

proportion of ownership and use as between the U.S. carriers, but also in the event it becomes appropriate to allow other European countries to participate in the construction phase or the acquisition of interests from U.S. carriers after construction is completed. We are also cognizant that policy legislation for a merger of the overseas U.S. carriers may be enacted. Such retention of jurisdiction is also desirable, in the event of the passage of legislation relating to merger, consolidation, or other restructuring of the industry, and the approval by the Commission of an application submitted pursuant to such legislation, so that the Commission may make each reassignment of the interests authorized herein as may then be found to be appropriate.

48. The application states that A.T. & T. proposes to acquire its ownership interest in the portion of the cable between the United States and Spain located in Spanish territory in the name of its wholly owned subsidiary, Transpacific Communications, Inc. It is also stated that each of the other applicants may also elect to acquire its ownership interest in such portion of the cable in the name of a wholly owned subsidiary or an affiliated company. We assume that should they so elect, they will so advise us, giving relevant information and seeking appropriate modification of our authorizations herein.

49. We also note that applicants' financial and legal plans are based on an estimated 25-year life of the system. Our authorizations should be consistent with this period, and we will therefore issue our cable landing license for a term ending 25 years after the cable is placed in service.

50. Finally, we should like to point out that our action herein relates solely to the application before us. It is not to be construed as indicating any policy whatever with respect to the authorization of transoceanic cable facilities in the future. If and when applications for such facilities are filed, we will consider them on their merits in the light of then-existing circumstances.

CONCLUSIONS

51. The foregoing factors lead us to conclude:

(a) That the public interest, convenience, and necessity would be served by a grant of the application considered herein for authority pursuant to section 214 of the Communications Act, to construct and operate, with communications entities in Spain, Italy, and Portugal, the cable and radio system described in the application between the United States on the one hand and Spain, Italy, and Portugal on the other; with the conditions hereinafter set forth; and

(b) That the application considered herein, filed under the Submarine Cable Landing License Act of 1921, for a cable landing license, should be granted, and that a license pursuant to that act be issued to applicants to land and operate near Green Hill, R.I., the cable between the United States and Spain, comprising part of the cable and radio system described in the application.

ORDER AND CERTIFICATE

It is hereby certified that the present and future public convenience and necessity require the construction, operation and landing in the United States of the cable and radio system described in the application file No. P-C-7022;

It is ordered that the aforementioned application, as amended, to construct and operate, with entities in Spain, Italy, and Portugal, a 720-circuit cable between a location near Green Hill, R.I., and San Fernando, Spain, together with a microwave system between San Fernando, Spain, and Sesimbra, Portugal, a microwave system between San Fernando, Spain, and Estepona, Spain, and a cable system between Estepona, Spain, and Rome, Italy, as more particularly described in the application of A.T. & T., ITTWC, RCAC, and WUI, filed April 1, 1968, file No. P-C-7022, is granted, subject to the following terms, conditions, and limitations:

(a) A.T. & T. is authorized to own 271 whole circuits and 240 half circuits in the TAT-5 cable (and may acquire in the name of its wholly owned subsidiary, Transpacific Communications, Inc., such portion of these circuits as may be in Spanish territory), and to acquire by indefeasible right of user IRU 142 whole circuits and 16 half circuits in the San Fernando-Sesimbra microwave system, and 73 whole circuits and 154 half-circuits in the San Fernando-Estepona microwave system and the Estepona-Rome cable system, and to use such half circuits to provide those services it is now authorized to provide with Spain, Portugal, and Italy;