

May 24, 2011

VIA IBFS

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

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Re: GT Landing II Corp.; Request for Special Temporary Authority Relating to a Modification to the Pan American Crossing (“PAC”) Submarine Cable Landing License

Dear Ms. Dortch:

GT Landing II Corp. (“GT Landing II”) respectfully requests special temporary authority (“STA”) to operate an extension to the Pan American Crossing (“PAC”) submarine cable system, pending a ruling on its application to modify the license for the PAC system to add that extension (File No. SCL-MOD-20110524-00020).

The underlying facts are set forth in greater detail in GT Landing II’s pending modification application. In brief, in an order dated March 18, 1999, the Commission granted GT Landing II’s predecessor-in-interest, PAC Landing Corp., authority to land and operate the PAC system on a non-common carrier basis.¹ The PAC system is a private, non-common carrier, fiber-optic submarine cable system. It is part of an integrated, global network of non-common carrier undersea cables deployed to support a “carrier’s carrier” business, leading to increased facilities-based competition and the development of a robust infrastructure with increased capacity.²

¹ *PAC Landing Corp.*, Cable Landing License, FCC File No. SCL-LIC-19981103-00022, 14 FCC Rcd 3989 (1998) (“*PAC License Order*”) *see also* Public Notice, *Non-Streamlined International Applications Accepted for Filing*, Report No. TEL-00530NS, at 3 (rel. May 17, 2002) (noting modification regarding conditions, under File No. SCL-MOD-20020415-00036).

² *See, e.g., PAC License Order* ¶ 6 (“PAC Landing Corp. requests a license under the Commission’s private submarine cable policy, which is intended to promote competition in the provision of international transmission facilities.”).

LATHAM & WATKINS^{LLP}

In July 2008, PAC Landing Corp. completed construction of an additional submarine cable segment branching off from the PAC system with a new landing point in Jaco, Costa Rica. That landing station is owned and operated by Instituto Costarricense de Electricidad ("ICE"), the incumbent telecommunications carrier in Costa Rica.³ In December 2008, the PAC license was assigned to GT Landing II on a *pro forma* basis.⁴

On April 10, 2011, GT Landing II's indirect parent corporation, Global Crossing Limited, entered into an amalgamation (or merger) agreement by which, *inter alia*, Level 3 Communications, Inc. would acquire control of GT Landing II and its cable landing licenses (including the PAC license). Applications seeking Commission consent to that transfer of control were filed on May 12, 2011 (IB Docket No. 11-78). In the course of preparing those applications, GT Landing II discovered that a modification of the PAC license to add the new Costa Rica segment inadvertently had not been sought.

GT Landing II regrets this unfortunate oversight. Accordingly, after consulting with staff of the International Bureau (and as noted specifically in the application seeking consent to the transfer of control of its cable landing licenses), GT Landing II immediately began to prepare its modification application as well as this STA request. Both the modification and this requested STA would be subject to the same conditions applicable to the PAC license more generally.⁵

Please direct any further correspondence in connection with this request to me. Thank you for your attention to this matter.

Sincerely,



Brian Murray

cc: Attached Service List

³ ICE is presumed to possess market power in Costa Rica. See Public Notice, *The International Bureau Revises and Reissues the Commission's List of Foreign Telecommunications Carriers That Are Presumed to Possess Market Power in Foreign Telecommunications Markets*, DA 07-233, at 4 (rel. Jan. 26, 2007).

⁴ *Actions Taken Under Cable Landing License Act*, Public Notice, FCC File No. SCL-ASG-20090917-00029, 24 FCC Rcd 12423 (2009) (accepting notification of *pro forma* assignment of cable landing license from PAC Landing Corp. to GT Landing II).

⁵ *PAC License Order* ¶ 16; see also File No. SCL-MOD-20020415-00036.


CERTIFICATE OF SERVICE

I hereby certify that consistent with 47 C.F.R. § 1.767(j), I have served copies of the foregoing request for special temporary authority by overnight delivery on this 24th day of May 2011, to the following:

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