

**FEDERAL COMMUNICATIONS COMMISSION**

**Instructions for  
Notification of Foreign Carrier Affiliation of  
a Cable Landing Licensee  
SCL-FCN**

**Purpose of Form**

This form is used by a cable landing licensee (Licensee) to notify the Federal Communications Commission (Commission) that it has become or seeks to become affiliated with a foreign carrier authorized to operate in a foreign destination market where the submarine cable lands, including an entity that owns or controls a cable landing station in that market. See 47 CFR § 1.768.

**Who Must File This Form and When**

A Licensee must file this form to notify the Commission that it has become or seeks to become affiliated with a foreign carrier that is authorized to operate in a foreign destination market where the submarine cable lands. This form must be filed at least forty-five (45) days prior to the start of the affiliation except in certain circumstances such as where the foreign carrier lacks market power in the destination market, in which case this form must be filed within thirty (30) days after the affiliation begins.

- *Affiliations Requiring Prior Notification:* A Licensee is required to notify the Commission forty-five (45) days before consummation of either of the following types of transactions:
  - 1) Acquisition by the Licensee, or by any entity that controls the Licensee, or by any entity that directly or indirectly owns more than 25% of the capital stock of the Licensee, of a controlling interest in a foreign carrier that is authorized to operate in a market where the cable lands; or
  - 2) Acquisition of a direct or indirect interest greater than 25%, or a controlling interest, in the capital stock of the Licensee by a foreign carrier that is authorized to operate in a market where the cable lands, or by an entity that controls such a foreign carrier. See 47 CFR § 1.768(a)(1), (2).
- *Exceptions to Requirement of Prior Notification.* A licensee is not required to file a notification prior to consummation (and can instead file it within 30 days after consummation of the acquisition) if:
  - 1) The Commission has previously determined in an adjudication that the foreign carrier lacks market power in that destination market (for example in an international section 214 application or a declaratory ruling proceeding); or
  - 2) The foreign carrier owns no facilities in that destination market. For this purpose, a carrier is said to own facilities if it holds an ownership, indefeasible-right-of-user, or leasehold interest in a cable landing station or in bare capacity in international or domestic telecommunications facilities (excluding switches). See 47 CFR § 1.768(b)(1)(i), (ii).

If a Licensee cannot meet either of the exceptions in section 1.768(b)(1) of the Commission's

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rules, then prior notification is still not required if a Licensee certifies that the destination market where the cable lands is a World Trade Organization (WTO) member and provides certification to satisfy either of the following:

- 1) The Licensee demonstrates that its foreign carrier affiliate lacks market power in the cable's destination market pursuant to section 63.10(a)(3) of the rules; or
  - 2) The Licensee agrees to comply with the reporting requirements contained in section 1.767(l) of the rules, effective upon the acquisition of the affiliation. 47 CFR § 1.767(l). See 47 CFR § 1.768(b)(2)(i), (ii).
- *Notification After Consummation.* A Licensee that becomes affiliated with a foreign carrier and has not previously notified the Commission pursuant to the requirements of section 1.768 of the Commission's rules, shall notify the Commission within thirty (30) days after consummation of the acquisition. 47 CFR § 1.768(c). (Examples include acquisition by a Licensee of a direct or indirect interest in a foreign carrier that is greater than 25%, but not a controlling interest. See 47 CFR § 1.768(c) for additional examples.).

### **Description of Form**

This form consists of a main form and the ability to file an attachment(s) to support the request. The Licensee is encouraged to upload a single document in machine readable format, including all required information. The Licensee must fill in all required fields, upload required documents, make all required certifications, and sign the form before submitting the application.

### **Information Current and Complete**

Information filed in the notification with the Commission must be kept current and complete under section 1.65 of the Commission's rules. 47 CFR § 1.65. The Licensee shall maintain the continuing accuracy of information pursuant to section 1.768(h) of the Commission's rules for a period of 45 days after the filing of this form. 47 CFR § 1.768(h).

### **Applicable Rules and Regulations**

Section 1.768 of the Commission's rules requires that any entity that is licensed by the Commission to land or operate a submarine cable landing in a particular foreign destination market that becomes, or seeks to become, affiliated with a foreign carrier that is authorized to operate in that market, including an entity that owns or controls a cable landing station in that market, shall notify the Commission of that affiliation. 47 CFR § 1.768.

The FCC derives its authority to grant, regulate and impose conditions on submarine cables from:

- Cable Landing License Act of 1921 (Cable Landing License Act) and the 1954 Executive Order No. 10530. 47 U.S.C. §§ 34-39; Exec. Order No. 10530 § 5(a) (May 10, 1954); reprinted as amended in 3 U.S.C. § 301.
- Communications Act of 1934, as amended (Act); 47 U.S.C. § 151 *et. seq.*
- Commission rules, 47 CFR §§ 1.767, 1.768; §§ 63.18 (h), (o), (p), (q); § 63.10(a).
- Review of Commission Consideration of Applications under the Cable Landing License Act, IB Docket No. 00-106, Report and Order, 16 FCC Rcd 2167 (2001).

Applicants should refer to the Debt Collection Improvement Act of 1996. The Debt Collection Act requires all federal agencies to ensure that no debtors to the Federal government obtain any licenses or

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other benefits from the FCC. To ensure this, the Commission must collect FRN information to correlate its Applicants with any outstanding Federal debt that they might have incurred in other dealings with the Federal government. For additional information, see the [FCC's Debt Collection webpage](#).

#### **Other Submarine Cable (SCL) Forms**

- **SCL-LIC Form.**
  - This form is used to apply for a cable landing license.
- **SCL-AMD Form.**
  - This form is used to amend a pending application related to a cable landing license.
- **SCL-LPN Form**
  - This form is used to file the precise location of a cable landing point if such information was not included in the cable landing license application or to request to modify a cable landing license to add a new landing location. The notification must be filed no later than ninety (90) days prior to construction of a landing location.
- **SCL-ASG/TC Form.**
  - This form is used for an assignment of a cable landing license or the transfer of control of a Licensee. The form is used for both substantive and pro forma transactions.
- **SCL-MOD Form.**
  - This form is used to modify an existing cable landing license, for example to add or remove a Licensee or to add a new landing point.
- **SCL-RPT Form.**
  - This form is used to file the required quarterly reports of any Licensee affiliated with a foreign carrier with market power in a destination country of the cable system in accordance with section 1.767(l) of the Commission's rules.
- **SCL-RWL Form.**
  - This form is used to request renewal of an existing cable landing license.
- **SCL-STA Form**
  - This form is used to request Special Temporary Authority related to a cable landing license, such as to start construction of the cable prior to grant of the cable landing license or related to an unauthorized transaction related to the license.
- **SCL-WAV Form**
  - An individual or entity may request a waiver of the Commission rules by filing an SCL-WAV form.

#### **FCC Notice Required by The Paperwork Reduction Act**

We have estimated that on average each response to this collection of information (using in-house staff) will take up to 6 hours, depending on whether the application is for a post-transaction notification or prior approval for proposed foreign carrier affiliation. Our estimate includes the time to read the instructions, rules, gather data, and complete and file the form. If you have any comments on this burden estimate, or on how we can improve the collection and reduce the burden, please e-mail them to [pra@fcc.gov](mailto:pra@fcc.gov) or send them to the Federal Communications Commission, AMDPERM, Paperwork Reduction Project (3060-0944), Washington, DC 20554.

The Applicant is not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number of 3060-0944. This collection has been assigned an OMB control number of 3060-0944. This notice is required by the Paperwork Reduction Act of 1995, P.L. 104-13, October 1, 1995, 44 U.S.C. Section 3507.

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**For Assistance**

For technical assistance with completing the forms, contact the ICFS Helpline at (202) 418-2222 or [ICFSINFO@fcc.gov](mailto:ICFSINFO@fcc.gov). For general questions about the form requirements, contact the Office of International Affairs, Telecommunications and Analysis Division at (202) 418-1480 or at [FCC-OIA-TAD@fcc.gov](mailto:FCC-OIA-TAD@fcc.gov).

## FILING INSTRUCTIONS

Remember to save your draft application periodically by clicking the save button. ICFS will time-out out after 15 minutes of no activity, and failure to save will result in loss of any information entered into the application form after the last save.

### Licensee Information

Item 1. The Licensee must enter the information requested. Some data will be pre-populated using the data associated with Licensee's FCC Registration Number (FRN).

When the Licensee enters its FRN, the Applicant Information will pre-populate with its FRN data in CORES. To modify these pre-populated data, update the data associated with the FRN in [CORES](#). However, a few fields are editable in this item in the SCL-FCN form (Attention, Title, Phone, Fax, and Email fields are editable).

Enter any missing data and sections that are not already populated from CORES, such as the "Applicant/Licensee Legal Entity Type" field.

### Contact Information

Item 2. Identify the contact representative, if different from the Licensee. The contact information can be imported automatically from CORES if the Licensee supplies an FRN, but fields are still editable. If the contact representative is the same as the person indicated in Item 1, then check the box "Check here if same as Licensee." If the contact representative is not the same as the filing carrier, provide the requested information.

- Provide the name of a person in your organization, your outside counsel, or other representative whom we can contact if there are questions regarding your notification. This person should have decisional authority over the contents of your notification.
- Provide the Company name if different from the "Licensee" name in Item 1 or repeat "Company" name here.
- Provide the contact representative's address, phone number, fax number, and email.
- Provide your "Doing Business As (DBA)" name. If the Licensee is not operating its business using a DBA, you may leave this section blank.
- Indicate how the contact person is related to the Licensee by selecting a choice from the drop-down "Relationship" menu. For example, select "Legal counsel" if the contact is the Applicant's counsel. Selecting "Other" will open a text box for entry of a description of the relationship.

Item 3. In the box, enter the name of the Licensee and the place of organization using the drop-down menu of countries. If the place of organization is in the United States, use the drop-down box to identify the state or territory.

### Notification Information

Item 4. Provide a brief description of the notification. For example, state "Company X is notifying the Commission of its affiliation with foreign carrier Y in country Z." This description will appear in the "My Filings" tab on the Licensee's ICFS main page to help identify the application.

Item 5. Identify the type of notification (prior or post-consummation) for foreign carrier affiliation by checking the appropriate box:

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5.a. Prior Notification as required by section 1.768(a) of the Commission's rules:

If filing prior notification, as required by section 1.768(g)(2) of the Commission's rules, 47 CFR §1.768 (g)(2), the U.S. Licensee must demonstrate that it continues to serve the public interest for the Licensee to retain its interest in the cable landing license for that segment of the cable that lands in a non-WTO destination market. Such a showing shall include a demonstration as to whether the foreign carrier lacks market power in the non-WTO destination market with reference to the criteria in § 63.10(a) of this chapter. If the Licensee is unable to make the required showing, the Licensee shall agree to comply with the dominant carrier safeguards contained in section 63.10(c), effective upon the acquisition of the affiliation.

5.a.1. If the Licensee requests confidential treatment of the filing for the first twenty (20) days, do not fill in the table in this question, and instead provide the information in an uploaded confidential attachment (including an explanation for the request for confidentiality). The information in the attachment must be provided in the same format that is set out in the table in this question. See the instructions below in the Attachments/Confidential Treatment of Attachments for more information on confidential attachments. If the Licensee does not seek confidential treatment of the filing for the first twenty (20) days, and if prior notification is required, enter in the table:

- (a) name of foreign carrier(s), and
- (b) projected date of closing.

If the date entered is prior to forty-five (45) days before current date, the Licensee must submit an explanation as to why the notification was not provided to the Commission at least forty-five (45) days prior to consummation in accordance with section 1.768(a) of the Commission's rules. See 47 CFR § 1.768(a).

5.a.2. If prior notification is required, indicate whether the Licensee requests confidential treatment of the filing for the first twenty (20) days by checking "Yes" or No." See 47 CFR §1.768(i). If "Yes" is selected, the Licensee is required to submit, in an attachment, the information required by section 0.459 of the Commission's rules. See 47 CFR § 0.459.

5.b. Post-Consummation Notification pursuant to the exceptions in section 1.768(b) of the Commission's rules.

5.b.1. If filing a post-consummation notification, identify the rule exception on which the Licensee is relying by checking the appropriate box. The choices include:

- Section 1.768(b)(1)(i) – The Commission has previously determined in an adjudication that the foreign carrier lacks market power in that destination market.
- Section 1.768 (b)(1)(ii) – The foreign carrier owns no facilities in that destination market.
- Section 1.768 (b)(2)(i) – The destination market where the cable lands is a WTO Member, and the Licensee demonstrates that its foreign carrier affiliate lacks market power in the cable's destination market pursuant to section 63.10 (a)(3) of the Commission's rules.
- Section 1.768 (b)(2)(ii) – The destination market where the cable lands is a WTO Member, and the Licensee agrees to comply with the reporting requirements contained in section 1.767(l) of the Commission's rules, effective upon the acquisition of the affiliation.

5.b.2. If filing a post-consummation notification of the transaction, enter the following information in the table:

- (a) name of foreign carrier(s), and
- (b) date of closing.

If the closing date entered is later than thirty (30) days before the current date, the Licensee must submit an explanation as to why the notification was not provided

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to the Commission thirty (30) days or less after the consummation in accordance with section 1.768(c) of the Commission's rules. See 47 CFR § 1.768(c).

**Item 6.** If prior notification is required and if the Licensee requests confidential treatment of the filing for the first twenty (20) days, do not fill in the table in this question, and instead provide the information in an uploaded confidential attachment (including an explanation for the request for confidentiality). The information in the attachment must be provided in the same format that is set out in the table in this question. See the instructions below in the Attachments/Confidential Treatment of Attachments for more information on confidential attachments. If the Licensee does not seek confidential treatment of the filing for the first twenty (20) days, and if prior notification is required, enter in the table:

- (a) name(s) of the cable system(s) that is/are the subject of this notification, and
- (b) AuthID/File Number(s) under which the license was granted.

**Item 7.** Indicate whether the Licensee has provided a narrative description of the Foreign Carrier Affiliation by checking "Yes" or "No" here.

**Item 8.** Indicate whether the Licensee has filed an accompanying Assignment or Transfer of Control application with the Commission by checking "Yes" or "No." If "Yes," in the textbox, provide the ICFS file number of the Assignment or Transfer of Control application and the date of filing.

**Item 9.** Indicate whether the Licensee has a 10% or greater direct or indirect foreign owner by checking "Yes" or "No."

### **Foreign Carrier Information**

**Item 10.** If prior notification is required and if the Licensee requests confidential treatment of the filing for the first twenty (20) days, do not fill in the table in this question, and instead provide the information in an uploaded confidential attachment (including an explanation for the request for confidentiality). The information in the attachment must be provided in the same format that is set out in the table in this question. See the instructions below in the Attachments/Confidential Treatment of Attachments for more information on confidential attachments. If the Licensee does not seek confidential treatment of the filing for the first twenty (20) days, and if prior notification is required, enter the following information for each foreign carrier affiliate in the table (use separate rows to provide the information for each foreign carrier):

- (a) name(s) of the foreign carrier(s) that the Licensee is or seeks to become affiliated with;
- (b) the country or countries at the foreign end of the cable in which the foreign carrier is authorized to provide telecommunications services to the public or where it owns and/or controls a cable landing station;
- (c) whether the country is a member of the WTO; and
- (d) the name of the cable system that is the subject of the notification. See 47 CFR §1.768(e).

**Item 11.** If prior notification is required and if the Licensee requests confidential treatment of the filing for the first twenty (20) days, do not select a response to this question, and instead provide the information in an uploaded confidential attachment (including an explanation for the request for confidentiality). The information in the attachment must be provided in the same format that is set out in this question. See the instructions below in the Attachments/Confidential Treatment of Attachments for more information on confidential attachments. If the Licensee does not seek confidential treatment of the filing for the first twenty (20) days, and if prior notification is required, indicate by checking "Yes" or "No" whether the Licensee seeks to be excepted from the reporting requirements in section 1.767(l) of the Commission rules for the destination countries identified in Item 10.

- If "Yes," provide, in an attachment, a demonstration that each foreign carrier affiliate listed above lacks market power in the cable's destination market(s) pursuant to section 63.10(a)(3)

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- of the Commission's rules.
- If "No," select from the drop-down menu all of the destination markets for which the Licensee agrees to comply with the reporting requirements in section 1.767(l) of the Commission's rules, effective upon the acquisition of the affiliation.

## Ownership Information

**Item 12.** Indicate whether any person or entity directly or indirectly has a 10% or greater direct or indirect ownership of the Licensee ("Interest Holder") by checking "Yes" or No." If "Yes," enter the following information for each Interest Holder in the table (use separate rows to provide the information for each Interest Holder):

- Name of individual or entity that directly or indirectly owns at least ten percent of the equity of the Licensee ("Interest Holder")
- Address of Interest Holder
- Citizenship or Country of Incorporation of Interest Holder
- Principal business of Interest Holder
- Name of entity in which Interest Holder has at least a direct 10% equity interest and indicate whether it is a direct or indirect Interest; and
- Percentage of equity owned by Interest Holder to the nearest 1% (we will also accept up to two decimal places).

Example: Interest Holder 1, a telecommunications company organized in Canada, owns 100% of the equity interests in ABC Corp., a Bermuda holding company, which owns 100% of the equity interests in XYZ Inc., a United States holding company, which owns 100% of the equity interests in Licensee. This information should be entered in the table in this question as follows:

### Entry for Interest Holder 1

- Name of Individual or Entity that Directly or Indirectly Owns at Least 10% of the Equity of the Licensee ("Interest Holder"): Interest Holder 1
- Address of Interest Holder: 123 Oak Road, Calgary, Canada
- Citizenship or Country of Incorporation of Interest Holder: Canada
- (1) Dual or More Citizeships (if applicable): [leave blank]
- Principal Business of Interest Holder: Telecommunications
- Name of the Entity in Which the Interest Holder has at Least a Direct 10% Equity Interest: ABC Corp.
- Percentage Owned by Interest Holder (indicate the equity interests): 100

### Entry for ABC Corp.

- Name of Individual or Entity that Directly or Indirectly Owns at Least 10% of the Equity of the Licensee ("Interest Holder"): ABC Corp.
- Address of Interest Holder: 123 Palm Road, Hamilton, Bermuda
- Citizenship or Country of Incorporation of Interest Holder: Bermuda
- (1) Dual or More Citizeships (if applicable): [leave blank]
- Principal Business of Interest Holder: Holding Company
- Name of the Entity in Which the Interest Holder has at Least a Direct 10% Equity Interest: XYZ Inc.
- Percentage Owned by Interest Holder (indicate the equity interests): 100

### Entry for XYZ Inc.

- Name of Individual or Entity that Directly or Indirectly Owns at Least 10% of the Equity of the Licensee ("Interest Holder"): XYZ Inc.

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- (b) Address of Interest Holder: 123 Elm Road, Ashburn, VA  
(c) Citizenship or Country of Incorporation of Interest Holder: United States  
(c)(1) Dual or More Citizenships (if applicable): [leave blank]  
(d) Principal Business of Interest Holder: Holding Company  
(e) Name of the Entity in Which the Interest Holder has at Least a Direct 10% Equity Interest:  
Licensee  
(f) Percentage Owned by Interest Holder (indicate the equity interests): 100

By entering the ownership information in this way in this question, Commission staff and the public can infer that Interest Holder 1 is the indirect owner of 100% of the equity interests of the Licensee. Licensees are also required to submit a narrative explanation of their ownership which will provide further detail regarding the Licensee's ownership. These items must be uploaded in the Attachments section of the notification.

**Item 13.** If the Licensee answered "Yes" to Item 10, indicate by checking "Yes" or "No" whether the Licensee has any interlocking directorates with foreign carrier(s) named in this notification, pursuant to section 1.768(e)(5) of the Commission's rules. If "Yes," in an attachment, identify the interlocking directorates pursuant to 1.768(e)(5) of the Commission's rules.

### **Application Fees**

**Item 14.** An application fee is required for this Foreign Carrier Affiliation Notification. Indicate whether the Licensee is exempt from the application fee by selecting "Yes" or "No."

**Note that the FCC may not be able to start its review of a submitted application until the associated application fee is paid.** To determine the required fee amount, refer to Subpart G of Part 1 of the Commission's Rules ([47 CFR Part 1, Subpart G](#)) and the current Fee Filing Guide. The current Fee Filing Guide can be downloaded from the FCC's website at <http://www.fcc.gov/fees>, by calling the FCC's Form Distribution Center at (800) 418-FORM (3676), or by faxing your request to the FCC's Fax Information System by dialing 1-866-418-0232.

If the Licensee claims a fee exemption by answering "No" to question 14, it must select a reason by checking one of the listed options. An attachment demonstrating the Licensee's eligibility for exemption from FCC application fees must be submitted. If the reason is "Other," briefly describe the rationale in the text box provided. If a request for waiver/deferral of the FCC application fees has been filed with the FCC, provide the date-stamped copy of the request filed with the Commission's Office of the Managing Director as an attachment.

If the Licensee answers "Yes" to question 14, it must select the correct fee code here. The fee code is DAB. Select this fee code.

### **Waivers**

**Item 15.** Indicate whether the Licensee requests a waiver of any Commission rules by checking "Yes" or "No." If "Yes," identify the rules for which a waiver is sought in the fill-in box. Provide an explanation for the waiver request in an attachment, along with other material information. In the attachment, also provide a response to the following question: "Is there a separately filed waiver request associated with this Notification?" In the attachment, provide the SCL-WAV File Number(s) if there is a separately filed waiver request associated with this Notification.

### **Attachments**

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For Items 16-21, the Licensee must indicate whether it has included the described attachment, as appropriate.

Item 16. The Licensee has uploaded a narrative description of the Foreign Carrier Affiliation as required by the Commission rules.

Item 17. If prior notification is required, the Licensee has uploaded an attachment demonstrating that it continues to serve the public interest for the Licensee to retain its interest in the cable landing license for that segment of the cable that lands in the non-WTO destination market as required by section 1.768(g)(2) of the Commission's rules, 47 CFR § 1.768(g)(2), and the showing includes a demonstration as to whether the foreign carrier lacks market power in the non-WTO destination market with reference to the criteria in section 63.10(a) of the Commission's rules. 47 CFR § 63.10(a).

Item 18. If the date in Item 5.a.1. is prior to 45 days before the filing date, the Licensee has uploaded an explanation as to why the notification was not provided to the Commission at least forty-five (45) days prior to consummation in accordance with section 1.768(a) of the Commission's rules. 47 CFR § 1.768(a).

Item 19. If prior notification is required and if the Licensee requests confidential treatment of the filing for the first 20 days after filing under section 1.768(i) of the Commission's rules, the Licensee has uploaded the information required by section 0.459 of the Commission's rules for a request for confidential treatment of the filing. 47 CFR §§ 1.768(i); 0.459.

Item 20. If the Licensee seeks to be excepted from the reporting requirements in section 1.767(l) of the Commission's rules for the identified destination market(s), the Licensee has uploaded an attachment, demonstrating that each foreign carrier affiliate listed in this notification lacks market power in the cable's destination market(s) pursuant to section 63.10(a)(3) of the Commission's rules. 47 CFR § 63.10(a)(3).

Item 21. The Licensee has uploaded a detailed ownership listing responding to section 63.18(h) of the Commission's rules, and the name of any interlocking directorates with each foreign carrier named in this notification, as defined in section 63.09(g)(1) of the Commission's rules. 47 CFR §§ 63.18(h); 63.09(g)(1).

#### **Attachments/Confidential Treatment of Attachments**

Item 22. If the Licensee is requesting confidential treatment for any of its attachments, answer this question "Yes." Otherwise, answer "No." \_

If the Licensee answers "Yes" in Item 22, then it must upload a supporting statement for the "confidential treatment request(s)" identifying the applicable rule(s) and providing other supporting materials or information. The Licensee must also upload both the Redacted Public version and the Non-Redacted Confidential version of the attachment(s) in the Attachments section which follows below.

The Licensee can upload attachments in this section of the notification. The Licensee will identify the attachment(s) with a short name for easy identification of the information included in each attachment.

**Note:** Each document required to be filed as an attachment should be current as of the date of filing. Each page of every attachment must be identified with the number or letter, the number of the page, and the total number of pages.

In this Item, the Licensee may use the upload button to upload its attachments. After uploading, the Licensee can describe the attachment. Also after uploading, the Licensee can click the confidential

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treatment button next to the attachment name if it so desires. Clicking the confidential treatment button will trigger a request to upload both a redacted, public version of the attachment and a public supporting statement justifying the confidentiality request. Identify in the attachment the applicable rule(s) and provide other supporting materials or information. Documents designated for confidential treatment will not be publicly viewable in ICFS while the Commission considers the confidentiality request.

### **Continuing Accuracy**

Item 23. The Licensee must click on the checkbox to acknowledge that it will maintain the continuing accuracy of information pursuant to section 1.768(h) of the Commission's rules for a period of forty-five (45) days after the filing.

### **General Certification Statements**

Item 24. In order to submit the notification, the Licensee must certify acknowledgement of all requirements listed here and elsewhere in this form, as appropriate, by clicking on the single indicated checkbox. These requirements include:

- If filing a Post-Consummation Notification, the Licensee certifies that, as required by section 1.768(e)(7) of the Commission's rules, it has submitted, in an attachment, a certification as to which exception in section 1.768(b) of the Commission's rules, 47 CFR § 1.768(b), the foreign carrier satisfies and a citation to any adjudication upon which the Licensee is relying. If the Licensee is relying upon the exceptions in section 1.768(b)(2) of the Commission's rules, 47 CFR § 1.768(b)(2), the Licensee certifies that the destination market where the cable lands is a WTO Member and that the Licensee, in an attachment, has made the required certification demonstration required in section 1.768(b)(2)(i) of the Commission's rules, or the certified commitment to comply with the reporting requirements in section 1.768(b)(2)(ii) of the Commission's rules, in the notification required by section 1.768(c) of the Commission's rules.
- The Licensee certifies that it has provided all the required information and certifications under section 1.768 of the Commission's rules.
- The Applicant certifies that neither it nor any other party to the application is subject to a denial of Federal benefits, including FCC benefits pursuant to section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 862, because of a conviction for possession or distribution of a controlled substance. See 47 CFR § 1.2002(b) for the meaning of "party to the application" for these purposes. (This certification does not apply to applications filed in services exempted under section 1.2002(c) of the rules, or to Federal, State or local governmental entities or subdivisions thereof. See 47 CFR § 1.2002(c).)
- The Applicant certifies that all of its statements made in this application and in the attachments or documents incorporated by reference are material, are part of this application, and are true, complete, correct, and made in good faith.

### **Party Authorized to Sign**

Item 25. Enter all the requested information. Willful false statements are punishable by fine and or/imprisonment (U.S. Code, Title 18, Section 1001). By signing this, you certify that you are a party authorized to sign and all statements made in this application and in the attachment or documents incorporated by reference are material, are part of this application, and are true, complete, correct, and made in good faith.

Enter the title of the person signing the application. If the Licensee is a corporation or other business entity, the person submitting the application must be an officer.

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The Licensee does not enter a date. ICFS will fill in the date automatically with the date on which the application is submitted.

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. Code, Title 18, Section 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. Code, Title 47, Section 35), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).