

The Role of Regional Cable Protection Committees in the Protection of Submarine Cables

A presentation to CIL and the ICPC by the North
American Submarine Cable Association

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The Regional Committees

- United Kingdom Cable Protection Committee
 - 1998-9, 41 members, power and telecommunications cable owners, operators & suppliers
- Danish Cable Protection Committee
 - 1999, 30 members, power and telecommunications cable owners
- North American Submarine Cable Association
 - 2000, 16 members, telecommunications cable owners, installers and maintenance providers
- Oceania Submarine Cable Association
 - 2010-11, 9 members, power and telecommunications cable owners, installers and maintenance providers, regulators and government

NASCA Members

- ACS Alaska
- Alaska United Fiber Systems Partnership
- Alcatel / Lucent Submarine Networks
- Apollo Networks
- AT&T Corp.
- Brasil Telecom of America, Inc. / GlobeNet
- Columbia Ventures Corporation
- Columbus Networks
- Global Marine Systems
- Level (3) Communications, LLC
- Reliance GlobalCom
- Southern Cross Cable Network
- Sprint Communications Corp
- Tata Communications
- Tyco Telecommunications (US) Inc.
- Verizon Business

NASCA Structure and Administration

- Non profit corporation (501 c) incorporated in the State* of Delaware.
- Requirement for at least one meeting per year, often a teleconference.
- Officers – President, Vice President, Treasurer and Secretary.
- Secretariat provided by David Ross Group
- NASCA is committed to the growth of the undersea telecommunications industry, the safe deployment and operation of submarine cables, and cooperative relationship between the industry, environment, other marine industries, and government. To this end, NASCA serves as a common forum for its membership to provide and exchange technical and legal information pertaining to submarine cables.

Regional Committee History

- Most Regional Committees formed during the undersea cable “boom” of the late 1990’s and early 2000’s.
- Many new entrants into the undersea cable industry may have been viewed as naïve.
- New cable owners promised unrealistic installation parameters to regulators or questioned competing cables in order to gain an advantage in permit approval.

Regional Committee History

- All were formed for numerous reasons, primary among them was the need to speak with a unified voice to regulators, governments and other sea bed users (commercial fishermen).
- Needed to ensure that no cable owner agreed to permit conditions that were technically infeasible and would then need to be agreed to by all others seeking approvals at the same time.
- Also may have been a view that the ICPC was not able to assist in local or domestic problems

Regional Challenges & Solutions

- NASCA
 - Each US State* regulates 3 NM of sea bed and each may have a different set of regulations.
 - During the boom and shortly after several US States* wrote regulations specifically dealing with Undersea Cables
 - NASCA worked with the US States* of Oregon, New Jersey and Florida to get more “cable friendly” regulation.

Regional Challenges & Solutions

- NASCA
 - Eastern Scotian Shelf Integrated Management (ESSIM) plan, included waters outside the Territorial Sea.
 - Canada sought to regulate all activities in a large marine ecosystem through ESSIM
 - Grouped undersea cables with pipelines in what would have been an undersea utility corridor
 - Mandated fisheries consultation
 - NASCA pointed out this was inconsistent with UNCLOS, identified inconsistencies with Canadian Law and highlighted the long history of fisheries and cables sharing the sea bed.

Interaction and Cooperation with ICPC

- Great deal of cross membership between ICPC and the Regional Committees
- Presentation by Regional Committees at ICPC Executive and Plenary meetings
- For comments on the same issue, typically
 - ICPC comments confined to international law and UNCLOS related issues
 - Regional Committee comments confined to domestic issues

More Regional Committees?

- Are there unique regional problems or challenges?
 - Permitting and Regulation
 - Permitting delays
 - Regulatory or permitting requirements that add cost, time or with little or no technical merit
 - Fisheries
 - Gear or techniques specific to an area that endanger cables
 - Fisheries interference with cable installation or repair
 - Offshore industries
 - Wind
 - Wave
 - Oil and Gas

More Regional Committees?

- Do the owners, operators, installers and maintenance providers in any region have the local knowledge and skills required to solve the problems and overcome the challenges unique to their region?
- Is there a need for a single point of contact and closer coordination or partnership with National Governments?

Thank you

