

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C.

*In the Matter of*

TELXIUS CABLE USA, INC., AND  
TELXIUS CABLE PUERTO RICO, INC.,  
*Licensees,*

Application to Modify the Cable Landing  
License for

THE SOUTH AMERICA-1 (“SAM-1”) SYSTEM

File Nos. SCL-MOD-2018-\_\_\_\_\_  
SCL-MOD-20061207-00012  
SCL-LIC-20000204-00003

**CABLE LANDING LICENSE MODIFICATION—  
REQUESTS TO ADD *PRO FORMA* CONDITION AND  
TO MODIFY “NO EXCLUSIVE ARRANGEMENTS” CONDITION**

Pursuant to procedures established to implement the Commission’s 2002 changes to its cable landing license rules,<sup>1</sup> Telxius Cable USA, Inc., and Telxius Cable Puerto Rico, Inc. (together, “Licensees”) hereby apply to modify the cable landing license for the South America-1 (“SAM-1”) submarine cable system, a non-common carrier submarine cable system connecting Florida, Puerto Rico, Argentina, Brazil, Chile, Colombia, Ecuador, Guatemala, and Peru. *First*, the Licensees request that the Commission modify the SAM-1 cable landing license to add a condition allowing for post-consummation notification of *pro forma* transactions. *Second*, the Licensees request that the Commission modify the SAM-1 cable landing license to modify the “no exclusive arrangements” condition and substitute it for a “no special concessions” condition.

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<sup>1</sup> See *New Submarine Cable Landing License Rules Scheduled to Take Effect March 15*, Public Notice, 17 FCC Rcd. 4597 (2002) (“2002 Rules Notice”); *Review of Commission Consideration of Applications Under the Cable Landing License Act*, Report & Order, 16 FCC Rcd. 22,167 (2001) (“*Submarine Cable Streamlining Order*”).

The Commission granted a cable landing license for SAM-1 on August 10, 2000.<sup>2</sup> The Commission subsequently modified that cable landing license to authorize the extension of SAM-1 to Colombia.<sup>3</sup> SAM-1 entered into commercial service on March 26, 2001.

#### **I. ADDITION OF THE *PRO FORMA* CONDITION**

The Licensees request that the Commission modify the SAM-1 cable landing license to add a condition allowing for post-consummation notification of *pro forma* transactions.<sup>4</sup> 47 C.F.R. § 1.767(g)(7) sets forth the new *pro forma* condition. By the signature below, the Licensees certify that they accept and will abide by the *pro forma* condition.<sup>5</sup>

#### **II. MODIFICATION OF THE “NO EXCLUSIVE ARRANGEMENTS” CONDITION**

The Licensees request that the Commission modify the SAM-1 cable landing license to modify the “no exclusive arrangements” condition and substitute it for a “no special concessions” condition.<sup>6</sup> 47 C.F.R. § 1.767(g)(5) sets forth the new “no special concessions” condition. By the signature below, the Licensees certify that they accept and will abide by this “no special concessions” condition.<sup>7</sup>

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<sup>2</sup> *Telefónica SAM USA, Inc. and Telefónica SAM de Puerto Rico, Inc.*, Cable Landing License, 15 FCC Rcd. 14,915 (Int’l Bur. 2000) (“*SAM-1 Cable Landing License*”).

<sup>3</sup> *Actions Taken Under Cable Landing License Act*, Public Notice, 22 FCC Rcd. 6630 (Int’l Bur. 2007).

<sup>4</sup> *See 2002 Rules Notice*, 17 FCC Rcd. at 4598-4599; *Submarine Cable Streamlining Order*, 16 FCC Rcd. at 22,200, ¶ 63.

<sup>5</sup> *See 2002 Rules Notice*, 17 FCC Rcd. at 4598.

<sup>6</sup> *See id.* at 4599-4600; *Submarine Cable Streamlining Order*, 16 FCC Rcd. at 22,184, ¶ 33.

<sup>7</sup> *See 2002 Rules Notice*, 17 FCC Rcd. at 4599-4600.

**CONCLUSION**

For the foregoing reasons, the Licensees request that the Commission expeditiously grant this application to modify the SAM-1 cable landing license.

Respectfully submitted,

**TELXIUS CABLE USA, INC.**  
**TELXIUS CABLE PUERTO RICO, INC.**



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June 25, 2018

## 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 to modify the SAM-1 cable landing license, by hand delivery or electronic mail this 25th day of June, 2018 to the following:

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