

Streamlined

SCL-STA-20190530-00017
IB2019002259

GU Holdings Inc.

JUN 13 2019



Expires: December 10, 2019

Re: SCL-LIC-20181008-00034
SCL-STA-20181207-00039

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

In the Matter of)	
)	
GU HOLDINGS INC.)	File Nos. SCL-LIC-20181008-00034
)	SCL-STA-20181207-00039
Application for a License to Construct, Land,)	SLC-STA-2019_____
and Operate Submarine Cable)	
Connecting the United States and Chile)	

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. (the Applicant), hereby requests an extension of the Special Temporary Authority (STA) granted on December 21, 2018, to construct, connect, and test the portion of the Curie submarine cable in U.S. territory during the Commission’s consideration of the Applicant’s pending cable landing license application.¹ Specifically, the Applicant seeks a 180-day STA extension commencing on June 19, 2019. Without an STA extension, further construction and testing of Curie would likely be delayed at significant cost to the Applicant and thereby delay the benefits of new U.S.-South America capacity that Curie will provide. The Applicant has notified the Team Telecom agencies of this request.

The Applicant acknowledges 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

¹ See GU Holdings Inc., *Application for a License to Construct, Land, and Operate a Submarine Cable Connecting the United States and Chile*, FCC File No. SCL-LIC-20181008-00034 (filed Oct. 8, 2018) (*Curie Application*); see also Public Notice, *Streamlined Submarine Cable Landing License Applications Accepted for Filing*, Report No. SCL-00227S (rel. Oct. 30, 2018) (*Public Notice*).

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 October 8, 2018, the Applicant applied for authority to construct, land, and operate Curie, a high-capacity fiber-optic submarine cable system connecting the U.S. and Chile.² The Commission placed the application on streamlined *Public Notice* on October 30, 2018,³ 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 7, 2018, the Applicant requested STA to construct, connect, and test the portion of Curie in U.S. territory during the Commission's consideration of the pending cable landing license application.⁴ On December 21, 2018, the Commission granted the Applicant's STA request for 180 days.⁵

Since receipt of the STA, extensive investment has been made on the construction of Curie, including the portion in U.S. territory. The Applicant is also pursuing discussions with the Team Telecom agencies to complete a national security review. However, the Applicant does not expect that those discussions will be concluded in time for the Commission to fully consider and grant the underlying application by June 19, 2019, the date on which the STA expires. The Applicant seeks an STA extension in order to ensure that construction, connection, and testing in U.S. territory continue to proceed on schedule. The Applicant does not seek authority for any commercial operation of Curie.

² See *Curie Application*.

³ See *Public Notice*.

⁴ See GU Holdings Inc., *Request for Special Temporary Authority*, FCC File No. SCL-STA-20181207-00039 (filed Dec. 7, 2018).

⁵ See *Special Temporary Authority Grant*, FCC File No. SCL-STA-20181207-00039 (granted Dec. 21, 2018).

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

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

Suspending construction and testing of Curie would delay the availability of the substantial transmission capacity of Curie and impose significant economic costs on the Applicant. Depending on the length of the delay, the financial viability of the project could be at risk. Conversely, grant of this STA extension would help ensure realization of the project's public benefits. Specifically, Curie will provide significant new and replacement capacity on the U.S.-South America route, where demand has increased substantially in recent years. It will also provide geographically diverse capacity as the first cable to directly connect South America to the West Coast of the United States.⁶

⁶ *Curie Application* at 1-2.

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 June 16, 2019.

Respectfully submitted,

/s/ Ulises R. Pin _____

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Dated: May 30, 2019

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing document was served this date upon the following:

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May 30, 2019