

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

In the Matter of)	
)	
GU HOLDINGS INC and EDGE)	File Nos SCL LIC 20200827 00038
CABLE HOLDINGS USA, LLC)	SCL-STA-2020_____
)	
Application for a License to Construct, Land,)	
and Operate the Pacific Light Cable Network)	
to Connect the United States to Taiwan and)	
the Philippines)	

**REQUEST FOR SPECIAL TEMPORARY AUTHORITY TO
CONSTRUCT, CONNECT, AND TEST CABLE SYSTEM**

Pursuant to 47 U.S.C. §§ 34-39, Executive Order 10530, and 47 C.F.R. § 1.767, GU Holdings Inc. (“GU Holdings”) and Edge Cable Holdings USA, LLC (“Edge USA”) (together, the “Applicants”), hereby request continuing Special Temporary Authority (“STA”) 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.

On August 27, 2020, GU Holdings and Edge USA applied for authority to construct, land, and operate PLCN, a high capacity fiber optic submarine cable system connecting the United States to Taiwan and the Philippines.¹ The *2020 Application* described the procedural history of the PLCN system including a prior application that included fiber pairs owned by

¹ See GU Holdings Inc. and Edge Cable Holdings USA, LLC, *Application for a License to Construct, Land, and Operate the Pacific Light Cable Network to Connect the United States to Taiwan and the Philippines*, FCC File No SCL LIC 20200827 00038 (filed Aug 27, 2020) (the “2020 Application”).

PLDC and a landing in Hong Kong (the “*2017 Application*”).² Effectively, the Applicants are here requesting extension of an existing STA that was granted in connection with the *2017 Application* and expires on September 22, 2020. The Applicants have notified the Executive Branch agencies of this request.

Like the previously granted STA for construction, connection, and testing, this request for continuing STA would not authorize any 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

As noted above, the *2020 Application* described the procedural history of the PLCN system. Of relevance here, on September 7, 2018, GU Holdings, Edge USA, and Pacific Light Data Communication Co. Ltd. (“PLDC”) requested special temporary authority to construct, connect, and test the portion of PLCN in U S territory during the Commission’s consideration of the *2017 Application* (the “Construction STA”).³ On October 5, 2018, the Commission granted the Construction STA request for 180 days.⁴ On March 27, 2019, GU Holdings, Edge USA, and PLDC requested an extension of the Construction STA.⁵ On April 3, 2019, the Commission granted the request and extended the Construction STA for another 180 days, through September

² *Id.* at 3

³ See Request for Special Temporary Authority, FCC File No. SCL-STA-20180907-00033 (filed Sept. 7, 2018)

⁴ See Special Temporary Authority Grant, FCC File No. SCL-STA-20180907-00033 (granted Oct. 5, 2018).

⁵ See Request for Special Temporary Authority, FCC File No. SCL STA 20190327 00011 (filed Mar. 27, 2019).

30, 2019.⁶ On September 6, 2019, GU Holdings, Edge USA, and PLDC requested a further extension of the Construction STA.⁷ On September 30, 2019, the Commission granted the request and extended the Construction STA for another 180 days, through March 28, 2020.⁸ On March 13, 2020, GU Holdings, Edge USA, and PLDC requested a further extension of the Construction STA.⁹ On March 26, 2020, the Commission granted the request and extended the Construction STA for another 180 days, through September 22, 2020, and work proceeds under that authority.¹⁰

Relying on this authority, the parties have made extensive investments to construct PLCN, including the portion in U.S. territory, using their U.S.-based system supplier, SubCom, LLC. In light of the withdrawal and re-filing of a license application for PLCN, however, the Applicants do not anticipate receiving a cable landing license prior to expiration of the current Construction STA on September 22, 2020. Accordingly, the Applicants seek continued authority to conduct construction, connection, and testing activities in U.S. territory.¹¹

As noted above, this request for continuing STA would not authorize any commercial use of the PLCN system. Separately, on April 8, 2020, the Commission granted GU Holdings' request to begin operating the portions of PLCN connecting the United States with Taiwan, which were fully constructed, tested, and ready for commercial operation prior to the rest of the

⁶ See Special Temporary Authority Grant, FCC File No. SCL-STA-20190327-00011 (granted Apr. 3, 2019).

⁷ See Request for Special Temporary Authority, FCC File No. SCL-STA-20190906-00032 (filed Sept. 6, 2019).

⁸ See Special Temporary Authority Grant, FCC File No. SCL-STA-20190906-00032 (granted Sept. 30, 2019).

⁹ See Request for Special Temporary Authority, FCC File No. SCL STA 20200313 00014 (filed Mar. 13, 2020).

¹⁰ See Special Temporary Authority Grant, FCC File No. SCL STA 20200313 00014 (granted Mar. 26, 2020).

¹¹ Although construction of the PLCN system within U.S. territory is complete, STA including construction authority is sought to ensure that Applicants are able to do any necessary work within U.S. territory identified by system testing.

cable system, subject to the commitments and understandings contained in a provisional national security agreement dated April 7, 2020, between GU Holdings and the Executive Branch agencies.¹² GU Holdings currently operates the U.S.-Taiwan portion of PLCN under that separate authority.

II. GRANT OF FURTHER STA 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.

Disruption of authority to construct, connect, and test 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 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 trans-Pacific routes; and (iii) enhance the service quality, redundancy, and resilience of communications systems in the region¹³

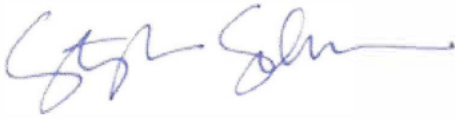
III. CONCLUSION

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 September 22, 2020.

¹² See Special Temporary Authority, FCC File No. SCL-STA-20200402-00015 (granted Apr. 8, 2020)

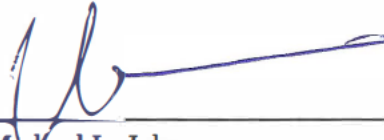
¹³ See *2020 Application* at 2.

Respectfully submitted,



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CERTIFICATE OF SERVICE

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

U.S. Coordinator
EB/CIP
U S Department of State

Office of Chief Counsel/NTIA
U.S. Department of Commerce

Defense Information Systems Agency
ATTN: GC/DO1



Austin Schlick
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