

LATHAM & WATKINS LLP

August 5, 2011

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Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

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Re: IB Docket No. 11-78

Dear Ms. Dortch:

By this letter, Global Crossing Limited (“GCL”) responds to a request from Commission staff for additional information concerning certain of its subsidiaries’ affiliations with foreign carriers. As discussed in its July 27, 2011 letter and in the transfer-of-control applications filed in the above-referenced proceeding, GCL’s subsidiaries Global Crossing Americas Solutions, Inc. (“GCAS”) and Global Crossing North America, Inc. (“GCNA”) currently are regulated as dominant in the provision of international telecommunications services on the U.S.-Laos, U.S.-Singapore, and U.S.-Ireland routes, due to their affiliations with foreign carriers that are presumed to possess market power in those destination markets.¹ Those affiliations are as follows:

- U.S.-Singapore: GCL, GCAS, and GCNA are affiliated with Singapore Telecommunications Limited (“SingTel”), due to the common ownership of SingTel and GCL’s indirect parent, Singapore Technologies Telemedia Pte Ltd (“ST Telemedia”), by Temasek Holdings (Private) Limited (“Temasek”).² In light of this

¹ Accordingly, GCL’s subsidiaries have filed quarterly traffic reports pursuant to 47 C.F.R. § 43.61 with respect to these three routes. Although GCL originally agreed that its submarine cable licensee subsidiaries would file similar reports pursuant to 47 C.F.R. § 1.767, the Commission has observed that it was not required to do so unless a licensed cable lands in a market where GCL is affiliated with a dominant foreign carrier. *Global Crossing Ltd. (Debtor in Possession), Transferor, and GC Acquisition Limited, Transferee, Applications for Consent to Transfer Control of Various FCC Licenses, Order and Authorization*, 18 FCC Rcd 20,301 ¶ 44 (IB, WCB, and WTB 2003) (“*GCL Transfer Order*”). Because none of GCL’s submarine cable licensee subsidiaries have cables with landing points in Singapore, Ireland, or Laos, no such reports have been necessary.

² Though under common control for purposes of applicable Commission rules, *see generally* 47 C.F.R. §§ 63.09-63.24, ST Telemedia and SingTel are legally separate entities and operate independently of each other, with only arms’ length dealings between them. Publicly available information indicates that Temasek currently owns approximately 55 percent of SingTel. *Our Portfolio: Major Holdings*,

affiliation, GCL agreed in the course of being acquired by ST Telemedia in 2003 to be treated as dominant on the U.S.-Singapore route.³

- U.S.-Laos: GCL, GCAS, and GCNA are affiliated with Lao Telecommunications Company (“Lao Telecom”), due to the common ownership of GCL and Lao Telecom by ST Telemedia. ST Telemedia holds an indirect interest in GCL through its subsidiaries STT Communications Ltd (“STT Communications”) and STT Crossing Ltd (“STT Crossing”). Through a separate chain of companies, ST Telemedia also holds an indirect interest in Lao Telecom.
- U.S.-Ireland: GCL, GCAS, and GCNA are affiliated with eircom Limited (“eircom”), due to the common ownership of GCL and eircom by ST Telemedia. ST Telemedia holds an indirect interest in GCL through its subsidiaries, STT Communications and STT Crossing. Through a separate chain of companies, ST Telemedia also holds an indirect interest in eircom.

As explained in GCL’s July 27 letter and the parties’ transfer-of-control applications, however, all three of these affiliations will cease following the consummation of the proposed transaction, when ST Telemedia’s indirect interest in GCL will be reduced to a minority interest below 25 percent—an interest below the foreign affiliation threshold set forth in 47 C.F.R. §§ 63.09, 63.18(m). Thus, both GCL and Level 3 Communications, Inc. (“Level 3”) have requested—as a condition of the Commission’s approval of the proposed transaction, effective at consummation—non-dominant treatment for their subsidiaries authorized to provide international telecommunications services on these routes.

Please do not hesitate to contact me should you have any further questions. I can be reached at (202) 637-2194 or brian.murray@lw.com.

Sincerely,

/s/ Brian W. Murray

Brian W. Murray

Counsel to Global Crossing Limited

cc: Carrie-Lee Early
Kent Bressie (Wiltshire & Grannis LLP, on behalf of Level 3)

http://www.temasekholdings.com.sg/our_portfolio_portfolio_highlights_major_investments.htm (last visited Aug. 4, 2011).

³ GCL Transfer Order ¶ 44.