

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

In the Matter of)
)
Cable and Wireless Network Services) File No. SCL-T/C-20151130-00033
Limited, Cable & Wireless Communications)
plc, and Liberty Global,)
)
Application for transfer of control of a)
submarine cable landing license)
)

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

The Department of Homeland Security (“DHS”) submits this Petition to Adopt Conditions to Authorizations and Licenses (“Petition”), pursuant to Section 1.41 of the Federal Communications Commission (“Commission”) rules.¹ Through this Petition, DHS advises the Commission that the Agencies have no objection to the Commission approving the authority sought in the above-referenced proceedings, provided that the Commission conditions its approval on the commitment of Verizon Business Global LLC (“Verizon Business”), CWC New Cayman Limited (“CWC New Cayman”), Columbus Networks USA, Inc. (“CNUSA”, and together with CWC New Cayman referred to as “C&W”), and Liberty Global plc (“Liberty Global”) to abide by the undertakings set forth in the March 7, 2017, National Security Agreement (“2017 NSA”), which is attached hereto as Attachment A. The above-referenced proceedings involve an application seeking Commission approval to transfer C&W’s interest in the cable landing license associated with the Gemini Bermuda Cable System, a fiber optic submarine cable system connecting the United States and Bermuda (FCC File No. SCL-LIC-20070925-00017), to Liberty Global.

¹ 47 C.F.R. § 1.41.

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 Verizon Business, C&W, and Liberty Global in connection with the above-referenced proceedings, DHS has concluded that the commitments set forth in the 2017 NSA will help ensure that those agencies with responsibility for enforcing the law, protecting the national security, and preserving public safety can proceed appropriately to satisfy those responsibilities. DHS has also concluded, in consultation with Verizon Business, that the March 3, 2008 (subsequently amended on February 11, 2009) National Security Agreement between DHS and Verizon Business, which has been applicable to the Gemini Bermuda Cable System is no longer needed, has been terminated by mutual agreement of the parties, and can be removed by the Commission as a condition to the Gemini Bermuda cable landing license.

Accordingly, DHS, advises the Commission that it has no objection to the Commission granting the application referenced above, provided that the Commission conditions its consent on compliance by Verizon Business, C&W, and Liberty Global with the 2017 NSA.

Respectfully submitted,

/S/ Janine Slade
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March 7, 2017

Attachment A (2017 National Security Agreement)