

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.

In the Matter of

GLOBAL CROSSING TELECOMMUNICATIONS, INC.,

Application for Authority to Add a New
Buenaventura, Colombia, Landing and Modify
the Cable Landing License for

SOUTH AMERICAN CROSSING

File No. SCL-MOD-2015-_____

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

Global Crossing Telecommunications, Inc. (“GCTI,” FCC Registration Number 0002850519) hereby applies to modify the cable landing license for the South American Crossing submarine cable system (“SAC”) to authorize construction and operation of a segment landing in Buenaventura, Colombia (the “SAC Colombia Spur”). GCTI requests streamlined processing for this application pursuant to 47 C.F.R. § 1.767(k)(2), as GCTI is not affiliated with any foreign carrier with market power in Colombia.

SAC is a non-common carrier system connecting St. Croix, U.S. Virgin Islands, with Fortaleza, Rio de Janeiro, and Santos, Brazil; Las Toninas, Argentina; Valparaiso, Chile; Lurin, Peru; and Fort Amador, Panama. The Commission granted a cable landing license for SAC in February 2000, including a landing in Buenaventura, Colombia, and the license has been

assigned and transferred on numerous occasions since that grant.¹ The Commission previously accepted landing point notifications for all landing points other than Colombia.² SAC entered into service in 2001. Although a portion of the SAC segment to land in Colombia (known as Segment H, as reflected in the attached maps) was constructed in contemplation of a landing at Buenaventura, no Colombia landing was ever completed, and no cable station was constructed in Colombia in connection with the partial completion of Segment H. GCTI now seeks to modify the SAC cable landing license to obtain authority for construction and operation of the SAC Colombia Spur consistent with the Commission's current cable landing license rules. Because of changes to Segment H (including ownership of particular facilities and the segment's capacity), GCTI has filed an application to modify the license, rather than a landing point notification.

¹ See *SAC Landing Corp.*, Cable Landing License, FCC File No. SCL-LIC-19990823-00015, 15 FCC Rcd. 3039 (Int'l Bur 2000) ("*SAC Cable Landing License*"); *Actions Taken Under Cable Landing License Act*, Public Notice, FCC File No. SCL-ASG-20090917-00032, 24 FCC Rcd. 12,423 (2009) (accepting notification of *pro forma* assignment of cable landing license from Global Crossing Latin America & Caribbean Co. f/k/a SAC Landing Corp. to GCTI); *Actions Taken Under Cable Landing License Act*, Public Notice, FCC File No. SCL-ASG-20100419-00020, 25 FCC Rcd. 13,367 (2010) (accepting notification of *pro forma* assignment of cable landing license from GCTI to GT Landing II); *Applications filed by Global Crossing Limited and Level 3 Communications, Inc. for Consent to Transfer Control*, Memorandum Opinion and Order and Declaratory Ruling, 26 FCC Rcd. 14,056 (Wireline Comp. and Int'l Burs. 2011) ("*Level 3-GCL Order*") (granting consent for transfer of control of SAC cable landing license and other authorizations to Level 3 Communications, Inc.); *Actions Taken Under the Cable Landing License Act*, Public Notice, FCC File No. SCL-ASG-20130809-00007, 28 FCC Rcd. 12,969, 12,970 (Int'l Bur. 2013) (accepting notification of *pro forma* assignment of cable landing license from GT Landing II Corp. to GCTI); *Actions Taken Under the Cable Landing License Act*, Public Notice, SCL-T/C-20131202-00016, 28 FCC Rcd. 16,888 (Int'l Bur. 2013) (accepting notification of *pro forma* transfer of control of GCTI from Level 3 GC Limited to Level 3 Financing, Inc.).

² *Non-Streamlined International Applications Accepted for Filing*, Public Notice, FCC File No. SCL-LPN-20000218-00009, Report No. TEL-00210NS (rel. Mar. 31, 2000) (accepting landing point notification for St. Croix, Argentina, Brazil, Chile, and Panama); *Non-Streamlined International Applications Accepted for Filing*, Public Notice, FCC File No. SCL-LPN-20010208-00006, Report No. TEL-00355NS (rel. Feb. 21, 2001) (accepting landing point notification for Peru).

In part I of this application, GCTI provides the information required by 47 C.F.R. § 1.767. In part II, GCTI requests streamlined processing for this application. In part III, GCTI requests that the Commission include in the grant of modified authority a condition requiring continued compliance by GCTI with the September 26, 2011, network security agreement (the “Level 3 NSA”) by and between Level 3 Communications, Inc. (“Level 3 Parent”), and U.S. Departments of Defense, Homeland Security, and Justice (collectively, “Team Telecom”).

II. COMPLIANCE WITH 47 C.F.R. § 1.767

In accordance with 47 C.F.R. § 1.767 and Executive Order No. 10,530, GCTI submits the following information:

(1) Applicant’s Name, Address and Telephone Number³

The name, address, and telephone number of the applicant are:

Global Crossing Telecommunications, Inc.
225 Kenneth Drive, Rochester
New York 14623-4277
+1 585 255 1100 tel

(2) Applicant’s Incorporation⁴

GCTI is a Michigan corporation.

(3) Contact Information⁵

The Commission should address correspondence regarding this application to:

³ See 47 C.F.R. § 1.767(a)(1).

⁴ See *id.* § 1.767(a)(2).

⁵ See *id.* § 1.767(a)(3).

with a copy to:

Joseph Cavender
Vice President, Federal Affairs
LEVEL 3 COMMUNICATIONS, LLC
1220 L Street, N.W., Suite 660
Washington, D.C. 20005
+1 571 730 6533 tel
joseph.cavender@level3.com

with a copy to:

Kent Bressie
HARRIS, WILTSHIRE & GRANNIS LLP
1919 M Street, N.W., Suite 800
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kbressie@hwglaw.com

*Counsel for Global Crossing
Telecommunications, Inc.*

(4) System Description⁶

The SAC Colombia Spur will connect the existing Segment H cable stub on SAC with a new cable station in Buenaventura, Colombia, and include 24 kilometers of new submarine cable between the stubbed end of Segment H and the cable station. The SAC Colombia spur will have a design capacity of 4.5 Terabits and an initial capacity of 400 Gbps. GCTI anticipates that Segment H will enter into commercial service in the second quarter of 2015. The other segments of SAC have not changed since the filing of the initial cable landing license application and the landing point notifications for countries other than Colombia.

(5) Landing Points⁷

In the attached maps, GCTI provides specific location information for the beach manhole and the cable station at Punta Bazan in Buenaventura.

(6) Regulatory Status⁸

With the inclusion of the SAC Colombia Spur, SAC will continue to operate on a non-common-carrier basis. The underlying facts supporting SAC's non-common-carrier status have

⁶ See *id.* § 1.767(a)(4).

⁷ See *id.* § 1.767(a)(5).

⁸ See *id.* § 1.767(a)(6).

not changed since the Commission first licensed SAC in 2000.⁹

(7) **Cable Ownership Information**¹⁰

Level 3 Colombia will own the new cable station in Buenaventura and Segment H extending from Buenaventura to a branching unit off the Colombian coast. GCTI will continue to own the cable station in St. Croix and the portion of SAC extending from St. Croix to a point one-half mile beyond the limit of the U.S. territorial sea. The remaining portions of SAC in international waters or in the territorial seas of Argentina, Brazil, Panama, and Peru will continue to be owned by other wholly-owned, indirect subsidiaries of Level 3 Parent. Global Crossing International Networks Ltd. will own those portions of SAC in international waters while GC SAC Argentina S.R.L., Level 3 Comunicações do Brasil Ltda, Level 3 Panama, Inc., and Level 3 Peru S.A. will own the respective territorial-sea portions of SAC (*i.e.*, 12 nautical miles or less) for Argentina, Brazil, Panama, and Peru.

(8) **Corporate Control and Affiliate Information**¹¹

GCTI submits the following information specified in 47 C.F.R. §§ 63.18(h) through (k) and 63.18(o):

(i) **Certification Regarding Ownership, Citizenship, Principal Businesses, and Interlocking Directorates**¹²

By the signature below, GCTI certifies that it has the following 10-percent-or-greater direct or indirect shareholders:

⁹ *SAC Cable Landing License*, 15 FCC Rcd. at 3043-45.

¹⁰ *See* 47 C.F.R. § 1.767(a)(7).

¹¹ *See id.* § 1.767(a)(8).

¹² *See id.* § 63.18(h).

Global Crossing North America, Inc. (“GCNA”)

Address: 225 Kenneth Drive, Rochester, New York 14623-4277

Citizenship: New York, USA

Principal Business: telecommunications

Relationship: 100 percent owner of GCTI

Global Crossing North American Holdings, Inc. (“GCNAH”)

Address: 225 Kenneth Drive, Rochester, New York 14623-4277

Citizenship: Delaware, USA

Principal Business: holding company

Relationship: 100 percent owner of GCNA

Level 3 Communications, LLC (“Level 3 LLC”)

Address: 1025 Eldorado Blvd., Broomfield, Colorado 80021

Citizenship: Delaware, USA

Principal Business: telecommunications

Relationship: owns 100 percent of GCNAH

Level 3 Financing, Inc. (“Level 3 Financing”)

Address: 1025 Eldorado Blvd., Broomfield, Colorado 80021

Citizenship: Delaware, USA

Principal Business: holding company

Relationship: owns 100 percent of Level 3 LLC

Level 3 Communications, Inc. (“Level 3 Parent”)

Address: 1025 Eldorado Blvd., Broomfield, Colorado 80021

Citizenship: Delaware, USA

Principal Business: telecommunications

Relationship: Level 3 Parent owns 100 percent of Level 3 Financing.

Southeastern Asset Management, Inc. (“SAM”)

Address: 6410 Poplar Avenue, Suite 900, Memphis, Tennessee 38119

Citizenship: Tennessee, USA

Principal Business: investment advisory services

Relationship/Interest: Post-consummation, SAM will hold sole or shared voting rights for approximately 16.5 percent of outstanding shares of Level 3 Parent that are otherwise owned by other entities for whom SAM acts as an investment advisor. None of SAM’s owners holds a ten-percent-or-greater direct or indirect interest in Level 3 Parent.

STT Crossing Ltd (“STT Crossing”)

Address: Les Cascades Building, Edith Cavell Street, Port Louis, Mauritius

Citizenship: Mauritius

Principal Business: holding company

Relationship: Post consummation, STT Crossing will own approximately 16.3 percent of Level 3 Parent.

STT Communications Ltd (“STT Communications”)

Address: 1 Temasek Avenue, #33-01 Millenia Tower, Singapore 039192

Citizenship: Singapore

Principal Business: information communications

Relationship: STT Communications owns 100 percent of STT Crossing.

Singapore Technologies Telemedia Pte Ltd (“ST Telemedia”)

Address: 1 Temasek Avenue, #33-01 Millenia Tower, Singapore 039192

Citizenship: Singapore

Principal Business: investment holding company

Relationship: ST Telemedia owns 100 percent of STT Communications.

Temasek Holdings (Private) Limited (“Temasek”)

Address: 60B Orchard Road #06-18, The Atrium@Orchard, Singapore 238891

Citizenship: Singapore

Principal Business: investment holding company

Relationship: Temasek owns 100 percent of ST Telemedia.

Temasek is wholly owned by the Government of Singapore through the Minister for Finance.

GCTI has the following interlocking directorates with foreign carriers:

- Dan Dolan, who is Vice President of GCTI, is also Vice President of Global Crossing Telecommunications Canada Ltd.
- Neil Eckstein, who is Senior Vice President, Assistant General Counsel, and Assistant Secretary of GCTI, is also Assistant General Counsel and Assistant Secretary of Level 3 Communications Canada Co. and Senior Vice President, Assistant General Counsel, and Assistant Secretary of each of Level 3 Communications Australia Pty. Limited, Level 3 Communications Hong Kong Limited, and Level 3 Communications Singapore Pte. Ltd.

- Samantha Leapley Trimble, who is Vice President of GCTI, is also Vice President of Global Crossing Telecommunications Canada Ltd.
- Lon Licata, who is Senior Vice President of GCTI, is also Senior Vice President and General Counsel of each of Level 3 Communications Australia Pty. Limited, Level 3 Communications Canada Co., Level 3 Communications Hong Kong Limited, and Level 3 Communications Singapore Pte. Ltd.
- Rafael Martinez Chapman, who is Senior Vice President and Treasurer of GCTI, is also Vice President and Assistant Treasurer of each of Global Crossing Telecommunications Canada Ltd. and Level 3 Communications Canada Co. and Vice President and Treasurer of each of Level 3 Communications Australia Pty. Limited, Level 3 Communications Hong Kong Limited, and Level 3 Communications Singapore Pte. Ltd.
- John McCarthy, who is Vice President of GCTI, is also Chairman of Level 3 Communications Italia S.R.L., General Counsel of Level 3 Communications (Austria) Limited, and Director of each of Level 3 Komunikacijske Usluge d.o.o. (Croatia), Level 3 Communications s.r.o. (Czech Republic), Level 3 Communications Estonia OÜ, Level 3 Communications Oy (Finland), Level 3 Communications Távközlési Kft. (Hungary), Level 3 Communications, B.V. (Netherlands), OOO “Level 3 Communications” (Russia), Level 3 Communications RS d.o.o. (Serbia), Level 3 Communications spol. s.r.o. (Slovakia), Level 3 Communications South Africa (Pty) Limited, Level 3 Communications AB (Sweden), and Level 3 Communications Limited (UK).
- Michael Mooney, who is Senior Vice President of GCTI, is also Vice President of Global Crossing Telecommunications Canada Ltd. and Senior Vice President of each of Level 3

Communications Canada Co., Level 3 Communications Australia Pty. Limited, Level 3 Communications Hong Kong Limited, and Level 3 Communications Singapore Pte. Ltd.

- Eric Mortenson, who is Senior Vice President and Controller of GCTI, is also Senior Vice President and Chief Financial Officer of each of Global Crossing Telecommunications Canada Ltd. and Level 3 Communications Canada Co. and Senior Vice President and Controller of each of Level 3 Communications Australia Pty. Limited, Level 3 Communications Hong Kong Limited, and Level 3 Communications Singapore Pte. Ltd.
- Ric Padilla, who is Senior Vice President – Procurement of GCTI, is also Senior Vice President of Level 3 Communications Canada Co.
- Sunit Patel, who is Executive Vice President and Chief Financial Officer of GCTI, is also Executive Vice President of each of Global Crossing Telecommunications Canada Ltd. and Level 3 Communications Canada Co. and Executive Vice President and Chief Financial Officer of each of Level 3 Communications Australia Pty. Limited, Level 3 Communications Hong Kong Limited, and Level 3 Communications Singapore Pte. Ltd.
- Jason Reed, who is Vice President of GCTI, is also Vice President of each of Global Crossing Telecommunications Canada Ltd., Level 3 Communications Canada Co., Level 3 Communications Australia Pty. Limited, Level 3 Communications Hong Kong Limited, and Level 3 Communications Singapore Pte. Ltd.
- Douglas Richards, who is Senior Vice President of GCTI, is also Senior Vice President of each of Global Crossing Telecommunications Canada Ltd. and Level 3 Communications Canada Co. and Senior Vice President – Tax of each of Level 3 Communications

Australia Pty. Limited, Level 3 Communications Hong Kong Limited, and Level 3 Communications Singapore Pte. Ltd.

- John Ryan, who is Executive Vice President, Chief Legal Officer, Secretary, and Director of GCTI, is also Executive Vice President, Chief Legal Officer and Secretary of Global Crossing Telecommunications Canada Ltd., Director of Level 3 Communications Japan KK, Director and President of Level 3 Communications Canada Co., and Executive Vice President, Chief Legal Officer, Secretary, and Director of each of Level 3 Communications Australia Pty Ltd., Level 3 Communications Hong Kong Limited, and Level 3 Communications Singapore Pte. Ltd.
- Dwight Steiner, who is Vice President of GCTI, is also Vice President of Global Crossing Telecommunications Canada Ltd.
- Jeff Storey, who is President and Director of GCTI, is also President of Global Crossing Telecommunications Canada Ltd., Director of Level 3 Communications Japan KK, and President and Director of each of Level 3 Communications Australia Pty Ltd., Level 3 Communications Hong Kong Limited, and Level 3 Communications Singapore Pte. Ltd.

(ii) **Certification Regarding Foreign Carrier Status and Foreign Affiliation**¹³

By the signature below, GCTI certifies that it is not a foreign carrier and is affiliated with the foreign carriers listed in Table 1:

¹³ See *id.* §§ 1.767(a)(8), 63.18(i).

Table 1: GCTI Foreign Affiliates

Destination Country	Foreign Affiliate(s)
Argentina	GC SAC Argentina S.R.L.
	Level 3 Argentina S.A.
Australia	Level 3 Communications Australia Pty. Limited
Austria	Vienna branch office of Level 3 Communications (Austria) Limited
	Level 3 Communications PEC GmbH
Belgium	Level 3 Communications S.A.
	Level 3 Communications PEC België b.v.b.a.
Brazil	Level 3 Comunicacoes Brasil Ltda.
Bulgaria	Level 3 Communications EOOD
Canada	Level 3 Communications Canada Co.
	Global Crossing Telecommunications Canada Ltd.
Chile	Level 3 Chile S.A.
Colombia	Level 3 Colombia S.A.
Costa Rica	Level Three Costa Rica, SRL
Croatia	Level 3 Komunikacijske Usluge d.o.o.
Czech Republic	Level 3 Communications s.r.o.
	Level 3 PEC Czech s.r.o.
Denmark	Hellerup branch office of Level 3 Communications (Denmark) Limited
	Global Crossing PEC Danmark ApS
Ecuador	Level 3 Ecuador LVLT S.A.
Estonia	Level 3 Communications Estonia OÜ
Finland	Level 3 Communications Oy
France	Level 3 Communications S.A.S.
Germany	Level 3 Communications GmbH
Hong Kong	Level 3 Communications Hong Kong Limited
Hungary	Level 3 Communications Távközlési Kft.
Ireland	Level 3 Communications Limited
	Level 3 Communications (Ireland) Limited
	Level 3 Communications PEC Ireland Limited
Italy	Level 3 Communications Italia s.r.l.
Japan	Level 3 Communications Japan K.K.
Luxembourg	Level 3 Communications S.a.r.l.
Mexico	Level 3 Mexico, S. de R.L. de C.V.
	Level 3 Mexico Landing, S. de R.L.
The Netherlands	Level 3 Communications B.V.
	Level 3 Communications PEC Nederland B.V.
Norway	Level 3 Communications Norway AS
	Global Crossing PEC Norge AS
Panama	Level 3 Panama Inc.

Destination Country	Foreign Affiliate(s)
	PAC Panama Ltd. (Bermuda) (Panama Branch)
	SAC Panamá S.A.
Peru	Level 3 Peru S.A.
	SAC Peru S.R.L.
	Telecom Infrastructure Hardware S.R.L.
Poland	Warsaw branch office of Level 3 Communications GmbH
	Level 3 Communications Sp. z.o.o.
Romania	Level 3 Communications S.R.L.
Russia	OOO "Level 3 Communications"
Serbia	Level 3 Communications RS d.o.o.
Singapore	Level 3 Communications Singapore Pte. Ltd.
Slovakia	Level 3 Communications spol. s.r.o.
Slovenia	Level 3 telekomunikacijske storitve d.o.o.
South Africa	Level 3 Communications South Africa (Pty) Limited
Spain	Level 3 Communications España S.A.
Sweden	Level 3 Communications AB
Switzerland	Level 3 Communications AG
	Level 3 Communications Switzerland AG
Turkey	Level 3 Communications Telekomünikasyon Hizmetleri Limited Şirketi
United Kingdom	Level 3 Communications Limited
	Level 3 Communications UK Limited
	Level 3 Communications (Servecast) Limited
	GC Pan European Crossing UK Ltd.
Ukraine	Level 3 Communications PEC Ukraine LLC
Uruguay	GC SAC Argentina S.R.L. (Uruguay Branch)
Venezuela	Level 3 Venezuela S.A.

(iii) **Certification Regarding Destination Markets**¹⁴

By the signature below, GCTI certifies to the following: (1) it is not a foreign carrier; (2) it does not control a foreign carrier in any other country; (3) an entity controlling it also controls a foreign carrier in Colombia, the sole new foreign destination market for SAC; and (4) no grouping of two or more foreign carriers (or parties that control foreign carriers) own, in aggregate, more than 25 percent of it and are parties to, or beneficiaries of, a contractual relation

¹⁴ See *id.* §§ 1.767(a)(8), 63.18(j).

affecting the provision or marketing of international basic telecommunications services in the United States.

(iv) **Certification Regarding WTO Status, Market Power, and the Effective Competitive Opportunities Test**¹⁵

By its signature below, GCTI certifies that Colombia, the sole country identified above in response to 47 C.F.R. §§ 1.767(a)(8) and 63.18(j), is a member of the World Trade Organization.¹⁶

(v) **Certification Regarding the Anti-Drug Abuse Act of 1988**¹⁷

By the signature below, GCTI certifies that no party to this application is subject to a denial of federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988.

(9) **Certification Regarding Routine Conditions**¹⁸

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

(10) **Certification Regarding Service to Executive Branch Agencies**¹⁹

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

¹⁵ See *id.* §§ 1.767(a)(8), 63.18(k).

¹⁶ See World Trade Organization, Members and Observers (as of June 26, 2014), www.wto.org/english/thewto_e/whatis_e/tif_e/org6_e.htm.

¹⁷ See 47 C.F.R. §§ 1.767(a)(8), 63.18(o).

¹⁸ See *id.* §§ 1.767(a)(9), (g).

¹⁹ See *id.* § 1.767(j).

II. REQUEST FOR STREAMLINED PROCESSING

GCTI requests streamlined processing pursuant to 47 C.F.R. § 1.767(k)(2), as the application raises no competition or public interest concerns that would merit consideration outside the Commission’s streamlined review process. In Colombia, the sole new foreign destination market for SAC, Level 3 Colombia S.A. (“Level 3 Colombia”) competes with larger participants in Colombia’s fixed-line market, including America Movil, ETB, Telefonica Colombia, and UNE-EPM. Level 3 Colombia has less than ten-percent market share in Colombia’s international transport and local access markets. Level 3 Colombia does not appear on the Commission’s list of foreign telecommunications carriers presumed to possess market power in foreign telecommunications markets.²⁰ In the exhaustive study of Colombia’s telecommunications market conducted by the Organization for Economic Cooperation and Development, Level 3 Colombia is not even among the significant participants in Colombia’s fixed-line markets.²¹ Level 3 Colombia therefore poses no risk to competition on the U.S.-Colombia route and qualifies for presumptive non-dominant treatment pursuant to 47 C.F.R. §§ 63.10(a)(3) and 63.12(c)(ii).

By the signature below, GCTI 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, 16 U.S.C. § 1456. The U.S. Virgin Islands, the sole U.S. state or territory in which SAC lands, does not list, and has never proposed to list, a cable landing license as a

²⁰ 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).

²¹ See OECD Review of Telecommunications Policy and Regulation in Colombia (April 2014), <http://www.oecd.org/internet/colombia-telecom-review.htm>.

federal activity requiring a consistency certification.²² Moreover, the extension of SAC to Colombia will not involve any new construction within or affecting the USVI territorial sea.

III. TEAM TELECOM CONDITION

Consistent with Section 5.2 of the Level 3 NSA,²³ GCTI requests that the Commission condition its modification of the SAC cable landing license on continuing compliance by GCTI (as a Level 3 Parent subsidiary) with the following condition:

IT IS FURTHER ORDERED that, pursuant to sections 4(i)–(j), 214, 309, and 310(b) and (d) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i)–(j), 214, 309, 310(b), 310(d), that grant of the application and modification of the cable landing license IS CONDITIONED UPON compliance by the Applicant and its direct and indirect parents with the provisions of the Agreement between the Department of Justice, and the Federal Bureau of Investigation, the Department of Defense, and the Department of Homeland Security, dated September 26, 2011, which is publicly available on the Commission’s website.

The same condition already exists in the 2011 consent to Level 3 Parent’s acquisition of Global Crossing Ltd.²⁴

²² See National Oceanic and Atmospheric Administration, Coastal Zone Management Program, USVI Listed Federal Actions, <http://coast.noaa.gov/czm/consistency/media/usvi.pdf>.

²³ See Level 3 NSA § 5.2 (stating that “Level 3 agrees that in any application or petition to the FCC for licensing or other authority related to Domestic Communications Infrastructure or to any Cable System filed with or granted by the FCC after the execution of this Agreement, except with respect to *pro forma* assignments or *pro forma* transfers of control, Level 3 shall request that the FCC condition the grant of such licensing or other authority on compliance with the terms of this Agreement.”).

²⁴ *Level 3-GCL Order*, 26 FCC Rcd. at 14,081 ¶ 68.

CONCLUSION

For the foregoing reasons, the Commission should expeditiously grant this application pursuant to streamlined processing.

Respectfully submitted,

GLOBAL CROSSING TELECOMMUNICATIONS, INC.



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*Counsel for Global Crossing
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28 January 2015

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Senior Vice President
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Broomfield, CO 80021
+1 720 888 2538 tel

Attachments

CERTIFICATE OF SERVICE

I, Kent D. Bressie, hereby certify that consistent with 47 C.F.R. § 1.767(j), I have served copies of the foregoing application by hand- or overnight delivery on this 29th day of January 2015, to the following:

Ambassador Daniel Sepulveda
U.S. Coordinator and Deputy Assistant Secretary of State
Int'l Communications & Information Policy
Bureau of Economic and Business Affairs
U.S. DEPARTMENT OF STATE
EB/CIP : Room 4826
2201 C Street, N.W.
Washington, D.C. 20520-5818

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

Robert Gorman
General Counsel
DEFENSE INFORMATION SYSTEMS AGENCY
6910 Cooper Avenue
Fort Meade, Maryland 20755

A handwritten signature in black ink, appearing to read "Kent D. Bressie", is written over a horizontal line. The signature is fluid and cursive.

Kent D. Bressie