.767(a)(8)(iii)

GU Holdings certifies to the following:

- (A) GU Holdings is not a foreign carrier in Singapore or Indonesia, the only foreign destination markets in which the system will land.
- (B) GU Holdings does not control a foreign carrier in Singapore or Indonesia.
- (C) GU Holdings' ultimate parent company, Alphabet Inc., also indirectly controls a foreign carrier in Singapore, Google Singapore Pte. Ltd. This entity obtained a Facilities-Based Operations License on July 31, 2013.
- (D) No grouping of two or more foreign carriers in Singapore or Indonesia (or parties that control foreign carriers in Singapore or Indonesia) 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: 47 C.F.R. § 1.767(a)(8)(iv)

Singapore and Indonesia are members of the World Trade Organization (WTO).

(9) Certification Regarding Routine Conditions: 47 C.F.R. § 1.767(a)(9)

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: 47 C.F.R. § 1.767(j), (k)

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 Singapore or Indonesia, the only foreign destination markets in which the system will land. As noted in Table 3 above, GU Holdings is affiliated with Google Singapore Pte. Ltd., which holds less than a 50-percent market share in the international transport market of Singapore and which does not appear on the Commission's list of foreign carriers presumed to have market power in Singapore. Google Singapore Pte. Ltd. therefore poses no risk to competition on the U.S.-Singapore route.

(11) Streamlining—CZMA: 47 C.F.R. § 1.767(j), (k)

GU Holdings certifies that it is not required to submit a consistency certification to any state pursuant to Section 1456(c)(3)(A) of the Coastal Zone Management Act, codified at 16 U.S.C. § 1456(c)(3)(A). California and Guam, the only U.S. state and territory in which the Echo system will land, do not list, and have never proposed to list, a cable landing license as a federal activity requiring a consistency certification.²

² California's Listed Federal Actions, National Oceanic and Atmospheric Administration, Office for Coastal Management, <https://coast.noaa.gov/data/czm/consistency/media/ccc.pdf>; 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 application and Appendix B is true and correct to the best of my knowledge and belief.



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

Dated: March 28, 2021

APPENDIX C:

Echo Route Map



APPENDIX E:

Piti, Guam Landing Point Information



Beach manhole geographic coordinates: 13°27'54.61"N 144°41'36.70"E

Cable landing station geographic coordinates: 13°24'54.62"N, 144°41'16.52"E

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

APPENDIX F:

Agat, Guam Landing Point Information



Beach manhole geographic coordinates: 13°21'40.12"N 144°38'57.00"E

Cable landing station geographic coordinates: 13°24'54.62"N, 144°41'16.52"E

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

APPENDIX G:

Singapore Landing Point Information



Beach manhole geographic coordinates: 1°22.992'N 104°00.126'E

Cable landing station geographic coordinates: 1°20'47.8"N 103°58'14.2"E

Cable landing station street address: 1 Changi North Rise, Singapore 498817

APPENDIX H:

Tanjung Pakis, Indonesia Landing Point Information



Beach manhole geographic coordinates: 5°58.408'S107° 07.495'E

Cable landing station geographic coordinates: 5°58'24.50"S 107° 7'29.23"E

Cable landing station street address: Jl. Raya Tanjung Pakis, Desa Tanjung Pakis, Kecamatan Pakis Jaya, Kabupaten Karawang

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 Echo submarine cable system, by hand delivery or electronic mail this 29th day of March, 2021, to the following:

Douglas May
Director, Technology and Security Policy
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 Bressie', is written over a horizontal line. The signature is fluid and cursive.

Kent Bressie