

**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-20200828-00039
)	SCL-STA-2021 _____
)	
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 an extension of the Special Temporary Authority (“STA”) granted on September 22, 2020,¹ 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.² Specifically, the Applicants seek a 180-day STA extension commencing at the expiration of the current STA on March 21, 2021. Without an STA extension, further construction and testing of PLCN would likely be delayed at

¹ See GU Holdings Inc. and Edge Cable Holdings USA, LLC, *Request for Special Temporary Authority*, FCC File No. SCL-STA-20200828-00039 (filed Aug. 28, 2020) (*2020 STA Application*); *Actions Taken Under Cable Landing License Act*, Public Notice, 35 FCC Rcd. 10450, 10451 (2020) (*2020 STA Grant*).

² 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) (*2020 License Application*).

significant cost to the Applicants and thereby delay the benefits of new trans-Pacific capacity that PLCN will provide. The Applicants have notified the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector (the “Committee”) of this request.

This request for continuing STA would not authorize any commercial use of the PLCN system, which is the subject of a separate, simultaneously filed request for STA for continuing authority for GU Holdings and its affiliates to operate a PLCN fiber pair between the U.S. and Taiwan.³ 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 August 27, 2020, the Applicants applied for authority to construct, land, and operate PLCN, a high-capacity fiber-optic submarine cable system connecting the U.S., Taiwan, and the Philippines.⁴ On September 11, 2020, the Commission placed the application on public notice.⁵ On September 16, 2020, the Committee notified the Commission that it intended to review the application.⁶ On December 9, 2020, the Committee notified the Commission that the Applicants had provided complete responses to questions posed by the Committee and the Committee was

³ See GU Holdings Inc., *Request for Special Temporary Authority*, FCC File No. SCL-STA-20200827-00037 (filed Aug. 27, 2020).

⁴ See *2020 License Application*.

⁵ See Public Notice, *Non-Streamlined Submarine Cable Landing License Applications Accepted for Filing*, Report No. SCL-00282NS, 2-3 (issued Sept. 11, 2020).

⁶ See Letter from Alice Suh Jou, Attorney, Nat'l Sec. Div., DOJ, to Marlene H. Dortch, Sec'y, FCC, FCC File No. SCL-LIC-20200827-00038 (filed Sept. 16, 2020).

beginning an initial review of national security or law enforcement interests of the United States.⁷ That initial review of the license application is ongoing.

Meanwhile, on August 28, 2020, the Applicants requested STA to construct, connect, and test the portion of PLCN in U.S. territory during the Commission's consideration of the Applicant's pending license application.⁸ On September 22, 2020, the Commission granted the Applicants' STA request for 180 days.⁹ 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. At this time, the Applicants do not anticipate receiving a cable landing license prior to expiration of the current STA on March 21, 2021. Accordingly, the Applicants seek continued authority to conduct construction, connection, and testing activities in U.S. territory.¹⁰

As noted above, this request for continuing STA would not authorize any commercial use of the PLCN system. Separately, on September 22, 2020, the Commission granted GU Holdings' request to begin operating only 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 cable system, subject to the commitments and understandings contained in a provisional national security agreement dated April 7, 2020, and extended September 18, 2020, between GU Holdings and the Executive Branch agencies.¹¹ GU Holdings currently operates the U.S.-Taiwan portion of PLCN under that separate authority.

⁷ See Letter from Alice Suh Jou, Attorney Advisor, Foreign Inv. Review Section, DOJ, to Marlene H. Dortch, Sec'y, FCC, FCC File No. SCL-LIC-20200827-00038 (filed Dec. 9, 2020).

⁸ See *2020 STA Application*.

⁹ See *2020 STA Grant*.

¹⁰ 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.

¹¹ See DOJ, et al, *Petition to Adopt Conditions for Special Temporary Authority*, FCC File Nos. SCL-STA-20200827-00037 and SCL-LIC-20200827-00038 (filed Sept. 18, 2020).

II. GRANT OF FURTHER STA WILL SERVE THE PUBLIC INTEREST

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

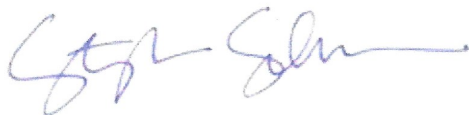
Disruption of authority to construct, connect, and test PLCN would delay the availability of transmission capacity of PLCN and impose significant economic costs on the Applicants. Conversely, grant of this STA extension request would help ensure realization of the project's public benefits. Specifically, 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 region.¹²

III. CONCLUSION

For the foregoing reasons, the Commission should grant as expeditiously as possible, and in any event no later than March 21, 2021, an STA extension of 180 days for construction, connection, and testing of PLCN.

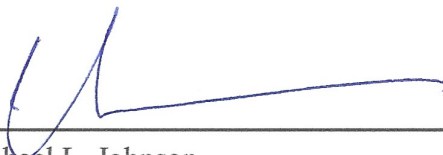
¹² See 2020 License Application at 2.

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
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Defense Information Systems Agency
ATTN: GC/DO1



Stephanie Selmer
March 8, 2021