

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

In the Matter of)	
)	
Hawaiian Telcom, Inc. and Hawaiian)	File No. SCL-T/C-20170811-00019
Telcom Services Company, Inc., Licensees,)	SCL-T/C-20170811-00020
)	WC Docket No. 17-207
Hawaiian Telcom Holdco, Inc., Transferor)	
)	
and)	
)	
Cincinnati Bell Inc.,)	
Transferee)	
)	

Application for Consent to Transfer Control
of the Cable Landing Licenses for the
Hawaii Island Fiber Network and the
Southeast Asia-US Cable Systems

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

The Department of Homeland Security (“DHS”), with the concurrence of the Department of Justice (“DOJ”) and the Department of Defense (“DOD”, collectively, the “Agencies”), 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 Cincinnati Bell Inc. (“Cincinnati Bell”) to abide by the undertakings set forth in the June 1, 2018 Commitment Letter, which is attached hereto as Attachment A. The above-referenced proceedings involve applications seeking Commission approval to transfer control of a fiber optic submarine cable system connecting the United States, Indonesia, the Philippines, Guam, and Hawaii (“SEA-US Cable

¹ 47 C.F.R. § 1.41.

System”, See FCC File No. SCL-LIC-20150626-00016) and fiber optic submarine cable system connecting the six major islands of Hawaii (“HIFN Cable System”, See FCC File No. 19950627-00024).

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).

In the Commitment Letter, Cincinnati Bell agrees to abide by the commitments of the January 11, 2017 National Security Agreement (NSA) between GTI Corporation d/b/a GTI Telecom, Hawaiian Telcom Services Company, Inc. (HT) RAM Telecom International, Inc., and TeleGuam Holdings, LLC d/b/a GTA and a December 7, 2012 Letter of Assurance (LOA) from HT to DHS. The Agencies have concluded that ensuring continued commitment to the conditions of the 2017 NSA and 2012 LOA 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.

Accordingly, DHS, with the concurrence of DOJ and DOD, advises the Commission that it has no objection to the Commission granting the applications in the above-referenced proceedings, provided that the Commission conditions its consent on Cincinnati Bell's commitment to the 2018 Commitment Letter.

Respectfully submitted,

/S/ J. Philip Ludvigson
J. Philip Ludvigson
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June 7, 2018

Attachment A (2018 Commitment Letter)