



GU Holdings Inc  
1600 Amphitheatre Parkway  
Mountain View A 94043

650 253 0000 main  
google.com

January 29, 2020

**Via IBFS**

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 Twelfth Street SW  
Washington, DC 20554

**Re: Pacific Light Cable Network (File No. SCL-LIC-20170421-00012)**

Dear Ms. Dortch:

On January 27, 2020, Austin Schlick, Brain Quigley, Josh Davidson, and I, representing GU Holdings Inc., as well as Pankaj Venugopal, Andrew Guhr, Kevin Salvadori, and Kent Bressie, representing Edge Cable Holdings USA, LLC, met with Thomas Sullivan, Troy Tanner, Kathleen Collins, Denise Coca, Francis Gutierrez, David Krech, and Jocelyn Jezierny of the International Bureau and Alec MacDonell of the Office of Economics and Analytics. During the meeting, we discussed our intention to submit the attached request for Special Temporary Authority to operate limited portions of the Pacific Light Cable Network.

This notice is being submitted to the above-referenced IBFS file for inclusion in the public record. Please contact me should you have any questions.

Respectfully submitted,

Stephanie Selmer  
*Counsel for GU Holdings Inc.*

cc: *Via e-mail*  
David Krech  
Team Telecom

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

|   |   |                                 |
|---|---|---------------------------------|
| In the Matter of                              | ) |                                 |
|   | ) |                                 |
| GU HOLDINGS INC , EDGE CABLE                  | ) | File Nos SCL LIC 20170421 00012 |
| HOLDINGS USA, LLC and PACIFIC LIGHT           | ) | SCL-STA-20190906-00032          |
| DATA COMMUNICATION CO. LTD.                   | ) | SCL-STA-2020_____               |
|   | ) |                                 |
| Application for a License to Construct, Land, | ) |                                 |
| and Operate an Undersea Fiber Optic Cable     | ) |                                 |
| Connecting the United States, Hong Kong,      | ) |                                 |
| Taiwan, and the Philippines                   | ) |                                 |

**REQUEST FOR SPECIAL TEMPORARY AUTHORITY**

GU Holdings Inc. (“GU Holdings”) and Edge Cable Holdings USA, LLC (“Edge USA”) hereby request Special Temporary Authority (“STA”) to begin commercial operation of limited portions of the Pacific Light Cable Network (“PLCN”) prior to the Commission’s grant of the pending application for a license to construct, land, and operate the entire PLCN system.<sup>1</sup> Specifically, GU Holdings and Edge USA seek 180-day STA to begin operating the following portions of PLCN connecting the United States with Taiwan and the Philippines:

- The fiber pair owned by GU Holdings and its affiliates and used to connect the United States and Branching Unit 1 (Fiber Pair 2 on each of Segments S1.1.1 and S.1.1.2);<sup>2</sup>
- The branch owned by GU Holdings’ affiliates connecting Taiwan to Branching Unit 1, including the two fiber pairs on that branch (Segment S2);

---

<sup>1</sup> See GU Holdings Inc , Edge Cable Holdings USA, LLC, and Pacific Light Data Communication Co. Ltd., Application for a License to Construct, Land, and Operate an Undersea Fiber Optic Cable Connecting the United States, Hong Kong, Taiwan, and the Philippines, FCC File No. SCL-LIC-20170421-00012 (filed Apr. 21, 2017) (“PLCN Application”)

<sup>2</sup> For Segment references, see Appendix 1 hereto (PLCN System Diagram Under Requested Operating STA).

- The fiber pair-owned by Edge USA and its affiliates and used to connect the United States and Branching Unit 2 (Fiber Pair 1 on each of Segments S1 1 1, S1.1.2, and S1.2);
- The branch owned by Edge USA’s affiliates connecting Baler, Philippines, to Branching Unit 2, including the two fiber pairs on that branch (Segment S3); and
- Common equipment-necessary to operate Fiber Pair 2 between the United States and Taiwan and Fiber Pair 1 between the United States and Baler, Philippines.<sup>3</sup>

With this request, no party seeks authority to commence commercial operation of Segments S1.3, S1.4, S4, or S5, or Fiber Pairs 3 through 6 owned by Pacific Light Data Communications Co , Ltd (“PLDC”) For clarity, the requested operating STA would not authorize any commercial traffic on the PLCN system to or from Hong Kong, nor any operation of the PLCN system by PLDC

Delay or denial of the requested operating STA would impose significant economic costs on GU Holdings and Edge USA and delay the public benefits of substantial additional capacity on these routes. The Team Telecom agencies have been notified of this request. Further, PLCN’s Executive Committee, consisting of representatives from all PLCN owners, has unanimously approved seeking the authorization sought in this request.

GU Holdings and Edge USA each acknowledge that grant of such STA will not prejudice action by the Commission on the underlying license application and that such STA is subject to cancellation or modification upon notice without a hearing The Commission has authority to grant an STA and has previously granted STA requests seeking similar relief.<sup>4</sup>

---

<sup>3</sup> This request for STA does not seek authority to operate Fiber Pair 1 on Segment S1 3 (connecting Branching Unit 2 to Branching Unit 3) or Segment S4 (connecting San Fernando, La Union to Branching Unit 3).

<sup>4</sup> *E.g.*, FCC File Nos. SCL-STA-20100607-00013 (granting STA for commercial operation of the Honotua submarine cable system pending execution of mitigation agreement); SCL-STA-20081209-00020 (granting STA for commercial operation of the CB-1 submarine cable system pending execution of mitigation agreement).

## I. BACKGROUND

On April 21, 2017, GU Holdings, Edge USA, and PLDC (collectively, the “Applicants”) applied for authority to construct, land, and operate PLCN, a high-capacity fiber-optic submarine cable system connecting the U S , Hong Kong, Taiwan, and the Philippines.<sup>5</sup> The Commission placed the application on streamlined public notice on November 1, 2017,<sup>6</sup> but later removed the application from streamlined processing at the request of the Team Telecom agencies pending completion of a national security review. On December 27, 2017, the Applicants filed an amendment to the application reflecting a change to the ownership structure for PLDC.<sup>7</sup> On January 22, 2018, the Commission placed the amended application on streamlined public notice,<sup>8</sup> but once again removed the application from streamlined processing at the request of the Team Telecom agencies pending completion of the national security review.

On September 7, 2018, the Applicants requested STA to construct, connect, and test the portion of PLCN in U.S. territory during the Commission’s consideration of the Applicants’ pending cable landing license application (the “Construction STA”).<sup>9</sup> On October 5, 2018, the Commission granted the Applicants’ Construction STA request for 180 days.<sup>10</sup> On March 27,

---

<sup>5</sup> See PLCN Application

<sup>6</sup> See Public Notice, *Streamlined Submarine Cable Landing License Applications Accepted for Filing*, Report No. SCL-00204S (rel. Nov. 1, 2017).

<sup>7</sup> See Amendment to Application for a Cable Landing License, FCC File No. SCL AMD 20171227 00025 (filed Dec 27, 2017)

<sup>8</sup> See Public Notice, *Streamlined Submarine Cable Landing License Applications Accepted for Filing*, Report No. SCL-00208S (rel. Jan. 22, 2018).

<sup>9</sup> See Request for Special Temporary Authority, FCC File No. SCL-STA-20180907-00033 (filed Sept 7, 2018)

<sup>10</sup> See Special Temporary Authority Grant, FCC File No. SCL-STA-20180907-00033 (granted Oct. 5, 2018).

2019, the Applicants requested an extension of the Construction STA.<sup>11</sup> On April 3, 2019, the Commission granted the Applicants' request and extended the Construction STA for another 180 days, through September 30, 2019.<sup>12</sup> On September 6, 2019, the Applicants requested a further extension of the Construction STA.<sup>13</sup> On September 30, 2019, the Commission granted the Applicant's request and extended the Construction STA for another 180 days, through March 28, 2020, and construction and testing are proceeding under this authority.<sup>14</sup>

Segments S1.1.1, S.1.1.2, and S.2 (connecting the United States to Taiwan) are now fully constructed, tested, and ready for commercial operation. As explained below, GU Holdings and its affiliates urgently need the capacity of those segments to support their internal operations and this STA would serve the public interest. Edge USA expects that Segments S1.2 and S3 (connecting Baler, Philippines, with Branching Unit 1, with onward connectivity to the United States on Segments S1.1.1 and S1.1.2), the capacity of which will also serve the public interest, will be fully constructed, tested, and ready for commercial operation within the 180-day term of the requested STA.

---

<sup>11</sup> See Request for Special Temporary Authority, FCC File No. SCL-STA-20190327-00011 (filed Mar 27, 2019)

<sup>12</sup> See Special Temporary Authority Grant, FCC File No. SCL-STA-20190327-00011 (granted Apr. 3, 2019).

<sup>13</sup> See Request for Special Temporary Authority, FCC File No. SCL-STA-20190906-00032 (filed Sept, 6, 2019)

<sup>14</sup> See Special Temporary Authority Grant, FCC File No. SCL-STA-20190906-00032 (granted Sept. 30, 2019).

## **II. THE U.S.-TAIWAN AND U.S.-BALER FIBER PAIRS WILL BE OPERATED SEPARATELY FROM AND INDEPENDENTLY OF ALL OTHER PORTIONS OF PLCN**

Under the requested STA, GU Holdings and Edge USA seek authority for commercial operation of only the fiber pairs, segments, and common equipment providing connectivity between the United States and Taiwan and the United States and Baler, Philippines. Fiber Pair 2 and Segment S2, which connects the United States and Taiwan, will be operated by GU Holdings and its affiliates separately from and independently of other portions of PLCN and independent of PLDC and its affiliates. Fiber Pair 1 and Segment S3, which will connect the United States with Baler, Philippines, will be operated separately from and independently of other portions of PLCN and independent of PLDC and its affiliates. Independent operation of these fiber pairs and segments is commercially and technically feasible, and consistent with the public interest.

Specifically,

- PLCN's owners do not "share" fiber pairs. Each owner holds title to separate fiber pairs with separate submarine line terminating equipment, and each will operate those fiber pairs and equipment independent of the other owners;
- Operation of Fiber Pair 1, Fiber Pair 2, Segments S1.2, Segment S2, Segment S3, and the common equipment on Segments S1 1 1, S1 1 2, and S1 2 does not depend on any equipment housed in Hong Kong, and PLDC has no independent access rights to any equipment housed in the United States, Taiwan, or the Philippines. Within the United States cable landing station, each party is assigned a separate cage for housing equipment supporting their individual fiber pairs (e.g., submarine line terminating equipment), and a fourth cage houses equipment supporting operation of all fiber pairs (e.g., power feeding equipment). GU Holdings holds exclusive approval authority for all persons accessing any of these cages;
- PLDC does not hold any voting rights on Segments S2 and S3 connecting PLCN's main trunk to Taiwan or the Philippines; rather, an affiliate of GU Holdings holds 100 percent of the voting rights on Segment S2, and an affiliate of Edge USA holds 100 percent of the voting rights on the Segment S3; and

- PLDC is contractually prohibited from using its participation interest in the system to interfere with the ownership or rights of use of the other parties <sup>15</sup>

As a result of these existing provisions, PLDC will have no role in the requested operation of the Taiwan and Philippines branches. Furthermore, PLDC by contract may not interfere with the ownership or rights of use of GU Holdings and Edge USA.

### **III. GRANT OF THE STA WILL SERVE THE PUBLIC INTEREST**

Grant of the requested STA will serve the public interest, convenience, and necessity and otherwise comply with U S law and Commission regulations

Commercial operation of the fiber pair, segments, and common equipment connecting the United States and Taiwan will provide GU Holdings and its affiliates capacity that is needed to connect Google users, points of presence, and data centers. GU Holdings and its affiliates have an immediate need to meet internal demand for capacity between the U S and Taiwan, in particular to connect Google's Taiwan data center to Google data centers in the United States and to serve users throughout the Asia Pacific region. Indeed, without access to PLCN's U S Taiwan capacity, the value of large, recent capital investments Google has made in the United States is significantly reduced

Commercial operation of fiber pair, segments, and common equipment connecting the United States and Baler, Philippines, is necessary to ensure continued landing services and

---

<sup>15</sup> Section 5.6 of the Joint Build Agreement by and between the PLCN owners states:

Each Party ... shall not use any Minimum Investment Unit or capacity or spectrum on its Minimum Investment Unit(s) in any manner such as to interfere with the ownership or right of use of any other Party, and use commercially reasonable efforts to ensure that its Affiliates, agents, employees, contractors and other persons within its reasonable control comply with the foregoing[.]

support for the PLCN system in the Philippines. Edge USA's affiliate agreed to provide Philippines' Department of Information Technology and Communications ("DICT") with spectrum on the PLDC system in exchange for critical ongoing landing services in the Philippines. DICT has immediate need for that capacity to meet existing and near-term traffic demands to meet its national goals of extending broadband across the archipelago.

When the Applicants submitted the PLCN Application nearly 3 years ago, they anticipated that the system would be operational within no more than 18 months. GU Holdings and its affiliates accordingly made network and product decisions that relied on the availability of PLCN capacity on the U.S.-Taiwan route by late 2019. That capacity is now installed, tested, and ready for service. Absent an STA to operate the U.S.-Taiwan segment, GU Holdings and its affiliates will be forced to seek alternative capacity to meet its affiliates' needs. It is uncertain whether sufficient capacity would be available at all. To the extent such alternative capacity is available, obtaining it on short notice will likely result in significantly higher prices for the capacity. In contrast, timely grant of the STA will permit GU Holdings and its affiliates to deliver their traffic with minimal delay. Grant of the STA similarly will allow Edge USA and its affiliates, and their users, to benefit from adequate, lower-cost capacity on the U.S.-Philippines route.

Grant of the STA request will also help ensure realization of other public benefits identified in the PLCN Application, including increasing competition on the U.S.-Taiwan and U.S.-Philippines routes and enhancing the service quality, redundancy, and resilience of communications systems in the region through route diversity.<sup>16</sup>

---

<sup>16</sup> *PLCN Application* at 3.



GU Holdings and Edge USA are not aware of any national security issues associated with operation of U.S.-Taiwan and U.S.-Philippines segments by GU Holdings and Edge USA, respectively, under the terms described above. However, GU Holdings and Edge USA will not turn up their respective capacity on Fiber Pairs 2 and 1 connecting the United States with Taiwan and with Baler, Philippines, under the requested STA should Team Telecom advise the Commission that it has unresolved national security concerns associated with the STA.

#### IV. CONCLUSION

For the foregoing reasons, the Commission should grant to GU Holdings and Edge USA as expeditiously as possible, and subject to Team Telecom consideration, STA to operate on a commercial basis the fiber pairs, segments, and common equipment connecting the United States with Taiwan and with Baler, Philippines, while continuing the Commission's consideration of the PLCN Application.

Respectfully submitted,



---

Stephanie Selmer  
Corporate Counsel  
Google LLC  
25 Massachusetts Ave. NW, 9th Floor  
Washington, DC 20001

*Counsel for GU Holdings Inc.*

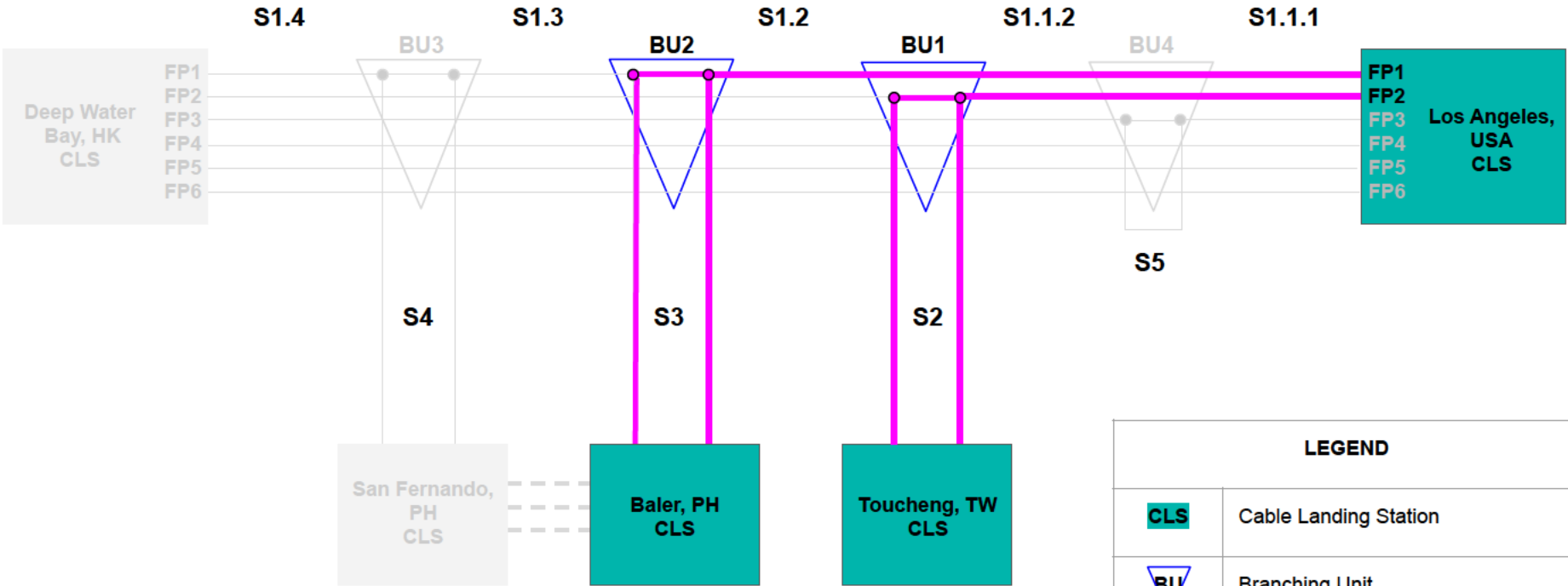
  
Michael L. Johnson (Jan 29, 2020)




---

Michael L. Johnson  
Assistant Secretary  
Edge Cable Holdings USA, LLC  
1601 Willow Road  
Menlo Park, California 94025-1452

*Counsel for Edge Cable Holdings USA, LLC*

# Appendix 1 PLCN System Diagram Under Requested Operating STA



| LEGEND  |                            |
|---|----------------------------|
| <b>CLS</b>  | Cable Landing Station      |
| <b>BU</b>   | Branching Unit             |
| <b>FP</b>   | Fiber Pair                 |
|  | Operational Fiber Pair     |
|  | Non-operational Fiber Pair |
|  | Terrestrial Routes         |

## CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing document was served this date upon the following via first class U.S. mail, postage prepaid:

U S Coordinator  
EB/CIP  
U.S. Department of State  
2201 C Street NW  
EB/CIP Room 4634  
Washington, DC 20520-4634

Office of Chief Counsel/NTIA  
U S Department of Commerce  
14th Street and Constitution Avenue NW  
Room 4713  
Washington, DC 20230

Defense Information Systems Agency  
ATTN: GC/DO1  
6910 Cooper Avenue  
Fort Meade, MD 20755 7088



---

Stephanie Selmer  
January 29, 2020