

STARLINK

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VIA ELECTRONIC FILING

Ms. Holly Anderson
Clerk of the Commission
State of Vermont Public Utility Commission
112 State Street
Montpelier, VT 05620-2701

Re: Case No. 21-0018-PET (Petition of Starlink Services, LLC for designation as an Eligible Telecommunications Carrier for purposes of receiving Rural Digital Opportunities Fund support)

Case No. 21-0815-TELCOCPG (Starlink Services, LLC, request for a certificate of public good to operate as a provider of telecommunications services in Vermont)

Dear Ms. Anderson,

Starlink Services, LLC (“Starlink Services”), in accordance with 47 U.S.C. § 214(e)(4) and 30 V.S.A. § 231(a), hereby requests permission from the Vermont Public Utility Commission (“Commission”) to:

1. Relinquish the status of Starlink Services as an Eligible Telecommunications Carrier (“ETC”), which the Commission granted by Order entered on May 3, 2021, in Case No. 21-0018-PET (the “ETC Order”); and
2. Revoke the Certificate of Public Good (“CPG”) authorizing Starlink Services to provide telecommunications services in Vermont, which the Commission granted by Order entered on May 3, 2021, in Case No. 21-018-TELCOCPG (the “CPG Order”).

As referenced in its initial application, Starlink Services applied for ETC designation as a requirement of its winning bids in the Federal Communications Commission’s (“FCC”) Rural Digital Opportunity Fund (“RDOF”) auction. The scope of the ETC designation was limited to the specific Vermont census blocks in which Starlink Services was to receive RDOF support. *See* ETC Order ¶ 2, at 12. As Starlink Services noted in its initial application, it applied for ETC designation exclusively in connection with its expected RDOF award.

Subsequently, the FCC's Wireless Communications Bureau ("Bureau") denied Starlink Services' RDOF "Long Form" application,¹ Starlink Services appealed this Bureau decision to the FCC,² and the FCC later affirmed the Bureau's decision.³ As a result, Starlink Services will not receive any RDOF support to provide service in the State of Vermont. Starlink Services is deeply disappointed and perplexed by the FCC's decision to exclude the Starlink satellite broadband service from RDOF as this decision directly undermines the very goal of RDOF: to connect unserved and underserved Americans.⁴

As a result of the denial of RDOF support, Starlink Services no longer intends to offer telecommunications services in the State of Vermont and respectfully asks the Commission to relinquish its Vermont ETC designation and to revoke its Vermont Certificate of Public Good.

1. Starlink Services satisfies the statutory requirements for relinquishing its ETC designation in Vermont.

47 U.S.C. § 214(e)(4) governs the relinquishment of ETC status and provides as follows:

A State commission ... shall permit an eligible telecommunications carrier to relinquish its designation as such a carrier in any area served by more than one eligible telecommunications carrier. An eligible telecommunications carrier that seeks to relinquish its eligible telecommunications carrier designation for an area served by more than one eligible telecommunications carrier shall give advance notice to the State commission ... of such relinquishment. Prior to permitting a telecommunications carrier designated as an eligible telecommunications carrier to cease providing universal service in an area served by more than one eligible telecommunications carrier, the State commission ... shall require the remaining eligible telecommunications carrier or carriers to ensure that all customers served by the relinquishing carrier will continue to be served, and shall require sufficient notice to permit the purchase or construction of adequate facilities by any remaining eligible telecommunications carrier.

FCC rules also govern the relinquishment of ETC status and provide that: (1) a State commission shall permit an ETC to relinquish its designation as an ETC in any area served by more than one ETC; (2) the ETC will give advance notice of its relinquishment to the State commission; (3) the State commission will ensure that the relinquishing ETC's subscribers will be served by the remaining ETCs; and (4) the State commission will ensure sufficient notice to permit the purchase and construction of facilities, if necessary.⁵

¹ See *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 See *Application for Review of Starlink Services, LLC*, WC Docket No. 10-90 (filed Sept. 9, 2022).

³ See *Order on Review*, WC Docket No. 10-90, et al. (rel. Dec. 12, 2023).

⁴ SpaceX's response to these FCC actions is available on the FCC's website. See Letter from Christopher Cardaci, Vice President, Legal, SpaceX, to Marlene Dortch, Secretary, Federal Communications Commission, In re Long Form Application of Starlink Services, LLC, File No. 0009395128, WC Docket No. 19-126 (December 12, 2023), available at: <https://www.fcc.gov/ecfs/document/121299238977/1>.

⁵ 47 C.F.R. 54.205(a)-(b).

Starlink Services has no existing subscribers in Vermont and no longer intends to offer telecommunications services in the State in the future. In addition, the areas for which Starlink Services was designated as an ETC are all presently served by at least one other ETC, which will continue to serve local customers in Vermont.⁶

Accordingly, Starlink Services has met all the requirements needed to relinquish its Vermont ETC designation.

2. Good cause exists for Starlink Services to relinquish its Vermont CPG.

Section 231(a) of Title 30 provides that the Commission may revoke any CPG for good cause, after an opportunity for hearing. Starlink Services does not presently offer any telecommunications services to customers in Vermont and does not intend to offer such services in the future. Voluntarily revocation of the Vermont CPG of Starlink Services will cause no harm to Vermont customers and is consistent with the public interest.⁷

Accordingly, good cause exists for the Commission to approve the voluntary revocation of Starlink Services' Vermont CPG.

Starlink Services respectfully requests expedited consideration of these requests. Starlink Services further notes that the unregulated Starlink-branded broadband service provided by Space Exploration Technologies Corp., a separate entity, remains available in the State of Vermont and that the present requests for relinquishment will have no impact on those subscribers.

Respectfully Submitted,

/s/ Aishani Shukla

⁶ *Petition of seven Vermont incumbent local exchange carriers for redesignation as Eligible Telecommunications Carriers in their respective Vermont service areas*, Case No. 22-2520-PET, Order Approving ETC Redesignations (Vt. PUC, Sept. 9, 2022); *Petition of TracFone Wireless, Inc. for redesignation as an Eligible Telecommunications Carrier in the State of Vermont*, Case No. 23-1139-PET, Order Approving ETC Redesignation (Vt. PUC, June 21, 2023), slip op. at 6 ¶¶ 2-3; *Petition of Q Link Wireless, LLC, for designation as an Eligible Telecommunications Carrier*, Case No. 22-0748-PET, Order Approving ETC Redesignation (Vt. PUC, June 3, 2022), slip op. at 4 ¶ 2.

⁷ See *Petition of Telecom Management, Inc. requesting revocation of certificate of public good No. 783-R*, Order Revoking Certificate of Public Good (Vt. Pub. Util. Comm'n, Dec. 4, 2023), slip op. at 1.