



International Bureau

Federal Communications Commission
Washington, DC 20554

December 4, 2002

Andrew D. Lipman
Jean L. Kiddoo
Paul O. Gagnier
Counsel for Applicants
Swidler Berlin Shereff Friedman: LLP
3000 K Street, N.W., Suite 300
Washington, D.C. 20007-5116

Re: Application of Global Crossing Ltd. and GC Acquisition Limited for Consent to Transfer Control of Various Licenses and Authorizations and Petition for Declaratory Ruling, IB Docket No. 02-286

Dear Mr. Lipman, Ms. Kiddo, and Mr. Gagnier:

This is a request for additional information with respect to the various applications and the petition for declarator). ruling docketed in IB Docket No. 02-286. Noting that the applicants, in their November 5, 2002 pleading, urged the Commission to "be prepared to grant the [various applications] promptly once it is notified that any national security, law enforcement, or public safety issues raised by the Department of Justice and other U.S. Government agencies have been addressed," please respond to this request by December 18, 2002. The docket is a restricted proceeding with respect to the Commission's *ex pane* rules.

1. Bankruptcy Court Proceedings. What is the status of the relevant bankruptcy proceedings in New York and Delaware? The applications and their attachments in this docket contemplate a January 31, 2003 closing unless material regulatory approvals have nor been obtained by then.' What is the expected timeline for the Delaware bankruptcy case involving PC Landing, a cable landing licensee? If the Delaware bankruptcy court's decision is not contemporaneous with that in the New York proceeding, how would the applicants seek to have the Commission treat the request to transfer control of Global Crossing's approximately 49.77% interest in the cable landing license held by PC Landing? Also, how does the recent bankruptcy court filing by PC Landing's indirect parent Asia Global Crossing affect, if at all, PC Landing?
2. Status of the Transferee What is the status of the formation of GC Acquisition Limited, the transferee" The applications slate that the applicants

¹ See, e.g., Section 214 Application at Exhibit A. Global Crossing's web site states that it expects bankruptcy court confirmation of the plan of reorganization on December 4, 2002. See www.globalcrossing.com/xml/res/index.xml.

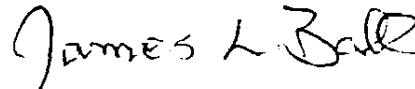
will advise the Commission when the formation of this entity is complete. See Main Application at n.9, Section 214 Application at n.6. Cable Landing License Application at n.6. If the company hasn't yet been formed, when is this expected to occur? Will the transferee be organized under the laws of Bermuda? Provide principal place of business showings for the transferee and for its subsidiary Global Crossing Holdings Ltd.

3. Organizational Chart Provide a chart with the organizational structure for the entities that are involved in the proposed transaction. Include the authorization and license holders; the transferee and any intermediate subsidiaries; the individuals or entities investing in the transferee (to the extent those individuals or entities currently are ascertainable); and each direct and indirect parent company of the investing entities, including any such company that may not be named in the applications.
4. Ownership Information. To the extent not already provided in the applications, provide the following information for each individual or entity shown in the organizational chart: name; address; equity and voting interests held in the entity in the next lower tier of the ownership chain; identify which, if any, of these interests constitute a controlling interest in the company in the next lower tier; and provide the citizenship of each individual investor or, in the case of a corporation, partnership or other company or association, the principal place of business.
5. Foreign Ownership Interests. In addition to the information requested in paragraph 4 above, provide the percentage of Hutchison Wampoa Limited's publicly traded shares that are held by or for the benefit of individuals or entities whose citizenship or principal place(s) of business are in countries other than the United States, Hong Kong or Singapore. Similarly, the principal place of business showing for Cheung Kong (Holdings) Limited (CKHL) should include, in addition to information as to CKHL's principal shareholders, an explanation as to how the remaining shares are held. If they are traded publicly, provide the name of the exchange(s); provide the percentage of CKHL's shares held by or for the benefit of individuals or entities whose citizenship or principal place(s) of business are in countries other than the United States, Hong Kong or Singapore. Note that, in the context of the principal place of business showing, we consider a company's "principal shareholders" to be its ten-percent-or-greater shareholders. However, for purposes of determining the aggregate foreign equity and voting interests in a common carrier licensee, the Commission calculates and determines the country of origin of all foreign interests held directly or indirectly, including through U.S. or foreign corporations whose shares are held publicly or otherwise.
6. Cable Landing License Application. The cable landing license application states that, except in Singapore, all foreign affiliates have substantially less

than a 50% share of the international transport and local access markets in their respective markets **See** Cable Landing License Application at 10. Do any of the foreign affiliates have market power in the provision of submarine cable landing stations in their respective markets? Provide the name, address and citizenship of each foreign affiliate that owns or controls a cable landing station, along with a brief statement as to why, if in fact this is true, each foreign affiliate does not have market power in the provision of cable landing stations. *See* Notes to 47 C.F.R. Sections 1.767, 1.768.

7. Product Markets. To what types of customers do the FCC-Licensed Subsidiaries provide service: to residential consumers and small businesses (mass market), medium-sized and large business customers (large business market), or both? Do the Domestic 214 Subsidiaries provide only interexchange services, or do they also provide local exchange services? *See, e.g., MCI/Worldcom Order*, 13 FCC Rcd 18025, 18040, para. 24 (1998).

Sincerely,



James L. Ball
Chief, Policy Division