

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

In the Matter of)	
)	
GU HOLDINGS INC., EDGE CABLE)	File Nos. SCL-LIC-20170421-00012
HOLDINGS USA, LLC and PACIFIC LIGHT)	SCL-AMD-20171227-00025
DATA COMMUNICATION CO. LTD.)	SCL-STA-20180907-00033
)	SCL-STA-20190327-00011
Application for a License to Construct, Land,)	SCL-STA-20190906-00032
and Operate an Undersea Fiber Optic Cable)	SCL-STA-2020_____
Connecting the United States, Hong Kong,)	
Taiwan, and the Philippines)	

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. (“GU Holdings”), Edge Cable Holdings USA, LLC (“Edge USA”), 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, and extended on April 3, 2019, and again on September 30, 2019, 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.¹ Specifically, the Applicants seek a 180-day STA extension commencing at the expiration of the current STA on March 28, 2020. 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

¹ 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) (*Original Application*).

that PLCN will provide. The Applicants have notified the Team Telecom agencies of this request.

Like the previously granted STAs for construction and testing, the requested extension would not authorize commercial use of the PLCN system. Furthermore, 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.² The Commission placed the application on streamlined public notice on November 1, 2017,³ 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 27, 2017, the Applicants filed an amendment to the application reflecting a change to the ownership structure for Pacific Light Data Communication Co. Ltd.⁴ On January 22, 2018, the Commission placed the amended application on streamlined public notice,⁵ but once again removed the application from streamlined processing at the request of the Team Telecom

² *See id.*

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

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

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

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 application.⁶ On October 5, 2018, the Commission granted the Applicants' STA request for 180 days.⁷ On March 27, 2019, the Applicants requested an extension of the STA.⁸ On April 3, 2019, the Commission granted the Applicants' request and extended the STA for another 180 days.⁹ On September 6, 2019, the Applicants requested a second extension of the STA.¹⁰ On September 30, 2019, the Commission granted the Applicants' request and extended the STA for another 180 days, through March 28, 2020.¹¹

Since receipt of the STA, extensive investment has been made to construct 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 March 28, 2020, the date on which the extended STA expires. The Applicants accordingly seek another STA extension in order to

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

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

⁸ See Request for Special Temporary Authority, FCC File No. SCL-STA-20190327-00011 (filed Mar. 27, 2019).

⁹ See Special Temporary Authority Grant, FCC File No. SCL-STA-20190327-00011 (granted Apr. 3, 2019).

¹⁰ See Request for Special Temporary Authority, FCC File No. SCL-STA-20190906-00032 (filed Sep. 6, 2019).

¹¹ See Special Temporary Authority Grant, FCC File No. SCL-STA-20190906-00032 (granted Sep. 30, 2019).

ensure that construction, connection, and testing in U.S. territory continue to proceed on schedule.

With this request, the Applicants do not seek authority for any other operation of PLCN beyond construction, connection, and testing. For clarity, the present request to extend the existing STA for construction, connection, and testing of the entire PLCN system is separate from the request submitted by GU Holdings and Edge Cable USA on January 29, 2020, for STA to begin commercial operation of limited portions of the PLCN system prior to the Commission's grant of the underlying PLCN license application.¹² Specifically, in that separate application GU Holdings and Edge USA seek 180-day STA to begin operating only those portions of PLCN that connect the U.S. with Taiwan and Baler, Philippines. Currently, the U.S.-Taiwan portion of PLCN is ready for operation, and construction of the U.S.-Baler portion is ongoing under the existing STA authority and existed to be ready for operation within the 180-day STA to begin commercial operation.

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. Conversely, grant of this STA extension request would help ensure realization of the

¹² See GU Holdings Inc. and Edge Cable Holdings USA, LLC, Request for Special Temporary Authority, FCC File No. SCL-STA-20200129-00006 (filed Jan. 29, 2020).

project's public benefits. Specifically, PLCN will (i) help connect U.S. Internet users and businesses to Asia, the 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.¹³

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 March 28, 2020.

Respectfully submitted,



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

Counsel for GU Holdings Inc.

¹³ *Original 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
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