

Attachment A

AT&T Mobility Puerto Rico Inc. (“AMPR”) hereby seeks Commission approval to modify the submarine cable landing license for the Americas-II cable system, File No. SCL-LIC-19980429-00019 (the “License”),¹ to relinquish its interest in this license pursuant to Section 1.767(m)(2) of the Commission’s rules.² AMPR is one of nine co-licensees for Americas-II; AMPR’s affiliate AT&T Corp. is another of the nine.³ (Both AMPR and AT&T Corp. are wholly owned subsidiaries of AT&T Inc.)

AMPR, as the successor to Centennial Puerto Rico License Corp.,⁴ held two percent voting and ownership interests in Americas-II. It does not own or control any U.S. cable landing stations. Under today’s rules, with less than a five percent interest in the cable and neither ownership nor control of a landing station, AMPR does not need to be listed on the license as a co-licensee.⁵

On October 4, 2013, AMPR conveyed its rights and obligations under the Americas-II Cable System Construction and Maintenance Agreement (“C&MA”) to AT&T Corp. AT&T Corp. already was a party to the C&MA, a co-licensee of the License, and the owner of one of the cable system’s U.S. landing stations. Having conveyed its rights and obligations to a commonly controlled affiliate, AMPR had no business need to relinquish its share of the License. Now, however, AT&T Inc. has agreed to sell AMPR to Liberty Latin America Ltd.⁶ As AMPR no longer will be affiliated with AT&T Corp. once that transaction closes, AMPR has decided the time is ripe to relinquish its interest in the License and is filing this application.⁷

This modification application satisfies the twin tests for approval set forth in Section 1.767(m)(2). First, as described above, AMPR is not required to be a licensee under Section

¹ The License also is associated with File No. SCL-LIC-19980101-00036.

² 47 C.F.R. § 1.767(m)(2).

³ *FY 2016 Regulatory Fees: Listing of Submarine Cable System Owners*, Public Notice tbl. at 3 (rel. Sept. 7, 2016).

⁴ *See Actions Taken Under Cable Landing License Act: Section 1.767(a) Cable Landing Licenses, Modifications, and Assignments or Transfers of Control of Interests in Cable Landing Licenses* (47 C.F.R. § 1.767(a)), Public Notice, 26 FCC Rcd. 10218, 10219 (Policy Div., IB 2011) (granting File No. SCL-ASG-20110131-00005). AT&T acquired Centennial Puerto Rico License Corp. as part of its 2009 merger with Centennial Communications Corp. *See generally Applications of AT&T Inc. and Centennial Communications Corp. for Consent To Transfer Control of Licenses, Authorizations and Spectrum Leasing Arrangements*, Memorandum Opinion and Order, 24 FCC Rcd. 13915 (2009).

⁵ 47 C.F.R. § 1.767(h); *see Review of Commission Consideration of Applications Under the Cable Landing License Act*, Report and Order, 16 FCC Rcd. 22167, 22194-98 ¶¶ 53-59 (2001).

⁶ *See Press Release, AT&T Inc., AT&T To Sell Its Operations in Puerto Rico and the U.S. Virgin Islands to Liberty Latin America*, Oct. 9, 2019, https://about.att.com/story/2019/att_liberty_latin_america.html; File Nos. ITC-T/C-20191107-00178, ITC-T/C-20191107-00179.

⁷ In a separate filing, AMPR also is surrendering its international Section 214 authorization to operate over the Americas-II cable system, File No. ITC-214-19980430-00923.

1.767(h). Second, because AMPR conveyed its rights and obligations under the C&MA to a commonly controlled affiliate, AT&T Corp., there was no change in the remaining licensees' collective ability to exercise *de jure* and *de facto* control of the U.S. portion of the Americas-II cable system and comply with the requirements of the Commission's rules and any specific conditions of the License. Accordingly, the Commission should grant this application to modify the License and remove AMPR as a co-licensee.

CERTIFICATE OF SERVICE

I, Vernon Ross, hereby certify that on December 2, 2019, I caused true and correct copies of the foregoing to be served by first-class mail, postage prepaid upon the following:

- IMPSAT USA, Inc.
ATTN: Randy Clarke, VP, Federal Regulatory Affairs
CenturyLink, Inc.
1099 New York Ave NW, Ste. 250
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- MCI International, Inc.
ATTN: Patrick Merrick
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- Primus Telecommunications, Inc., Debtor-in-Possession
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- Telefonica Larga Distancia de Puerto Rico, Inc.
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Sincerely,

/s/ Vernon Ross
Vernon Ross
Arnold & Porter Kaye Scholer LLP