

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
MFS CableCo US, Inc.)	
)	File No. SCL-STA-20081209-00020
and)	
)	
Cedar Cable Ltd.)	
)	
Application for a Cable Landing License)	
for the CB-1 Cable System)	

**PETITION TO ADOPT CONDITIONS TO
SPECIAL TEMPORARY AUTHORITY**

The Department of Homeland Security (“DHS”) and the Department of Justice (“DOJ”), on behalf of the Federal Bureau of Investigation, (collectively, the “Agencies”), submit this Petition to Adopt Conditions to Special Temporary Authority to advise the Federal Communications Commission (“Commission”) that the Agencies do not object to the pending application for Special Temporary Authority (“STA”) submitted to the Commission by MFS CableCo US, Inc. and Cedar Cable Ltd., (collectively, the “Applicants”), provided that the Commission condition its grant of said authority upon execution by the Applicants of a certain network security agreement (the “Agreement”) with DHS within sixty days of the date of authorization, and that the grant does not prejudice the Agencies’ ability to petition the Commission to adopt conditions to the grant of the Underlying Application.¹

The Commission has long recognized that law enforcement, national security, and public safety concerns are part of its public interest analysis, and has accorded deference to the views of other U.S. government agencies with expertise in those areas. *See In the Matter of Comsat Corporation d/b/a Comsat Mobile Communications, etc.*, 16 FCC Rcd. 21,661, 21707 ¶ 94 (2001).

¹ Commission File No. SCL-LIC-20080603-00011.

After discussions with representatives of the Applicants in connection with the above-referenced proceeding and the Underlying Application, the Agencies have concluded that additional commitments to be set forth in the Agreement will help ensure that the Agencies and other entities with responsibility for enforcing the law, protecting the national security, and preserving public safety can proceed appropriately to satisfy those responsibilities. Presently, the Agreement is being finalized and is nearly ready for execution. Because the Applicants have been cooperative in negotiating the terms of the Agreement and in responding to requests for information, the Agencies are confident that the Agreement will be executed within the next calendar month. Furthermore, an existing March 3, 2008 agreement² between DHS and Verizon Business Global LLC relating to the Gemini Bermuda Cable System already governs certain shared facilities and other matters common to the CB-1 Cable System, and this fact is an important element in the Agencies' conclusion that a conditional STA may be appropriate under the circumstances.

Accordingly, the Agencies do not object to the Commission's grant of the STA, provided that it is conditioned upon execution of the Agreement by applicants, and that the STA is limited to a period of sixty days from the date of authorization for the purpose of fulfilling this condition.

Respectfully submitted,

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² Petition to Adopt Conditions to Authorizations and Licenses, Commission File No. SCL-LIC-20070925-00017.