

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of)
)
Process Reform for Executive Branch Review of) IB Docket No. 16-155
Certain FCC Applications and Petitions Involving)
Foreign Ownership)

To: The Commission

**JOINT COMMENTS OF CBS CORPORATION,
21st CENTURY FOX, INC., UNIVISION COMMUNICATIONS INC.
AND THE NATIONAL ASSOCIATION OF BROADCASTERS**

CBS Corporation, 21st Century Fox, Inc., Univision Communications Inc. and the National Association of Broadcasters (the “Broadcaster Representatives”) respectfully submit these comments in response to the Notice of Proposed Rulemaking (the “NPRM”) in the captioned proceeding.¹

INTRODUCTION AND BACKGROUND

By letter dated May 10, 2016,² the National Telecommunications and Information Administration (“NTIA”), on behalf of the Executive Branch, asked the Commission to modify its procedures for petitions for declaratory ruling under Section 310(b)(4) of the Communications Act in order to facilitate a streamlined review process by the FCC and the Executive Branch “Team Telecom” agencies. The Commission sought comment on the NTIA Letter by Public

¹ *In the Matter of Process Reform for Executive Branch Review of Certain FCC Applications and Petitions Involving Foreign Ownership*, IB Docket No. 16-155, Notice of Proposed Rulemaking (rel. June 24, 2016).

² Letter from the Honorable Lawrence E. Strickling, Assistant Secretary for Communications & Information, U.S. Department of Commerce, to Marlene H. Dortch, Secretary, FCC, *Information and Certification from Applicants and Petitioners for Certain International Licenses and Other Applications*, May 10, 2016 (“NTIA Letter”).

Notice dated May 12, 2016,³ and the Broadcaster Representatives jointly filed a response on May 23, 2016.⁴ The Commission soon thereafter released the instant NPRM setting out proposals to implement NTIA's request.

The Broadcaster Representatives applaud the Commission's efforts to streamline review of foreign ownership petitions and to ensure "timeliness and transparency."⁵ These comments offer specific suggestions that we believe will help effectuate the Commission's streamlining goals. Specifically, as discussed further below, we believe the Commission's goals would best be served by (i) developing particularized disclosure requirements as part of the instant rulemaking proceeding rather than during to the Paperwork Reduction Act ("PRA") process; (ii) modifying the disclosure requirements to remove any that are irrelevant, inapplicable, or duplicative in the broadcast context; (iii) taking steps to safeguard competitively sensitive information filed by Section 310(b) petitioners; and (iv) expeditiously completing its rulemaking proceeding to update rules and processes governing broadcast foreign ownership.

I. INFORMATION TO BE PROVIDED BY SECTION 310(b)(4) PETITIONERS SHOULD BE NARROWLY TAILORED TO REFLECT RELEVANT NATIONAL SECURITY CONCERNS.

The NPRM acknowledges the Broadcaster Representatives' concerns that certain information sought by the Executive Branch is overly broad with respect to broadcasters,⁶ and asks whether there are "more narrowly tailored questions" that could further the NTIA Letter's stated goals.⁷ Nevertheless, the NPRM proposes to adopt the Executive Branch questions set out

³ Public Notice, *NTIA Letter*, DA 16-531, rel. May 12, 2016.

⁴ Letter from Broadcaster Representatives to Marlene H. Dortch, Secretary, FCC, regarding *NTIA Letter*, IB 16-155, May 23, 2016.

⁵ NPRM at ¶ 1.

⁶ *See id.* at ¶ 20, fn. 55; ¶ 35, fn. 100.

⁷ *Id.* at ¶ 20.

in the NTIA Letter wholesale, and only to allow parties to comment on and suggest modifications to specific questions during the subsequent PRA process.⁸

The Broadcaster Representatives urge the Commission to tailor rules governing petitioners' information collection and disclosure requirements under Section 310(b)(4) during the Report and Order phase of this proceeding. Doing so would ensure that the Commission does not adopt final rules that are contrary to its stated streamlining goals. The PRA process should not effectively become a further rulemaking proceeding for disclosure requirements that have already been adopted. Indeed, policy judgments regarding applicants' substantive disclosure obligations are the exclusive province of the Commission and may not be delegated to the Office of Management and Budget as part of its PRA review process.⁹

As the Broadcaster Representatives previously explained, several of the questions included in the NTIA Letter, and now incorporated into the NPRM's Appendix D (Sample Questions Regarding National Security and Law Enforcement Provided by NTIA), are neither necessary nor relevant in the broadcast context.¹⁰ Certain categories of information identified in the NTIA Letter relate to matters that have nothing to do with broadcasting.¹¹ For example, broadcasters do not own or control telecommunications networks, do not provide services to any sectors of critical U.S. infrastructure, do not have telecommunications intercept capabilities, and do not have compliance obligations under the Communications Assistance for Law Enforcement

⁸ *Id.* at ¶ 22.

⁹ *See, e.g., United Steelworkers of America, AFL-CIO-CLC v. Pendergrass*, 855 F.2d 108, 113 (3d Cir. 1988) (“Nothing in the Paperwork Reduction Act suggests a congressional intention to allow OMB, in the guise of regulating collection of information, the authority to second guess other federal agencies with respect to the kinds of disclosure needed to accomplish substantive policies entrusted to such agencies.”).

¹⁰ Letter from Broadcaster Representatives to Marlene H. Dortch, Secretary, FCC, regarding *NTIA Letter*, IB 16-155, May 23, 2016 at 2-3.

¹¹ NTIA Letter at 3.

Act.¹² Simply stated, the Executive Branch concerns identified in the NTIA Letter relate entirely to espionage and the integrity of U.S. telecommunications infrastructure – matters which do not implicate broadcasters.

Significantly, NTIA asked the Commission to expand its information collection requirements only with respect to applications and petitions involving international Section 214 authorizations (47 C.F.R. § 63.18), submarine cable landing licenses (47 C.F.R. § 1.767), and common carrier, aeronautical en route and aeronautical fixed radio station licenses (47 C.F.R. § 1.990-1.994).¹³ Moreover, the NTIA Letter does not request changes to the disclosure obligations of broadcast petitioners or applicants. To the contrary, and as the FCC acknowledged in seeking comment on the NTIA Letter, NTIA asked the Commission to “obtain information and certifications from applicants and petitioners . . . for certain *international* authorizations...”¹⁴ – which by definition does not include broadcast authorizations.

Requiring broadcasters to expend time and resources reviewing and seeking to answer non-pertinent questions not only is contrary to the intent of the NTIA Letter, but also threatens to undermine the benefits outlined by the Commission in the related and ongoing *Broadcast Foreign Ownership NPRM* proceeding.¹⁵ We therefore urge the Commission to harmonize the two rulemakings to ensure that the benefits of the Commission’s streamlining proposals are available to petitioners in all services.

¹² *Id.* at 2-5.

¹³ *Id.* at 3 and fns 4-7.

¹⁴ NTIA Letter Public Notice at 1 (emphasis added).

¹⁵ See *Review of Foreign Ownership Policies for Broadcast, Common Carrier and Aeronautical Radio Licensees Under Section 310(b)(4) of the Communications Act of 1934, as Amended*, Notice of Proposed Rulemaking, 30 FCC Rcd 11830 (2015) (“*Broadcast Foreign Ownership NPRM*”).

To assist the Commission in tailoring its Section 310(b)(4) disclosure and certification requirements for broadcasters, the Broadcaster Representatives attach to these comments a revised Appendix D that would exempt broadcasters from providing information or making certifications that are not pertinent to broadcast authorizations or operations.¹⁶ Our proposed modifications to Appendix D affect certain categories of information broadly defined in the NTIA Letter and incorporated into Appendix D, as well as specific “triage” questions typically asked of common carrier applicants by Team Telecom in its evaluation of proposed foreign investment.¹⁷ Thus, our proposed changes reflect that questions relating to communications networks, services to critical U.S. infrastructure, telecommunication intercept capabilities, and certifications under the Communications Assistance for Law Enforcement Act, do not pertain to broadcasters.

We urge the Commission to refrain from adopting the one-size-fits-all approach outlined in the NPRM’s Appendix D, and instead incorporate the Broadcaster Representatives’ proposed modified appendix into its final rules.

II. THE COMMISSION’S PROPOSED MILESTONES FOR STREAMLINED REVIEW ARE NECESSARY AND APPROPRIATE.

The Broadcaster Representatives are generally supportive of a unified disclosure process that incorporates an informal 90-day “shot clock” for the Executive Branch to respond to petitions once the FCC places them on public notice.¹⁸ We note that our proposed modifications

¹⁶ For the Commission’s convenience we also attach a document that shows the changes between the NPRM’s Appendix D and the proposed modified appendix.

¹⁷ See NTIA Letter at 3.

¹⁸ See NPRM at ¶ 36. The Broadcaster Representatives support the proposed requirement that the Executive Branch notify the Commission if it completes its review within 90 days. *Id.* We also do not object to the NPRM’s proposal to allow the Executive Branch to request one additional 90-day period for special circumstances, provided it updates the FCC on the status of its review every 30 days following the expiration of the initial 90-day period. *Id.* at ¶ 43.

to Appendix D also would help simplify and expedite this process by deleting from broadcaster disclosure requirements certain irrelevant or inapplicable questions or certifications to the extent they duplicate information already required to be provided in an underlying FCC license assignment or transfer of control application.

Similarly, the Broadcaster Representatives do not object to initial review by the FCC of Section 310(b)(4) petitioners' responses to Executive Branch questions.¹⁹ However, we urge the Commission to monitor the review process and to revisit this proposal if it determines that demands on the Commission's limited resources result in delays at the front end of the review process. The release of the FCC public notice triggering the 90-day Executive Branch shot clock should not be delayed due to limits on the staff's ability to conduct a timely initial review.

Moreover, we urge the Commission to lengthen the proposed seven-day time frame for broadcast petitioners to correct and resubmit to the Commission any incomplete answers or certifications.²⁰ At a minimum the Commission should extend the window for corrected or amplified responses to ten days and should consider requests for additional time to respond on a case-by-case basis.²¹ We also urge that the time frame for responses to Executive Branch inquiries be lengthened to a minimum of ten days.²² Such modification will better allow petitioners to respond fully and accurately to requests for additional information.

¹⁹ *Id.* at ¶ 25.

²⁰ *Id.* at ¶ 37.

²¹ Requests for additional time at the Commission would harmonize its rules with the proposed extension requests at the Executive Branch. *Id.* at ¶ 45.

²² *Id.*

III. THE COMMISSION SHOULD ENSURE THAT ADEQUATE SAFEGUARDS ARE IN PLACE TO PROTECT CONFIDENTIAL INFORMATION SUBMITTED IN A SECTION 310(b)(4) PETITION FROM PUBLIC DISCLOSURE.

In the NPRM, the Commission states that in application proceedings it may rely on protective orders to limit the disclosure of competitively sensitive information, and it seeks comment on whether it should take additional measures to ensure confidentiality with respect to Section 310(b)(4) petitions.²³ The Broadcaster Representatives believe that, at a minimum, information designated as confidential by petitioners should be presumed to be confidential by both the Commission and the Executive Branch. Conversely, if the Commission or the Executive Branch seeks to make any designated confidential information public, it should first be required to provide notice to the petitioner so that the petitioner has the opportunity to seek a protective order. Further, there may be circumstances when a broadcast petitioner may be required to disclose information to the Executive Branch – for example, information regarding non-voting equity holders – that would not otherwise be required to be made available to the Commission or be subject to review by Commission staff. The Broadcaster Representatives believe broadcast petitioners should be permitted to exclude any such information from their FCC Section 310(b)(4) submissions and provide it directly to the Executive Branch.

Finally, the Commission proposes to establish a Network Outage Reporting Systems-type portal for foreign ownership petitions and applications.²⁴ Although we do not object to the creation of a database for Section 310(b)(4) petitions, we urge the Commission to monitor its networks carefully and to update its database protocols regularly in order to ensure that confidential information is properly secured.

²³ *Id.* at ¶ 27.

²⁴ *Id.*

IV. THE FCC SHOULD COMPLETE THE 2015 FOREIGN OWNERSHIP RULEMAKING PROCEEDING.

The Broadcaster Representatives appreciate that the Commission has, without delay, placed on public notice for comment five broadcast Section 310(b)(4) petitions, four of which involve requests by broadcast companies to increase their indirect foreign ownership above the 25 percent threshold in compliance with the protocols set forth in the *Broadcast Foreign Ownership NPRM*.²⁵ There the Commission has proposed to, among other things, “simplify the methodology a [broadcast] licensee should use to assess its compliance with the 25 percent foreign ownership benchmark in Section 310(b)(4) *in order to reduce regulatory burdens on applicants and licensees*.”²⁶ Significantly, the Commission stated that its streamlining proposals would continue “to protect important interests related to national security, law enforcement, foreign policy, and trade policy and other public policy goals.”²⁷ The proposals in that proceeding have broad support by broadcasters and common carriers alike. We therefore urge the Commission promptly to issue an order adopting the proposals set out in the *Broadcast Foreign Ownership NPRM*.

CONCLUSION

The Broadcaster Representatives are generally supportive of the Commission’s stated streamlining goals for Section 310(b)(4) petitions subject to the concerns and suggestions stated

²⁵ These four include the Pandora Radio LLC Petition (which was granted), *Frontier Media Petition for Declaratory Ruling*, MB Docket No. 16-212, DA 16-765 (July 6, 2016); *Univision Holdings, Inc. and Grupo Televisa, S.A.B. Petition for Declaratory Ruling*, MB Docket No. 16-217, DA 16-776 (July 7, 2016); and *Hemisphere Media Group, Inc. Petition for Declaratory Ruling*, MB Docket No. 16-238, DA 16-844 (July 27, 2016). Additionally, Corvex Management, a Pandora shareholder, has petitioned the Commission to increase its ownership position. *See Corvex Master Fund LP Petition for Declaratory Ruling*, MB Docket No. 16-253, DA 16-919 (Aug. 12, 2016). We note that Commission action on these petition is not subject to, and need not await the outcome of, either this proceeding or the *Broadcast Foreign Ownership* proceeding.

²⁶ *Broadcast Foreign Ownership NPRM* at 11831 (emphasis added).

²⁷ *Id.*

herein. We also urge the Commission promptly to finalize the proposals set forth in the *Broadcast Foreign Ownership NPRM*.

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Respectfully submitted,

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August 18, 2016

SAMPLE QUESTIONS REGARDING NATIONAL SECURITY AND LAW ENFORCEMENT PROVIDED BY NTIA

This questionnaire offers guidance on the type and extent of information that may be requested when submitting petitions for declaratory ruling under Section 310(b)(4) of the Communications Act. These questions would generally cover, to the extent applicable to the particular application, detailed information regarding the business organization and services, network infrastructure, relationships with foreign entities or persons, historical regulatory and penal actions, and capabilities to comply with applicable legal requirements, and would be shared with relevant Executive Branch departments and agencies to assist in the review of public interest factors. These questions are intended to be illustrative and will be subject to further refinement.

If any of the information requested below has been provided in the FCC section of the joint submission, your response should refer to your corresponding answers-relevant in that sections.

CONTENTS OF FCC LICENSE APPLICATION (WITH FOREIGN OWNERSHIP)

I. ALL LICENSE APPLICATIONS SHALL DESCRIBE OR PROVIDE, AS APPLICABLE:

1. Basic information, including:

- a. Full business name;
- b. Any other names used, if applicable;
- c. Address of principal place of business;
- d. Place of incorporation;
- e. Point of contact information;
- f. Website(s);
- g. Description of intended services to be provided under this license; and
- h. Description of services being provided under any currently held FCC licenses, if applicable.

2. Corporate information, including:

- a. The name, address and nationality (including dual citizenship) or place of incorporation of: the immediate parent(s), the ultimate parent(s), and each intermediate parent with 5% or greater ownership.
- b. If applicable, for all 5% or greater individual owners, senior company officers or directors, or employee personnel that control or monitor the network infrastructure under the Applicant's control, who are either non-U.S. citizens or dual citizens, provide the following:
 - i. Full name, including any alternative spellings or any aliases ever used;
 - ii. Date and place of birth;
 - iii. Passport identifying number;
 - iv. US alien number (if applicable);
 - v. All residence and business addresses and phone numbers;

- vi. Whether the individual has ever been investigated, arraigned, arrested, indicted or convicted of: (1) any of violation of federal U.S. law; (2) any violation of local, state or federal law in connection with the provision of telecommunications services, equipment and/or products and/or any other practices regulated by the Telecommunications Act of 1996 and/or by state public utility commissions; and/or (3) deceptive sales practices, violations of the Consumer Fraud Act and regulations, and/or other fraud or abuse practices whether pursuant to local, state or federal law; and
- vii. And whether such individual will have access to systems or records from an overseas location.

3. Relationships with any foreign entities, or any U.S. subsidiaries or affiliates of foreign entities (if applicable), including:

- a. The identity of the foreign entity, U.S. subsidiaries, or affiliates of foreign entities;
- b. A description of the relationship with these entities, including joint ventures, consortiums, sources of revenue accounting for over 10% of annual revenue, and other significant business relationships; and
- c. Whether any of these entities are foreign government-controlled, including the identity of the foreign government exercising control.

4. Regulatory/penal actions (if applicable), including:

- a. Listing of all FCC licenses, including cancelled and/or terminated licenses, and all licenses held by affiliates;
- b. Identification of any prior or ongoing FCC enforcement actions against any and all affiliated entities, including any entities which share one or more owners with the applicant, and if concluded, the result of such actions;
- c. Any other prior or ongoing regulatory enforcement actions against any and all affiliated entities, including any entities which share one or more owners with the applicant, and if concluded, the result of such actions; and
- d. Any other violations of local, state or federal laws by any and all affiliated entities, including any entities which share one or more owners with the applicant.

APPENDIX D

**SAMPLE QUESTIONS REGARDING NATIONAL SECURITY AND
LAW ENFORCEMENT PROVIDED BY NTIA**

This questionnaire offers guidance on the type and extent of information that may be requested when submitting ~~applications~~petitions for ~~licenses~~declaratory ruling under ~~sections 214 and~~Section 310**(b)(4)** of the Communications Act, ~~as well as applications for submarine cable landing and satellite earth station licenses.~~ These questions would generally cover, to the extent applicable to the particular application, detailed information regarding the business organization and services, network infrastructure, relationships with foreign entities or persons, historical regulatory and penal actions, and capabilities to comply with applicable legal requirements, and would be shared with relevant Executive Branch departments and agencies to assist in the review of public interest factors. These questions are intended to be illustrative and will be subject to further refinement.

If any of the information requested below has been provided in the FCC section of the joint submission, your response should refer to your corresponding answers relevant in that sections.

CONTENTS OF FCC LICENSE APPLICATION (WITH FOREIGN OWNERSHIP)

I. ALL LICENSE APPLICATIONS SHALL DESCRIBE OR PROVIDE, AS APPLICABLE:

1. Basic information, including:

- a. Full business name;
- b. Any other names used, if applicable;
- c. Address of principal place of business;
- d. Place of incorporation;
- e. Point of contact information;
- f. Website(s);
- g. Description of intended services to be provided under this license; and
- h. Description of services being provided under any currently held FCC licenses, if applicable; ~~and~~. ~~Explanation of the Applicant's intended overall business model for licensed and unlicensed services in the United States for the next five years.~~

2. Corporate information, including:

- a. The name, address and nationality (including dual citizenship) or place of incorporation of: the immediate parent(s), the ultimate parent(s), and each intermediate parent with 5% or greater ownership.
- b. If applicable, for all 5% or greater individual owners, senior company officers or directors, or employee personnel that control or monitor the network infrastructure under the Applicant's control, who are either non-U.S. citizens or dual citizens, provide the following:
 - i. Full name, including any alternative spellings or any aliases ever used;
 - ii. Date and place of birth;
 - iii. Passport identifying number;
 - iv. US alien number (if applicable);
 - v. All residence and business addresses and phone numbers;
 - vi. Whether the individual has ever been investigated, arraigned, arrested, indicted or convicted of: (1) any of violation of federal U.S. law; (2) any violation of local, state or federal law in connection with the provision of telecommunications services, equipment and/or products and/or any other practices regulated by the Telecommunications Act of 1996 and/or by state public utility commissions; and/or (3) deceptive sales practices, violations of the Consumer Fraud Act and regulations, and/or other fraud or abuse practices whether pursuant to local, state or federal law; and
 - vii. And whether such individual will have access to systems or records from an overseas location.

~~**3. Financial Information (if applicable), including:**~~

- ~~a. The name of any and all financial institutions providing support or other assistance, and~~
- ~~b. Audited financial statements from the preceding accounting year, or suitable equivalent.~~

3. 4. Relationships with any foreign entities, or any U.S. subsidiaries or affiliates of foreign entities (if applicable), including:

- a. The identity of the foreign entity, U.S. subsidiaries, or affiliates of foreign entities;

- b. A description of the relationship with these entities, including joint ventures, consortiums, sources of revenue accounting for over 10% of annual revenue, and other significant business relationships; and
- c. Whether any of these entities are foreign government-controlled, including the identity of the foreign government exercising control; ~~andd. — Whether such foreign entity, or U.S. subsidiaries or affiliates thereof, has any known control over the applicant and/or access to any U.S. facility, data, or customer information under the control of the applicant.~~

4. ~~5.~~ **Regulatory/penal actions (if applicable), including:**

- a. Listing of all FCC licenses, including cancelled and/or terminated licenses, and all licenses held by affiliates;
- b. Identification of any prior or ongoing FCC enforcement actions against any and all affiliated entities, including any entities which share one or more owners with the applicant, and if concluded, the result of such actions;
- c. Any other prior or ongoing regulatory enforcement actions against any and all affiliated entities, including any entities which share one or more owners with the applicant, and if concluded, the result of such actions; and
- d. Any other violations of local, state or federal laws by any and all affiliated entities, including any entities which share one or more owners with the applicant.

~~6. — Assistance to Law Enforcement, including:~~

- ~~a. — Present and/or future intended capabilities to comply with CALEA, if applicable;~~
- ~~b. — Present or future anticipated relationships with any trusted third party providers, if applicable;~~
- ~~c. — The identity of any resident U.S. citizen point of contact for law enforcement assistance; and~~
- ~~d. — Whether records may be accessed and/or made available in the U.S. within three business days of receipt of lawful U.S. process.~~

~~7. — Network Infrastructure (if applicable), including:~~

- ~~a. — A description and location of any and all facilities, whether owned or leased, where any applicant-owned or leased equipment is~~

- ~~located; include all carrier transport facilities, telecommunication switching platforms, routers, media gateways, servers, network operations centers, Points of Presence (POPs), and data centers;~~
- ~~b. A description of how any network infrastructure will be used to deliver current or intended services, including identification of the carrier transport facilities (T1, DS3, Optical Carrier) that will enable customer data flow into and out of owned and/or leased equipment;~~
- ~~c. A network topology map providing the geographic footprint, including all POPs. To the extent operations are accessed and/or controlled from any overseas locations, please provide the address of such locations and a description of the operations accessed and/or controlled from there;~~
- ~~d. The identity of any underlying carriers used to furnish services to customers and/or resell any services; and~~
- ~~e. Storage location(s) of original business records, including
 - ~~i. records of customer data;~~
 - ~~ii. storage location(s) of copies of such records;~~
 - ~~iii. the location from where such records are, or will be, accessed; and~~
 - ~~iv. a description of the types and nature of records to be stored.~~~~
- ~~f. A description of network security policies and procedures.~~

~~**II. In addition to the questions in item (I), Transfers of Control of 214 Applications and Petitions for Declaratory Ruling will also describe or provide the following:**~~

- ~~1. Services to be provided, including:
 - ~~a. Description of services currently offered and estimated number of current subscribers;~~
 - ~~b. Description of whether services will be offered as resale or facilities-based or both;~~
 - ~~c. Description of the current and intended customer base, including whether residential, enterprise, carrier, whether sold directly to an end-user, and whether applicant is currently or intends to sell to local, state or federal government entities;~~~~

- ~~d. Listing of any current or intended federal, state or local government customers/contracts, if applicable; and~~
- ~~e. Current or intended underlying, interconnecting and/or peering carrier relationships.~~

~~2. Business operations, including:~~

- ~~a. The total number of current employees;~~
- ~~b. The total number of employees located within the United States;~~
- ~~c. The total number of employees located outside the United States and a description of any access by these employees to U.S. facilities and/or data;~~
- ~~d. Description of personnel screening procedures used by the applicant when hiring employees;~~
- ~~e. The total number of subscribers;~~

~~III. In addition to the questions in item (I), Submarine Cable Landing licenses will also describe or provide the following:~~

- ~~1. A description and location of all cable-related facilities, whether owned or leased, where any applicant-owned or leased equipment is located;~~
- ~~2. A network topology map indicating the geographic footprint. To the extent operations are accessed and/or controlled from any overseas locations, please provide the address of such locations and a description of the operations accessed and/or controlled from there;~~
- ~~3. A description of the expected initial and designed capacity of the cable system, including number of fiber pair, number of wavelengths per pair, and transmission speed per wavelength;~~
- ~~4. If the cable system is to be owned by a consortium, a description of the ownership percentages and capacity rights by owner. To the extent that distinct fiber pair in the cable system will be owned and/or operated by specific members of the consortium, a description of the ownership and operation of each fiber pair in the cable system;~~
- ~~5. A description of the cable system maintenance procedures, including identification of the geographic location of the facility with maintenance authority.~~
- ~~6. All access control/security policies that are in place for the submarine cable network operations;~~

~~7. All current and anticipated equipment vendors and managed services providers; and~~

~~8. A list of known customers and carriers using, or intending to use, the submarine cable.~~

~~IV. In addition to the questions in item (I), Satellite Earth Station licenses will also describe or provide the following:~~

~~1. A description and location of all satellite-related facilities, whether owned or leased, where any applicant-owned or leased equipment is located;~~

~~2. A network topology map indicating the geographic footprint. To the extent operations are accessed and/or controlled from any overseas locations, please provide the address of such locations and a description of the operations accessed and/or controlled from there;~~

~~3. All access control/security policies that are in place for the satellite network operations; and~~

~~A list of known customers and carriers using, or intending to use, the satellite's communications.~~