

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

In the Matter of	)	
	)	
	)	
PC Landing Corp.	)	File No. SCL-T/C-20090715-00022
	)	
Application for Authority to Transfer	)	
Control of PC Landing Corp., Cable	)	
Landing Licensee of the PC-1 Submarine	)	
Cable System to NTT Communications	)	
Corporation	)	

**PETITION TO ADOPT CONDITIONS TO  
AUTHORIZATIONS AND LICENSES**

The Department of Justice (DOJ) (the Agency) submits this Petition to Adopt Conditions to Authorizations and Licenses (Petition), pursuant to Section 1.41 of the Federal Communications Commission (“Commission”) rules.<sup>1</sup> Through this Petition, the Agency advises the Commission that they have no objection to the Commission approving the authority sought in the above-referenced application, provided that the Commission conditions its approval on the agreement of PC Landing Corp., for itself and its affiliates, to abide by the commitments and undertakings set forth in the August 29, 2011 letter of clarification and additional undertaking (the “August 29, 2011 Letter”) in connection with that certain Letter of Assurance, dated September 11, 2009 (the “September 11, 2009 LOA”), outlining the commitments and undertakings of PC Landing Corp., for itself and its affiliates. The August 29, 2011 Letter clarifies the September 11, 2009 LOA and sets forth certain additional undertakings in connection with the September 11, 2009 LOA. Both the September 11, 2009 LOA and the

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<sup>1</sup> 47 C.F.R. § 1.41.

August 29, 2011 letter are attached hereto.

In the above-referenced proceeding, the Applicant petitioned the Commission for authority under the Cable Landing License Act, 47 U.S.C. §§ 34-39, Section 1.767 of the Commission's rules, 47 C.F.R. § 1.767, and Executive Order 105320<sup>2</sup> to transfer control of PC Landing Corp., licensee of the Pacific crossing cable system ("PC-1").<sup>3</sup> The Commission, in Public Notice DA No. 09-2174, dated October 7, 2009, granted the Petition to Adopt Conditions to Authorizations and Licenses filed on September 22, 2009 by the Department of Homeland Security, DOJ, and Department of Defense; and granted the application in the above-referenced proceeding by conditioning the grant on Pacific Crossing Limited and PC Landing Corp. abiding by the commitments and undertakings contained in the September 11, 2009 LOA.

The Commission has long recognized that law enforcement, national security, and public safety concerns are part of its public interest analysis, and has accorded deference to the views of other U.S. government agencies with expertise in those areas. *See In the Matter of Comsat Corporation d/b/a Comsat Mobile Communications, etc.*, 16 FCC Rcd. 21,661, 21707 ¶ 94 (2001).

After discussions with representatives of the Applicant in connection with the above-referenced proceeding, the Agency has concluded that the commitments and additional undertakings set forth in the August 29, 2011 Letter will help ensure that the Agency with responsibility for enforcing the law, protecting the national security, and preserving public safety, can proceed appropriately to satisfy those responsibilities. Accordingly, the Agency advises the Commission that it has no objection to the Commission granting the application in the above-referenced proceeding, provided the Commission conditions its grant of such

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<sup>2</sup> Exec. Ord. No. 10530 § 5(a) (May 10, 1954), reprinted as amended in 3 U.S.C. § 301.

<sup>3</sup> *See* File No. SCL-98-006; SCL-LIC-19980807-00010 (the "Cable Landing License").

application on continued compliance by PC Landing Corp. with the August 29, 2011 Letter and  
September 11, 2009 LOA.

Respectfully submitted,

/S/ Richard C. Sofield

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September 8, 2011