

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

In the Matter of

The BAHAMAS II Cable System

Operating Between the United States and The
Bahamas

File No. SCL-STA-2023-_____

REQUEST FOR EXTENSION OF SPECIAL TEMPORARY AUTHORITY

On behalf of the licensees of the BAHAMAS II Cable System (“Bahamas II Cable”), File Nos. SCL-LIC-19960329-00128 and SCL-MOD-19980303-00004, The Bahamas Telecommunications Company Limited (“BTC”) pursuant to 47 U.S.C. §§ 34-39, Executive Order 10,530, and 47 C.F.R. § 1.767, hereby requests that the Commission grant an extension of the Special Temporary Authority (“STA”) that allows the continued operation of the Bahamas II Cable pending the processing of the application to renew the cable landing license, which expired on April 1, 2022. BTC filed a renewal application on April 22, 2022 and an amended renewal application on August 23, 2022.¹ BTC has continued operating the Bahamas II Cable pursuant to an STA granted in File No. SCL-STA-20220303-00010 on April 12, 2022, which expired on October 10, 2022, and an STA granted in File No. SCL-STA-20221005-00027 on October 25, 2022, which expires on April 23, 2023. BTC is therefore seeking an extension of the STA to continue operating the Bahamas II Cable until the application to renew the cable landing license is approved.

¹ See Application for Renewal of Cable Landing License, FCC File No. SCL-LIC-20220422-00016, April 22, 2022; Amended and Restated Application for Renewal of Cable Landing License, SCL-LIC-20220422-00016, August 23, 2022.

As the Commission is aware, the application to renew the cable landing license is pending and BTC is actively working with the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector (“Team Telecom”) in their review of the cable landing license renewal application.

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

The cable landing license for the Bahamas II Cable was granted on August 6, 1996, and expired 25 years after the date on which the cable was placed into service on April 1, 1997.² While the Commission and Team Telecom complete their consideration of the renewal application, BTC seeks an extension of the STA to ensure that BTC and other licensee(s) may continue to operate the Bahamas II Cable and to provide the important services it currently delivers to customers between the United States and the Bahamas. BTC submits that the STA serves the public interest in ensuring the continued provision of communications services between the United States and the Bahamas, and that it would not serve the public interest to cease operation of this cable, even on a temporary basis.

The Bahamas II Cable is a common carrier submarine cable that extends from a landing point at Vero Beach, Florida to Nassau, the Bahamas, with an intermediate point at Eight Mile Rock, the Bahamas. The cable has operated successfully for over 25 years pursuant to the cable landing license granted in 1996.

II. THE COMMISSION HAS AUTHORITY TO GRANT THE STA EXTENSION

The Commission has ample authority to issue an STA to allow continued operation of a

² See *In the Matter of AT&T CORP., MCI INTERNATIONAL, INC., THE ST. THOMAS AND SAN JUAN TELEPHONE COMPANY, INC., TELEFONICA LARGA DISTANCIA DE PUERTO RICO, INC.*, Joint Application for a License to Land and Operate a Digital Submarine Cable System Between the United States Mainland and The Bahamas, the BAHAMAS II Cable System, FCC File No. S-C-L-96-003, Cable Landing License, Rel. August 6, 1996 (the “Original License”) (the current Commission license numbers are SCL-LIC-19960329-00128 and SCL-MOD-19980303-00004).

cable prior to the grant of a landing license renewal application. Neither the Cable Landing License Act nor Executive Order 10,530 (delegating submarine cable licensing authority from the President to the Commission, subject to Executive Branch review) limits the Commission's ability to issue an STA for operational authority prior to grant of the renewal of a cable landing license.³

The Commission has exercised such authority to permit the continued operation of a submarine cable pending Commission action on the renewal application as well as extended an STA.⁴ The Commission has also granted an STA on numerous occasions to permit the construction and testing of new cable systems prior to the grant of their cable landing licenses.⁵

BTC submits that a showing of good cause is made where, as here, the STA is requested to permit the continued operation of a previously licensed cable system that has provided service to the public for over 25 years, and the STA will merely permit that service to continue without change pending the renewal of that submarine cable license.

III. ACKNOWLEDGEMENTS

BTC acknowledges, on behalf of the licensees, that the grant of the STA will not prejudice any action the Commission may take on the forthcoming underlying application, and that this STA can be modified or revoked by the Commission upon its own motion without a hearing.

³ See 47 U.S.C. §§ 34-39; Executive Order 10,530.

⁴ See, e.g., *The Taino-Carib Cable System*, Request for Special Temporary Authority, File No. SCL-STA-20180119-00001 (granted Jan. 25, 2018); *The Taino-Carib Cable System*, Request for Extension of Special Temporary Authority, File No. SCL-STA-20180629-00017 (granted Aug. 6, 2018).

⁵ See, e.g., *GTI Corporation et al.*, Request for Special Temporary Authority, File No. SCLSTA-20160914-00018 (granted Sept. 26, 2016); *Quintillon Subsea Operations, LLC*, Revised Application for Special Temporary Authority, File No. SCL-STA-20160330-00010 (granted Apr. 11, 2016); *GU Holdings, Inc.*, Application for Special Temporary Authority, File No. SCLSTA-20160630-00014 (granted Jul. 11, 2016).

BTC also acknowledges on behalf of the licensees that such continued operation of the cable would remain subject to the conditions set forth in the current cable landing license.

CONCLUSION

For the foregoing reasons, the Commission should grant the STA request.

Respectfully submitted,

/s/ Ulises R. Pin

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on April 4, 2023, the foregoing document was served this date upon the following via overnight delivery and/or electronic mail:

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