

PUBLIC SERVICE COMMISSION OF UTAH

Docket No. 21-2624-01

PUBLIC HEARING

April 20, 2021

ADVANCED REPORTING SOLUTIONS

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1 BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

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4 Application of Starlink)
5 Services, LLC, for)
6 Designation as an Eligible)
7 Telecommunications Carrier)
8 for Purposes of Receiving)
9 Rural Digital Opportunities)
10 Fund Support)
11) Docket No. 21-2624-01
12 _____)

13 VIDEO CONFERENCED HEARING TAKEN THROUGH
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21 Reported by: Michelle Mallonee, RPR, CCR
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23 ALSO PRESENT:

24 Ted Price
25 Arty Powell
Doug Wheelwright

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1 P R O C E E D I N G S

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3 HEARING OFFICER HOGLE: Good afternoon,
4 everyone. My name is Yvonne Hogle, and I'm the
5 Commission's designated presiding officer in this docket.
6 It is April 20th, 2021 and approximately 4:00 in the
7 afternoon.

8 And this is the date and time set for the
9 hearing in the application of Starlink Services, LLC, for
10 Designation as an Eligible Telecommunications Carrier for
11 Purposes of Receiving Rural Digital Opportunities Fund
12 Support in Docket No. 21-2624-01.

13 Let's take appearances for the record, starting
14 with the Applicant, please.

15 MR. RUSSELL: Phillip Russell on behalf of
16 Starlink Services. With me from the company is Ted
17 Price. I'm expecting our witness, Matt Johnson, to
18 appear as well, but I don't yet see him here, so I'm
19 hoping that he can join us shortly. I know that they
20 have some internal controls that make it sometimes
21 difficult to access video conferencing. But I'm hoping
22 he's finding a workaround.

23 HEARING OFFICER HOGLE: Okay. So, Mr. Russell,
24 would you like us to pause a bit to see if he joins us?
25 Or do you think he might join us during the time that

1 we're introducing everybody else?

2 MR. RUSSELL: Let's do the rest of the
3 introductions and see where we are.

4 HEARING OFFICER HOGLE: Okay.

5 For the Division, please.

6 MR. MOORE: You're muted.

7 MR. JETTER: I need some lip reading there.

8 I'm Justin Jetter with the Utah Attorney
9 General's office, and I represent the Utah Division of
10 Public Utilities. And, today, the Division will present
11 one witness, Casey Coleman.

12 For folks who don't recognize a few folks that
13 are on the call today, Arty Powell and Doug Wheelwright
14 are also with the Division, but they are not going to be
15 called as witnesses.

16 HEARING OFFICER HOGLE: Okay. Thank you,
17 Mr. Jetter.

18 For the Office, please.

19 MR. MOORE: Yes. This is Robert Moore of the
20 Attorney General's office, representing the Office of
21 Consumer Services. With me is Alex Ware of the Office.
22 He'll be our testifying witness.

23 HEARING OFFICER HOGLE: Okay.

24 And for URTA, please.

25 MS. SLAWSON: Hi. Good afternoon. This is Kira

1 Slawson on behalf of the Utah Rural Telecom Association.
2 We've got Douglas Meredith available, if needed, to
3 testify in support of the stipulation.

4 HEARING OFFICER HOGLE: Okay. Thank you.

5 Mr. Russell, I guess we're back to you.

6 MR. RUSSELL: And my hopes that my witness would
7 have been able to join seem to go wanting. Maybe we can
8 take a brief pause, and either Mr. Price or I can attempt
9 to get ahold of Mr. Johnson, if that's okay with
10 everyone.

11 MR. PRICE: He is trying to get on.

12 HEARING OFFICER HOGLE: I just admitted him, so.

13 MR. PRICE: Okay. Good. Good.

14 HEARING OFFICER HOGLE: Good afternoon,
15 Mr. Johnson. Can he hear us?

16 MR. RUSSELL: Yeah, Matt, you're on mute, if
17 you're trying to talk.

18 THE WITNESS: Hello, guys. Sorry about that.

19 HEARING OFFICER HOGLE: Hi. Okay. Well, this
20 case has been resolved through stipulation among
21 Starlink, DPU, the Office, and URTA. And we are here to
22 give the parties an opportunity to present and support
23 the stipulation.

24 At this time, Mr. Russell, are you ready to call
25 your witness?

1 MR. RUSSELL: I am. Starlink calls Matt
2 Johnson.

3 HEARING OFFICER HOGLE: Good afternoon. Do you
4 swear to tell the truth, Mr. Johnson?

5 THE WITNESS: Yes.

6 HEARING OFFICER HOGLE: Okay. Thank you.
7

8 MATTHEW JOHNSON,
9 was called as a witness, and having been first duly
10 sworn to tell the truth, the whole truth, and nothing
11 but the truth, testified as follows:
12

13 DIRECT EXAMINATION

14 BY MR. RUSSELL:

15 Q. And could you state and spell your name for the
16 record, please.

17 A. Sure. My name is Matthew Troy Johnson,
18 M-A-T-T-H-E-W, Troy, T-R-O-Y, Johnson, J-O-H-N-S-O-N.

19 Q. And could you tell us who you work for, what
20 your title is, and your duties and responsibilities,
21 please?

22 A. Yes, I work for SpaceX. My title is senior
23 business operations analyst. And my responsibilities are
24 to help guide the rollout of the Starlink network.

25 Q. And on whose behalf are you offering testimony

1 today?

2 A. SpaceX and Starlink, LLC.

3 Q. Did you prepare or cause to be filed direct
4 testimony in this proceeding?

5 A. Yes.

6 Q. Specifically, did you file direct testimony and
7 Exhibits 1 through 4 on February 5, 2021, in this docket?

8 A. Yes.

9 Q. And with respect to that testimony, do you have
10 any corrections to make?

11 A. No.

12 Q. If asked the same questions today that were
13 posed in your prefiled testimony, would you provide the
14 same answers?

15 A. Yes.

16 MR. RUSSELL: Okay. And at this point, I'll
17 move for the admission of Mr. Johnson's direct testimony.

18 HEARING OFFICER HOGLE: Okay.

19 Any objections?

20 Okay. They're admitted. Thank you.

21 Q. (BY MR. RUSSELL:) And, Mr. Johnson, have you
22 prepared a summary of your testimony?

23 A. I have.

24 Q. Please proceed.

25 A. As an initial matter, I'd like to thank the

1 Public Service Commission of Utah for the opportunity to
2 appear and discuss the application. I'd also like to
3 thank the Division of Public Utilities, Office of
4 Consumer Services, and the Utah Rural Telecom Association
5 for their professionalism and cooperation in reaching the
6 stipulation on this matter.

7 In October and November of 2020, the Federal
8 Communications Commission had conducted the Phase 1
9 auction for the Rural Digital Opportunity Fund, or RDOF.
10 The Phase 1 auction sought to provide funds to entities
11 that propose to provide voice and broadband Internet
12 service in areas that are wholly unserved by broadband
13 service with speeds of at least 25 megabits download, 3
14 megabits upload. Areas throughout the state of Utah were
15 identified as eligible for funding in this Phase 1
16 auction.

17 In the auction, Space Exploration Technologies,
18 Inc., or SpaceX, was the winning bidder for numerous
19 areas throughout Utah. SpaceX submitted winning bids,
20 proposing to provide voice and 100 megabits broadband
21 Internet service to approximately 8,600 locations
22 throughout Utah. As previously noted, these Utah
23 locations were among those that the FCC determined were
24 most in need of broadband Internet service investment.

25 Consistent with the FCC rules, SpaceX assigned

1 its winning bids to its subsidiary, Starlink Services,
2 LLC.

3 In this docket, Starlink seeks to be designated
4 as an eligible telecommunications carrier. The ETC
5 designation is a condition imposed by the FCC and is a
6 necessary step towards Starlink receiving the funds
7 awarded in the RDOF auction.

8 To receive the auction funds, Starlink must meet
9 certain milestones consistent with the deployment of
10 voice and broadband Internet service to these Utah
11 locations. Specifically, Starlink is required to offer
12 service to 40 percent of the service area by the end of
13 the third full calendar year following funding
14 authorization and 20 percent each year thereafter,
15 resulting in 100 percent deployment to funded locations
16 by the end of the sixth calendar year.

17 For purposes of the ETC designation, the FCC has
18 identified certain eligibility criteria. My prefiled
19 testimony discusses the ETC eligibility criteria at
20 length and demonstrates that Starlink satisfies this
21 criteria.

22 My prefiled testimony also demonstrates that
23 designating Starlink as an ETC to enable it to provide
24 service in unserved areas of Utah is also in the public
25 interest.

1 After filing my direct testimony, Starlink
2 engaged in discussions with the Division, the Office, and
3 URTA in an effort to resolve concerns raised about
4 Starlink's application. Those discussions resulted in
5 the stipulations signed by all parties to this docket and
6 which was filed with the Commission on April 7th.

7 Starlink supports this stipulation and looks forward to
8 the opportunity to provide services in the areas of Utah
9 that are most in need of high speed broadband Internet
10 service.

11 I again thank the Division, the Office, and URTA
12 for their consideration of this application and their
13 agreement to the stipulation.

14 I also want to thank the Commission for its
15 consideration of these matters and ask that the
16 Commission grant the application consistent with the
17 stipulation reached by the parties. Thank you.

18 MR. RUSSELL: Thank you, Mr. Johnson.

19 And I will at this point make the witness
20 available for cross-examination and Commission questions.

21 HEARING OFFICER HOGLE: Okay. Does the Division
22 have any questions for Mr. Johnson?

23 MR. JETTER: No questions from the Division,
24 thank you.

25 HEARING OFFICER HOGLE: Does the Office have any

1 questions for Mr. Johnson?

2 MR. MOORE: We have no questions, thank you.

3 HEARING OFFICER HOGLE: And does URTA have any
4 questions for Mr. Johnson?

5 MS. SLAWSON: No questions, thank you.

6 HEARING OFFICER HOGLE: Thank you.

7 Mr. Johnson, I, too, do not have any questions.
8 I appreciate your time.

9 And let's go with the Division of Public
10 Utilities, please.

11 MR. JETTER: Thank you, the Division would like
12 to call and have sworn in Casey Coleman.

13 HEARING OFFICER HOGLE: Good afternoon,
14 Mr. Coleman. Do you swear to tell the truth?

15 THE WITNESS: Yes.

16 HEARING OFFICER HOGLE: Okay.

17

18 CASEY COLEMAN,
19 was called as a witness, and having been first duly
20 sworn to tell the truth, the whole truth, and nothing
21 but the truth, testified as follows:

22

23 DIRECT EXAMINATION

24 BY MR. JETTER:

25 Q. Mr. Coleman, would you please state your name

1 and occupation for the record.

2 A. Yeah. My name is Casey J. Coleman, and I work
3 as a utility technical consultant for the Division of
4 Public Utilities.

5 Q. Thank you. And in the course of your employment
6 with the Division, have you had the opportunity to review
7 the application filed by Starlink Services in this docket
8 along with the prefiled testimony both from Starlink and
9 the Utah rural telephone association?

10 A. Yes.

11 Q. And have you had an opportunity to review the
12 settlement stipulation that was agreed to by the parties
13 in this docket?

14 A. Yes.

15 Q. And based on your experience as an analyst for
16 the Division and the information in the prefiled
17 testimonies, do you believe that the settlement
18 stipulation and the approval of that stipulation would be
19 just, reasonable, and in the public interest for Utah
20 rate payers?

21 A. Yes.

22 Q. And I guess maybe a little bit more broadly,
23 would be just, reasonable, and in the public interest for
24 the state of Utah generally?

25 A. Yes.

1 Q. Thank you.

2 MR. RUSSELL: I have no further questions, and
3 Mr. Coleman is available for cross-examination or
4 questions from the Commission.

5 HEARING OFFICER HOGLE: Thank you, Mr. Jetter.
6 Mr. Russell, does Starlink have any questions?

7 MR. RUSSELL: No questions, thank you.

8 HEARING OFFICER HOGLE: Mr. Jetter -- excuse me,
9 Mr. Moore?

10 MR. MOORE: No questions.

11 HEARING OFFICER HOGLE: Does the Office have any
12 questions? Okay.

13 MR. MOORE: No questions, thank you.

14 HEARING OFFICER HOGLE: And -- I apologize. I
15 was talking over you.

16 Ms. Slawson, does URTA have any questions for
17 Mr. --

18 MS. SLAWSON: No questions.

19 HEARING OFFICER HOGLE: Okay. Thank you.
20 Okay. Let's go with the Office, please.

21 I don't have any questions.

22 MR. MOORE: The Office calls Alex Ware and asks
23 that he be sworn.

24 HEARING OFFICER HOGLE: Mr. Ware -- I don't see
25 him.

1 THE WITNESS: Do you see me?

2 HEARING OFFICER HOGLE: Yes, now I can see you.

3 Do you swear to tell the truth.

4 THE WITNESS: I do.

5 HEARING OFFICER HOGLE: Okay. Thank you.

6

7 ALEX WARE,

8 was called as a witness, and having been first duly
9 sworn to tell the truth, the whole truth, and nothing
10 but the truth, testified as follows:

11

12 DIRECT EXAMINATION

13 BY MR. MOORE:

14 Q. Could you please state your name, how you are
15 employed, and give your business address.

16 A. My name is Alex Ware. I'm with -- I'm a utility
17 analyst with the Office of Consumer Services. And, Bob,
18 remind me of what our address is. I haven't been there
19 in a while. Is it 160 East 300 South, Salt Lake City,
20 Utah, correct?

21 Q. I believe that's correct.

22 A. I think that's right.

23 Q. In your capacity as a utility analyst, have you
24 reviewed the filings of this case, Docket 21-2624-01?

25 A. Yes, I did.

1 Q. Have you reviewed the stipulations of the
2 subject of this hearing, and did you participate in the
3 negotiations underlying the stipulation?

4 A. Yes, I did.

5 Q. Do you have an opinion as to whether the
6 stipulation is just and reasonable in result and in the
7 public interest?

8 A. I do believe it is just and reasonable and in
9 the public interest.

10 Q. Have you prepared a statement summarizing the
11 Office's position?

12 A. Yes. Yes, I have.

13 Q. Please proceed.

14 A. My name is Alex Ware, and I'm a utility analyst
15 with the Office of Consumer Services. While our office
16 generally does not participate in the dockets related to
17 petitions for ETC designation by the State of Utah, we
18 decided to participate in this docket to learn about the
19 new Starlink low Earth orbit satellite technology by
20 SpaceX.

21 I have reviewed the application and all
22 testimony in this docket and participated in the
23 settlement discussions with the company and other
24 interested parties.

25 My understanding is that Starlink requires ETC

1 designation from the State of Utah in order to utilize
2 federal funding it was awarded by the FCC. It is also my
3 understanding that Starlink technology does not require
4 fixed terrestrial infrastructure investment, such as
5 fiber optic lines to every customer.

6 From my review, I have concluded that Starlink
7 qualifies for ETC designation by the State; and thus, the
8 stipulation for you today is just and reasonable in
9 results and in the public interest. That concludes my
10 statement.

11 MR. MOORE: Mr. Ware is available for cross and
12 questions from the Hearing Officer.

13 HEARING OFFICER HOGLE: Thank you.

14 Does the Division have any questions for
15 Mr. Ware?

16 MR. JETTER: No questions, thank you.

17 HEARING OFFICER HOGLE: Does Starlink have any
18 questions for Mr. Ware?

19 MR. RUSSELL: No questions, thank you.

20 HEARING OFFICER HOGLE: Does URTA have any
21 questions for Mr. Ware?

22 MS. SLAWSON: No questions, thanks.

23 HEARING OFFICER HOGLE: Thank you.

24 Mr. Ware, I, too, do not have any questions.
25 Thank you for your time today.

1 Let's go to URTA, please.

2 MS. SLAWSON: Thank you. The Utah Rural Telecom
3 Association would like to call Douglas Meredith.

4 THE WITNESS: Good afternoon. This is Douglas
5 Meredith.

6 HEARING OFFICER HOGLE: Hello, Mr. Meredith.

7 Do you swear to tell the truth?

8 THE WITNESS: Yes.

9 HEARING OFFICER HOGLE: Okay. Thank you.

10 Please proceed.

11 MS. SLAWSON: Thank you.

12

13 DOUGLAS MEREDITH,

14 was called as a witness, and having been first duly
15 sworn to tell the truth, the whole truth, and nothing
16 but the truth, testified as follows:

17

18 DIRECT EXAMINATION

19 BY MS. SLAWSON:

20 Q. Would you state your name, title, and business
21 address for the record, please.

22 A. Yes. My full name is Douglas Duncan Meredith.
23 My title is Director of Economics and Policy for JS, LLC,
24 also known as JSI or John Staurulakis, Incorporated. My
25 business address is 547 Oak View Lane, Bountiful, Utah

1 84010.

2 Q. Thank you. And are you familiar with the
3 application of Starlink filed in this docket, 21-2624-01,
4 requesting that Starlink be designated as an ETC for
5 purpose of receiving RDOF support?

6 A. Yes. I've reviewed the application and also
7 Mr. Johnson's testimony in this proceeding.

8 Q. Okay. And did you file testimony in this
9 proceeding?

10 A. Yes, on behalf of URTA on March 31st of this
11 year.

12 Q. And if you were asked the questions that -- the
13 same questions that were contained in the testimony that
14 you prefiled, would your answers be the same here today?

15 A. Yes, they would.

16 MS. SLAWSON: Your Honor, I'd like the move for
17 the admission of Mr. Douglas' testimony in the record, if
18 needed.

19 HEARING OFFICER HOGLE: I think that's up to
20 you. Do you want to have it admitted?

21 MS. SLAWSON: Yes.

22 HEARING OFFICER HOGLE: Okay. Any objections?

23 No objections. Okay. It's admitted.

24 Q. (BY MS. SLAWSON:) Okay. And, Mr. Meredith, are
25 you familiar with the stipulation that was filed in this

1 matter?

2 A. Yes, I am.

3 Q. And does URTA support the stipulation and
4 settlement and wish it to be entered in the record in the
5 final order?

6 A. Yes, it does.

7 MS. SLAWSON: Okay. I don't have any further
8 questions for Mr. Meredith, so he would be available for
9 cross-examination or questions from the Chair.

10 HEARING OFFICER HOGLE: Thank you.

11 Does anybody else have any questions for
12 Mr. Meredith? No. Okay.

13

14 CROSS-EXAMINATION

15 BY HEARING OFFICER HOGLE:

16 Q. I suppose I actually do have a question.

17 My recollection of your testimony initially was
18 that you did not think that granting the ETC designation
19 for Starlink was in the public interest. I believe that
20 was yours and Mr. Johansen's testimony. I'm curious what
21 changed your mind.

22 A. Well, the testimony stands as is, but the
23 stipulation provides very important and specific language
24 that does provide -- it does provide the protections that
25 we were seeking for rural carrier areas. So, in that

1 regard the stipulation addresses those issues adequately.

2 Q. Okay. And can you tell me specifically what
3 made URTA, specifically yourself, deem that the
4 stipulation was in the public interest with respect to
5 URTA's issues?

6 A. Yes. With regards to the public interest, my
7 testimony, as you recall, reflects upon the -- some of
8 the lack of information as to whether the Starlink
9 configuration, as presented in the record, would
10 adequately cover voice service as required. And the
11 stipulation in particular addresses the -- it recognizes
12 that this particular service is only for frontier -- or
13 only areas that were eligible for the RDOF, or the rural
14 opportunity fund that was -- that Starlink was awarded
15 to. None of those areas are within the rural carrier
16 areas in the state of Utah. They're all in nonrural URTA
17 member areas.

18 So with that language in the stipulation,
19 recognizing that this does not provide any precedential
20 value for areas in the URTA member areas, we find it
21 adequate to proceed.

22 Q. Okay. And you think that authorizing the
23 stipulation and designating Starlink Services as an ETC
24 in this case is in the public interest?

25 A. I don't have -- I don't have enough information

1 to make that affirmation as you've described.

2 Q. Okay.

3 A. I still don't know if they're able to adequately
4 provide the voice service that they would be required to
5 provide. It's just based upon the affirmation of
6 Starlink and Mr. Johnson that he is able to. I haven't
7 seen any documents that confirm that affirmation.

8 Q. Okay.

9 HEARING OFFICER HOGLE: Yes.

10 MS. SLAWSON: If I might.

11

12

REDIRECT EXAMINATION

13 BY MS. SLAWSON:

14 Q. Mr. Meredith, I'm not sure if you have it up in
15 front of you, but in paragraph 14 of the stipulation
16 there's a specific paragraph, and I'll just read it here
17 for the -- in case you don't have it up in front of you.

18 But it basically says: "However, it is the
19 parties' intent that this stipulation and resulting
20 Commission order and Starlink's designation as an ETC for
21 purposes of receiving federal RDOF support in the
22 requested service area shall not be used to establish or
23 constitute a conclusion by the Commission as to the
24 adequacy of the satellite service in any proceeding to
25 determine funding eligibility for support from the Utah

1 Universal Public Telecommunications Service Support
2 Fund."

3 Can you explain for the ALJ the importance of
4 that particular provision and the inclusion of it and why
5 that gave URTA, why that allows us to support the
6 stipulation?

7 A. Yes, I'd be happy to.

8 That particular paragraph addresses the fact
9 that Starlink -- Starlink service on a going-forward
10 basis will not be used against a provider who seeks to,
11 let's say, provide fiber facilities into a community.
12 So, if a -- if the areas that are covered by Starlink
13 right now are covered through their satellite service, a
14 competitor or a carrier or a provider wanting to provide
15 fiber facilities into that community and actually compete
16 with Starlink vis-a-vis their fiber facilities, that
17 those fiber facilities -- or the presence of Starlink
18 will not preclude a company from seeking Utah support for
19 fiber.

20 And that's a very important provision to have in
21 this stipulation because we believe -- URTA and myself
22 believe that fiber is really a very important component
23 for rural communities, and we did not want to have those
24 communities excluded from consideration for Utah support
25 if Starlink were providing their satellite service in

1 that area.

2 MS. SLAWSON: And, your Honor, just by way of
3 explanation, I obviously -- I don't mean to be providing
4 any testimony, but just by way of explanation.

5 One of the concerns that was raised with
6 Mr. Meredith's testimony and also with Mr. Johansen's
7 testimony was that the record was not necessarily
8 complete in terms of -- or maybe had not been developed
9 enough in terms of what the service is going to look
10 like, who the white -- the white label telephone provider
11 would be and those types of -- those types of issues.

12 But -- and so we didn't want there to be a
13 finding by this Commission that the service would be
14 adequate for other purposes. And that's why we've
15 included that language here. We just didn't think that
16 the record was robust enough for that purpose.

17 But we can support this stipulation with that
18 caveat.

19 HEARING OFFICER HOGLE: Okay. I guess I just
20 have one more question for Starlink, specifically for
21 Mr. Johnson.

22

23 CROSS-EXAMINATION OF MR. JOHNSON

24 BY HEARING OFFICE HOGLE:

25 Q. Mr. Johnson, do you agree with Mr. Meredith's

1 characterization of that paragraph in the stipulation?

2 A. Could you remind me of the paragraph we're
3 referring to here?

4 Q. Ms. Slawson, can you -- I'd have to go back and
5 look at it. Could you tell Mr. Johnson what that
6 paragraph is again?

7 MS. SLAWSON: Paragraph 14.

8 HEARING OFFICER HOGLE: 14.

9 MR. RUSSELL: On page 6 of the stipulation.

10 THE WITNESS: Okay. Would it be okay for
11 somebody to characterize it for me? I'm having a little
12 bit of trouble pulling it up in front of me at the
13 moment.

14 MS. SLAWSON: Would you like me to read it
15 again?

16 THE WITNESS: That might be okay, yes.

17 MS. SLAWSON: Okay. So, I'll start with
18 paragraph 13 because paragraph 14 starts with a
19 "however."

20 So paragraph 13 is: "The parties stipulate and
21 agree that designating Starlink as an ETC for the purpose
22 of receiving federal RDOF support in the requested
23 service area, as identified in Exhibit A to the petition,
24 serves the public interest."

25 Paragraph 14: "However, it is the parties'

1 intent that this stipulation and resulting Commission
2 order and Starlink's designation as an ETC for purposes
3 of receiving federal RDOF support in the requested
4 service area shall not be used to establish or constitute
5 a conclusion by the Commission as to the adequacy of the
6 satellite service in any proceeding to determine funding
7 eligibility for support from the Utah Universal Public
8 Telecommunications Service Support Fund."

9 THE WITNESS: Thank you. And we do agree to
10 that stipulation.

11 HEARING OFFICER HOGLE: Okay. All right. Those
12 are all my questions.

13 Does anybody have anything else?

14 MR. RUSSELL: I have a follow-up question, if I
15 may, your Honor.

16 HEARING OFFICER HOGLE: Go ahead, Mr. Russell.

17 MR. RUSSELL: Thank you.

18
19
20 CROSS-EXAMINATION

21 BY MR. RUSSELL:

22 Q. Mr. Meredith, you have in your testimony
23 identified a couple concerns that you had. But, of
24 course, URTA has entered into this stipulation which was
25 entered into after you filed your testimony.

1 Do you have a copy of the stipulation in front
2 of you?

3 A. I don't have the most recent version. Let me
4 double check. Just a second. Let me -- most recent
5 version. I have a prior version. I don't have the most
6 recent version.

7 Q. Okay. I believe it's on the Commission's
8 website. But maybe we can --

9 MS. SLAWSON: I just sent it to you, if you want
10 to check your email.

11 THE WITNESS: Terrific. I will do that. Thank
12 you.

13 The answer is yes, Mr. Russell.

14 Q. (BY MR. RUSSELL:) I will ask you to turn to
15 page 3.

16 A. Page 3.

17 Q. And before we get to that, I guess we'll -- you
18 acknowledge that URTA signed on to this stipulation,
19 right?

20 A. Yes, I am aware of that.

21 Q. Okay.

22 A. And we agree with the stipulation as it's
23 written with the language that we've been discussing.

24 Q. Sure. And all I want to do is point out a
25 couple of provisions that intersect with your testimony a

1 little bit.

2 And I'll start with paragraph 4 in the agreement
3 section at the bottom of page 3. And really all I'm
4 going to ask you to do is acknowledge that this is what
5 the stipulation says.

6 Paragraph 4 states: "Starlink has shown the
7 intent and ability to offer each of the supported
8 services set forth in 47 CFR Section 54.101(a) once
9 designated as an ETC throughout its requested service
10 area."

11 The stipulation says that; does it not?

12 A. Yes, it does.

13 Q. And then we've already read paragraph 13, but
14 let's look at paragraph 9 on page 4, which states:

15 "Starlink meets and will continue to meet the
16 requirements for federal ETC designation and will comply
17 with all federal requirements for the services it offers
18 in the requested service area as an ETC."

19 The stipulation states that, correct?

20 A. Yes, it does.

21 Q. Okay. And we've already -- paragraph 13 is on
22 the record, and, of course, it's in the stipulation. So
23 I guess that will probably satisfy my interests for now.
24 Thank you.

25 A. Okay.

1 Q. I think Mr. Moore had some questions.

2 MR. MOORE: If the Office were allowed, I just
3 wanted to make a statement on the record with regard to
4 the characterization of the stipulation.

5 It is the OCS's position that the stipulation
6 speaks for itself, and we don't oppose or adopt any
7 characterization that has been developed in this hearing.
8 I just wanted to say that for the record.

9 HEARING OFFICER HOGLE: Thank you, Mr. Moore.
10 Okay.

11 I guess my last question is for the applicant.
12 Mr. Russell or Mr. Johnson, is there a date certain that
13 we need to issue this order?

14 MR. RUSSELL: Yes. There is a date by which the
15 FCC requires Starlink to provide evidence that it has
16 obtained an ETC designation. I believe that date is
17 June 7th.

18 THE COURT: Okay. All right.

19 Well, thank you, everyone. I don't have any
20 follow-up questions.

21 I thought that was the day, I just wanted to
22 hear it from you. We will most certainly be issuing our
23 order well before that date.

24 And thank you, everybody, for your time again.
25 And we are adjourned.

1 (The matter concluded at 4:29 p.m.)

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CERTIFICATE

1
2
3 State of Utah)
 ss.
4 County of Salt Lake)

5 I, Michelle Mallonee, a Registered
6 Professional Reporter in and for the State of Utah, do
hereby certify:

7 That the proceedings of said matter was
8 reported by me in stenotype and thereafter transcribed
into typewritten form;

9 That the same constitutes a true and correct
10 transcription of said proceedings so taken and
transcribed;

11 I further certify that I am not of kin or
12 otherwise associated with any of the parties of said
cause of action, and that I am not interested in the
13 event thereof.

14 WITNESS MY HAND at Salt Lake City, Utah,
this 30th day of April, 2021.

15
16 

17 _____
18 Michelle Mallonee, RPR, CCR
19 Utah CCR #267114-7801
20 Expires May 31, 2022
21
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23
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