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June 24, 2009

VIA IBFS

Marlene H. Dortch, Secretary
Federal Communications Commission
c/o Natek, Inc., Inc.
236 Massachusetts Avenue, N.E.
Suite 110
Washington, DC 20002

Re: Caribbean Crossings Ltd., Application for Transfer of Control of Submarine Cable Landing License (FCC File No. SCL-T/C-20090506-00009)
Trinity Communications Ltd., Application for Transfer of Control of Section 214 Authorization (FCC File No. ITC-T/C-20090506-00204)

Dear Ms. Dortch:

Caribbean Crossings Ltd. ("CCL") and Trinity Communications Ltd. ("Trinity") (together, "the Companies"), by the undersigned counsel, hereby withdraw their letter to the Commission of June 22, 2009 concerning the above-captioned applications, and respond to the recent inquiry of the staff of the Commission's International Bureau regarding whether the proposed transfer control of the Companies' parent, Cable Bahamas Ltd. ("CBL") will result in an affiliation, as defined by Section 63.09 of the Commission's rules, 47 C.F.R. § 63.09, between the Companies and Bahamas Telecommunications Company ("BTC"), the dominant telecommunications carrier in the Commonwealth of the Bahamas, due to the equity interests in BTC and CBL to be held by agencies of the Government of the Bahamas.¹ For the reasons set forth below, the Companies hereby acknowledge that an affiliation with BTC would arise as a result of the proposed transfer of control. By virtue of this affiliation, and without prejudice to seeking applicable rule waivers in the future, Trinity hereby agrees to be regulated as a dominant carrier on the US/Bahamas route pursuant to Section 63.10 of the Commission's rules, and CCL agrees to comply with the requirements of Section 1.767(l) of the Commission's rules.

¹ By this filing, the Companies hereby seek leave to amend their applications to reflect this affiliation.

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1. The Companies Are Affiliated with BTC for Section 63.09 Purposes

Pursuant to Section 63.09(e) of the Commission's rules, 47 C.F.R. § 63.09(e), "two entities are affiliated with each other if one of them, or an entity that controls one of them, directly or indirectly owns more than 25% of the capital stock of, or controls, the other one." *See also* Note to 47 C.F.R. § 1.767 (applying the Section 63.09 definition of affiliation to submarine cable landing license applicants and licensees).

The Companies acknowledge, and do not dispute, that the proposed transfer of control of CBL, as described in the above-captioned applications, would give rise to an affiliation under Section 63.09(e) of the Commission's rules, between the Companies and BTC.

➤ **BTC**. BTC is a private company organized under the laws of The Commonwealth of The Bahamas, and is the dominant telecommunications carrier in The Bahamas. 100% of the Company's stock is owned by the Treasurer of The Bahamas in trust for the Government.² The Company is governed by nine (9) Directors, all of whom are appointed by the Prime Minister of The Bahamas.

BTC is the dominant provider of telecommunications services in The Bahamas, and until 2002 was the Commonwealth's exclusive provider of local and international services. It currently holds an exclusive license for the provisioning of cellular service.

➤ **CBL**. CBL is a publicly held corporation organized under the laws of The Commonwealth of the Bahamas, whose capital stock is traded on the Bahamas International Stock Exchange (BISX-CAB). Following the transaction described in the above-captioned applications, a 5.0% or greater equity interest in CBL will be held by the National Insurance Board, an instrumentality of the Government of The Bahamas (21.9%)³ and by the Treasurer of the Government of The Bahamas (7.3%). No other individuals or entities will hold a 5% or greater equity interest in CBL, and BTC itself currently holds, and will hold, no equity interest in CBL at all.

CBL is governed by five (5) directors, all of whom are elected by the Company's shareholders. CBL and BTC have no interlocking directorates, and only one director of CBL, the Chairman of the Commonwealth Airport Authority, holds a governmental office.

In The Bahamas, CBL holds licenses to own and operate a cable television network and to provide public Internet services over its hybrid fiber-coaxial cable television network. The terms of its license expressly prohibit it from providing voice telephony service, including VoIP.

² In 2008, the Government of The Bahamas announced its intention to privatize BTC, and to sell off 51% of the Government's ownership interest. The Government anticipates that these events will occur by year's end.

³ The National Insurance Board, established under the National Insurance Act of 1972, is charged with the administration of the Commonwealth's social security program. Its primary mission is to provide income replacement in connection with sickness, invalidity, maternity, retirement, death and industrial injury and disease afflicting citizens of The Bahamas. Its added mission is to provide assistance to needy citizens, and to assist with the social and infrastructural development of the country.

In addition to this authorization, CBL's wholly owned subsidiary, CCL, holds a license to provide telecommunications transmission capacity over its submarine fiber optic network for the carriage of data services and Internet services. The terms of its license likewise expressly prohibit it from providing services "enabling or equivalent to Voice Telephony to any person other than Bahamas Telecommunications Corporation [BTC's predecessor-in-interest] or Bahamas Telecommunications Company."

2. Compliance with Rule Sections 1.767(l) and 63.10(c)

By virtue of the above affiliation with BTC, and without prejudice to seeking applicable rule waivers in the future, Trinity hereby certifies that it agrees to be regulated as a dominant carrier for the US/Bahamas route pursuant to Section 63.10(c) of the Commission's rules, and CCL agrees to comply with the requirements of Rule Section 1.767(l).

Should the Commission have any further questions on this matter, please feel free to contact the undersigned counsel directly.

Sincerely,



Eric Fishman

Counsel to
Caribbean Crossings Ltd. and
Trinity Communications Ltd.

cc: David Krech
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