



# State of Utah

## Department of Commerce Division of Public Utilities

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### Action Request Response

**To:** Public Service Commission of Utah

**From:** Utah Division of Public Utilities

Chris Parker, Director

Artie Powell, Manager

Brenda Salter, Utility Technical Consultant Supervisor

Michael Healy, Utility Analyst

**Date:** January 21, 2021

**Re:** **Docket No. 21-2610-01**, Viasat Carrier Services, Inc.'s Request for Agency Action re: Annual Lifeline and High Cost Recertification.

### Recommendation (Approve)

The Division of Public Utilities (Division) recommends that the Utah Public Service Commission (Commission) approve Viasat Carrier Services, Inc.'s (Viasat) request that the Commission certify to the Federal Communications Commission (FCC) and to the Universal Service Administrative Company (USAC) that it is certified to receive Federal Universal Service Funding for calendar year 2021.

### Issue

Pursuant to 47 C.F.R. Paragraph 54.314, the Commission is required to certify that all carriers within its jurisdiction will use Federal Universal Service Funds (USF) "only for the provision, maintenance, and upgrading of facilities and services for which the support is intended," as required by 47 U.S.C. 254(e). This certification may be in the form of a letter to the FCC regarding the carriers' compliance and clearly referencing WC Docket No. 10-90.

## **Background**

### *Certification:*

The Commission has received an electronic copy of Form 481 from Viasat Carrier Services, Inc. (509022)

In conducting this investigation, the Division has reviewed the information contained in the Form 481 with emphasis placed on compliance to the following requirements:

1. Broadband Services Rate Comparability (Line 1030) Pursuant to 47 C.F.R. § 54.313(a)(3) the companies outlined in the report that the rates charged for Broadband services are no higher than the most recent applicable benchmark announced by the Wireline Competition Bureau.
2. Voice Services Rate Comparability (Line 1010) Pursuant to 47 C.F.R. § 54.313(a)(6) and 47 C.F.R. § 54.202(a)(2) companies must indicate its services meet the requirement to provide voice services at rates no more than two standard deviations above the national average urban rate for voice service.
3. Functionality in Emergency Situations (Line 610) DPU Recommendation Docket No. 20-999-05 September 15, 2020 4 Pursuant to 47 C.F.R. § 54.313(a)(6) and 47 C.F.R. § 54.22(b)(4) as set forth in 47 C.F.R. § 54.202 (a)(2) companies must indicate it meets the requirements to remain functional in emergency situations.

## **Conclusion**

The Division recommends the Commission approve Viasat Carrier Services, Inc.'s request for certification of eligibility to receive Federal High-Cost Support by submitting a certification letter to the FCC and USAC.

Cc: Jason Sophinos, Corporate Counsel, Viasat Carrier Services, Inc.