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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
Brenda Salter, Associate Director
Abdinasir Abdulle, Utility Technical Consultant Supervisor
Casey J. Coleman, Utility Technical Consultant
Jonathan Lee, Utility Analyst

Date: March 15, 2024

Re: **Docket No. 24-2624-01**, Starlink Services, LLC – Request to Relinquish ETC

Recommendation (Approve)

The Division of Public Utilities (“Division”) recommends that the Public Service Commission (“Commission”) approve Starlink Services, LLC’s (“Starlink”) request to relinquish its status as an Eligible Telecommunications Carrier (“ETC”) within the State of Utah.

Issue

On February 23, 2024, Starlink filed with the Commission a Request to Relinquish its Designation as an ETC. On February 23, 2024, the Commission issued an Action Request to the Division to review Starlink’s request and make recommendations by March 25, 2024. This memorandum is the Division’s response to the Action Request.

Discussion

On May 11, 2021, in Docket 21-2624-01, the Commission designated Starlink as an ETC for purposes of receiving Rural Digital Opportunities Fund (“RDOF”) Support. As stated in its original application, Starlink applied for designation as an ETC as a requirement of its winning bids in the Federal Communications Commission’s (“FCC”) RDOF. Subsequently, the Wirelines Competition Bureau (“Bureau”) denied Starlink’s RDOF “Long Form”

Division of Public Utilities

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application,¹ and Starlink appealed the Bureau's decision to the FCC. On December 12, 2023, the FCC affirmed the Bureau's decision.²

Based on the Division's research, the Division has confirmed that the FCC reaffirmed the Bureau's decision to reject Starlink's application for the RDOF program based on Starlink's failure to meet program requirements. Furthermore, the Division found that Starlink has not received universal services support, nor does it have customers in the state. This is also noted by Starlink in its request to relinquish its ETC status.

Conclusion

Due to Starlink's unsuccessful application for the federal RDOF program, not having received financial support through the universal services fund, as well as having no customers in the state, the Division recommends that the Commission approves Starlink's request to relinquish its designation as an ETC.

cc: Service List

¹ Rural Digital Opportunity Fund Auction Support for 80 Winning Bids Ready to be Authorized, Bid Defaults Announced, AU Docket No. 20-34 et al., Public Notice, DA 22-848, at 8-11 (WCB/OEA Aug. 10, 2022).

² Order on Review, WC Docket No. 10-90, et al. (rel. Dec. 12, 2023)