

STA-20190327-00011

Re: SCL-LIC-20170421-00012

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

**Granted**  
date: April 3, 2019  
authorized by: Ch. of TAD/IB  
signature: Ilensee Coca

expires: Sept. 30, 2019

In the Matter of )  
)  
GU HOLDINGS INC., EDGE CABLE )  
HOLDINGS USA, LLC and PACIFIC LIGHT )  
DATA COMMUNICATION CO. LTD. )  
)  
Application for a License to Construct, Land, )  
and Operate an Undersea Fiber Optic Cable )  
Connecting the United States, Hong Kong, )  
Taiwan, and the Philippines )

File Nos. SCL-LIC-20170421-00012  
SCL-AMD-20171227-00025  
SCL-STA-20180907-00033  
SCL-STA-2019\_\_\_\_\_

APR 03 2019

International Bureau

**REQUEST FOR SPECIAL TEMPORARY AUTHORITY**

Pursuant to 47 U.S.C. §§ 34-39, Executive Order 10530, and 47 C.F.R. § 1.767, GU Holdings Inc., Edge Cable Holdings USA, LLC, and Pacific Light Data Communication Co. Ltd. (collectively, the “Applicants”), hereby request an extension of the Special Temporary Authority (“STA”) granted on October 5, 2018, to construct, connect, and test the portion of the Pacific Light Cable Network (“PLCN”) in U.S. territory during the Commission’s consideration of the Applicants’ pending cable landing license application.<sup>1</sup> Specifically, the Applicants seek a 180-day STA extension commencing on April 3, 2019. Without an STA extension, further construction and testing of PLCN would likely be delayed at significant cost to the Applicants and thereby delay the benefits of new trans-Pacific capacity that PLCN will provide. The Applicants have notified the Team Telecom agencies of this request.

<sup>1</sup> See GU Holdings Inc., Edge Cable Holdings USA, LLC, and Pacific Light Data Communication Co. Ltd., Application for a License to Construct, Land, and Operate an Undersea Fiber Optic Cable Connecting the United States, Hong Kong, Taiwan, and the Philippines, FCC File No. SCL-LIC-20170421-00012 (filed Apr. 21, 2017) (PLCN Application).

The Applicants acknowledge that grant of such STA extension will not prejudice action by the Commission on the underlying application and that such STA extension is subject to cancellation or modification upon notice. The Commission has authority to grant an STA extension and has previously granted STA extensions requests seeking similar relief.

## **I. BACKGROUND**

On April 21, 2017, the Applicants applied for authority to construct, land, and operate PLCN, a high-capacity fiber-optic submarine cable system connecting the U.S., Hong Kong, Taiwan, and the Philippines.<sup>2</sup> The Commission placed the application on streamlined public notice on November 1, 2017,<sup>3</sup> but later removed the application from streamlined processing at the request of the Team Telecom agencies pending completion of a national security review. On December 27, 2017, the Applicants filed an amendment to the application reflecting a change to the ownership structure for Pacific Light Data Communication Co. Ltd.<sup>4</sup> On January 22, 2018, the Commission placed the amended application on streamlined public notice,<sup>5</sup> but once again removed the application from streamlined processing at the request of the Team Telecom agencies pending completion of the national security review. On September 7, 2018, the Applicants requested STA to construct, connect, and test the portion of PLCN in U.S. territory during the Commission's consideration of the Applicants' pending cable landing license

---

<sup>2</sup> See *id.*

<sup>3</sup> See Public Notice, *Streamlined Submarine Cable Landing License Applications Accepted for Filing*, Report No. SCL-00204S (rel. Nov. 1, 2017).

<sup>4</sup> See Amendment to Application for a Cable Landing License, FCC File No. SCL-AMD-20171227-00025 (filed Dec. 27, 2017).

<sup>5</sup> See Public Notice, *Streamlined Submarine Cable Landing License Applications Accepted for Filing*, Report No. SCL-00208S (rel. Jan. 22, 2018).

application.<sup>6</sup> On October 5, 2018, the Commission granted the Applicants' STA request for 180 days.<sup>7</sup>

Since receipt of the STA extensive investment has been made on the construction of PLCN, including the portion in U.S. territory. The Applicants are also actively engaged in the governmental and commercial discussions necessary for a national security review. However, the Applicants do not expect that those discussions will be concluded in time for the Commission to fully consider and grant the underlying application by April 3, 2019, the date on which the STA expires. The Applicants seek an STA extension in order to ensure that construction, connection, and testing in U.S. territory continue to proceed on schedule. The Applicants do not seek authority for other operation of PLCN.

## **II. GRANT OF THE STA EXTENSION WILL SERVE THE PUBLIC INTEREST**

The Applicants respectfully submit that grant of the STA extension will serve the public interest, convenience, and necessity and otherwise comply with U.S. law and Commission regulations.

Delaying further construction and testing of PLCN would delay the availability of the substantial transmission capacity of PLCN and impose significant economic costs on the Applicants. Depending on the length of the delay, the financial viability of the project could be at risk. Conversely, grant of this STA request would help ensure realization of the project's public benefits. Specifically, PLCN will (i) help connect U.S. Internet users and businesses to Asia, the

---

<sup>6</sup> See Request for Special Temporary Authority, FCC File No. SCL-STA-20180907-00033 (filed Sept. 7, 2018).

<sup>7</sup> See Special Temporary Authority Grant, FCC File No. SCL-STA-20180907-00033 (granted Oct. 5, 2018).

world's biggest Internet market; (ii) increase competition on the trans-Pacific route; and (iii) enhance the service quality, redundancy, and resilience of communications systems in the region.<sup>8</sup>

### III. CONCLUSION

For the foregoing reasons, the Commission should grant an STA extension of 180 days as expeditiously as possible, and in any event no later than April 3, 2019.

Respectfully submitted,



---

Stephanie Selmer  
Corporate Counsel  
Google LLC  
25 Massachusetts Ave. NW, 9th Floor  
Washington, DC 20001

*Counsel for GU Holdings Inc.*

---

<sup>8</sup> *PLCN Application at 3.*

## CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing document was served this date upon the following via first class U.S. mail, postage prepaid:

U.S. Coordinator  
EB/CIP  
U.S. Department of State  
2201 C Street NW  
EB/CIP: Room 4634  
Washington, DC 20520-4634

Office of Chief Counsel/NTIA  
U.S. Department of Commerce  
14th Street and Constitution Avenue NW  
Room 4713  
Washington, DC 20230

Defense Information Systems Agency  
ATTN: GC/DO1  
6910 Cooper Avenue  
Fort Meade, MD 20755-7088



---

Stephanie Selmer  
March 27, 2019