

Executive Summary of Public Testimony
To Be Presented on Behalf of the
North American Submarine Cable Association
to the
U.S. Commission on Ocean Policy
at its Public Hearing in Boston, Mass.
July 24, 2002



Submarine fiber-optic cables, typically only the diameter of a garden hose, provide huge long-haul telecommunications bandwidth at low cost. They therefore are the primary means of telecommunications between continents (voice, data, and internet traffic), far outstripping satellites. Installation and operation of such cables has tiny environmental impacts. Conflicts with other potential uses of the seabed are minimized through techniques such as burying the cable where anchoring, trawling or dredging by commercial fishers is expected. Due to technological advances that are expected to continue, the bandwidth possible in a new cable system is increasing at least as fast as demand for bandwidth is increasing, which reduces the number of additional cables needed.

A proposed new cable system must run a gauntlet of federal, state, and local reviewing agencies. On the federal level, the FCC, ACOE and NOAA each play a role. Often at least two state agencies are involved, one assessing fees for crossing state lands and one regulating environmental and other potential impacts.

Submarine cable projects are economically vulnerable to unexpected delays because of their large cost (typically \$1/2 billion to \$1 billion) and because the rapid pace of technological change can make a delayed project no longer competitive. The current governance system has a number of problems that threaten not only to unfairly burden and delay projects that are in the national interest, but also to kill such projects through delay. These problems include (1) lack of settled clear criteria for approving such projects, and delay through some federal and state agencies changing their approval criteria mid-stream; (2) inadequate coordination among the multiple approval authorities; (3) some states giving excessive weight to asserted local interests, including those of commercial fishers, and insufficient weight to the national interest in timely approval of the project; (4) some ACOE District Offices and some states improperly claiming permitting jurisdiction more than 3 nautical miles from shore; and (5) NOAA and some states threatening to impose unwise new restrictions on submarine cables, such as mandating "cable corridors" and prohibiting "wet links".

To cure these problems, and to protect the national interest in maintaining robust telecommunications links with the rest of the world, NASCA believes that (1) the Commission and all agency decision-makers should recognize that cables are essential infrastructure and are environmentally benign; (2) the Executive Branch should clarify the jurisdictional issue; and (3) a nationally consistent federal permitting regime should be created to set the conditions for installing submarine cables, in lieu of state and local permitting processes.

360networks inc.

Alcatel Submarine Networks

AT&T Corp.

Gemini Submarine Cable System, Inc.

Global Crossing Ltd.

Global Marine Systems Limited

Global Photon Systems, Inc.

GlobeNet Communications Group, Ltd.

Level 3 Communications, LLC

New World Network USA, Inc.

Southern Cross Cable Network

Sprint Communications Corporation

Teleglobe Communications Corp.

Tyco Networks (US) Inc.

Williams Communications, LLC

WorldCom, Inc.

