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Attorney for the Commission Staff

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

<b>IN THE MATTER OF STARLINK SERVICES,</b>	)	
<b>LLC’S REQUEST TO RELINQUISH ITS</b>	)	<b>CASE NO. SSL-T-24-01</b>
<b>ELIGIBLE TELECOMMUNICATIONS</b>	)	
<b>CARRIER DESIGNATION</b>	)	
	)	<b>COMMENTS OF THE</b>
	)	<b>COMMISSION STAFF</b>
	)	

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**COMMISSION STAFF (“STAFF”)** OF the Idaho Public Utilities Commission, by and through its Attorney of record, Chris Burdin, Deputy Attorney General, submits the following comments.

**BACKGROUND**

On February 23, 2024, Starlink Services, LLC (“Starlink” or “Company”) filed a request (“Request”) with the Idaho Public Utilities Commission (“Commission”) to relinquish its designation as an Eligible Telecommunications Carrier (“ETC”). Request at 1. The Company was awarded its ETC status on April 16, 2021, in Commission Order No. 35003 in Case No. SSL-T-21-01 (“Initial Application”). In this case, the Company stated that it needed the ETC designation status so that it could receive funding it was provisionally awarded under the Federal Communications Commission (“FCC”) Rural Digital Opportunity Fund (“RDOF”) Auction 904.

The Company is a wholly owned subsidiary of Space Exploration Technologies Corp. (“SpaceX”). SpaceX was a winning bidder in the RDOF Auction 904 to provide satellite broadband and Voice-over-IP service in an assigned census block in Idaho. SpaceX assigned its winning bids in Idaho to the Company on December 22, 2020.

In Case No. SSL-T-21-01, the Company described the RDOF and its parent company’s involvement in the RDOF auction as follows:

On January 30, 2020, the FCC established RDOF to ensure continued and rapid deployment of broadband networks to underserved Americans. RDOF will commit up to \$20.4 billion over ten years to support the availability of high-speed broadband networks in rural America. RDOF Phase 1 targeted areas wholly unserved by 2513 Mbps broadband. Support was awarded through a reverse auction that favored faster services with lower latency. Auction participants submitted bids based on a combination of performance and latency requirements. The Phase 1 action concluded on November 25, 2020 and awarded a total of \$9.23 billion in support over ten years. SpaceX was awarded \$885 million of this support to provide broadband and standalone voice services in 35 states, including \$54,543,468 in Idaho. On December 22, pursuant to the processes established by the FCC, SpaceX assigned its winning bids to Starlink Services.

Case No. SSL-T-21-01; Application at 4-5.

## **THE REQUEST**

The Company represented that it submitted its Initial Application requesting the ETC status because it was the requirement of its winning bids in the FCC’s RDOF. Request at 1. The Company stated that the scope of the ETC status was limited to the specific census blocks in which the Company was to receive RDOF support. *Id.* However, the Wireline Competition Bureau has since denied the Company’s RDOF “Long Form” application. *Id.* As a result, the Company indicated that it will not receive any RDOF support to provide service in the State of Idaho. *Id.* Based on these changes in circumstances, and since the ETC status was applied for and granted, the Company requests to relinquish its ETC status. *Id.* at 1-2.

The Company stated that the FCC Rule 47 U.S.C. § 214 (e)(4) establishes that the ETC status may be relinquished by its holder in an area that is served by another ETC status holder or where existing customers will continue to be served. *Id.* at 2. The Company explained that it “has never received universal services support, nor provided any broadband, voice, or other telecom services in the state.” *Id.* Idaho residents in the specific census blocks will not be harmed because the Company does not have any “subscribers to consider in connection with relinquishment of the Authorization.” *Id.* The Company requested that the Commission allow

the Company to relinquish its ETC status and requested expedited consideration of this request. *Id.*

## STAFF ANALYSIS

Staff reviewed the Company's Application and examined the Company's fulfillment of requirements under the Federal Telecommunications Act of 1996, the FCC's regulations, and the RDOF requirements. Staff believes that the Company has fulfilled the statutory requirements for relinquishment of its ETC designation status in Idaho.

The Company represented that the reason for its Request to relinquish its ETC status in the State of Idaho is that it will no longer receive RDOF support and will therefore not be providing any federally supported services in Idaho. Thus, the initial purpose for which the Company sought the ETC designation status from the Commission no longer exists, and the ETC designation status is no longer necessary.

The 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." *Idaho Code* § 62-610D(4). The FCC selected the Company as a winning bidder to receive \$54,543,468 through RDOF over ten years to improve high-speed broadband and voice services in 4,712 census blocks<sup>1</sup> in Idaho. These census blocks are located within the certificated territories of cooperative telephone companies such as Custer Telephone Cooperative, Inc., the Blackfoot Telephone Cooperative as well as the territories of certain affiliates of Frontier Communications Corp. and Lumen Technologies, Inc. f/k/a CenturyLink. Therefore, Staff believes that the Company does fulfill this requirement.

The Commission is also required to ensure that customers of the withdrawing company will continue to be served by another ETC provider. The Company represents that it has no customers that require Commission assurance of continued service. As a result, there will be no impact on any Idaho residents associated with the relinquishment of the Company's ETC designation status. Staff believes that the Company is correct and supports the Company's

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<sup>1</sup> Census blocks are small, contiguous geographic units used for data collection and analysis by the U.S. Census Bureau. They are typically bounded by visible features such as roads, rivers, or property lines. The carriers serve specific geographic areas, often defined by census blocks. These carriers receive support based on the number of census blocks they cover and the services they provide in those areas. These carriers serve specific geographic areas, often defined by census blocks.

Request that the Commission issue an order acknowledging that it has been properly relinquished and is relieved of its designation as an ETC.

**STAFF RECOMMENDATION**

Staff recommends that the Commission issue an order finding that the Company satisfied the statutory conditions for the relinquishment of its ETC designation status in Idaho.

Respectfully submitted this 9th day of May 2024.



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Chris Burdin  
Deputy Attorney General

Technical Staff: Johan E. Kalala-Kasanda

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## CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT I HAVE THIS 9<sup>th</sup> DAY OF MAY 2024, SERVED THE FOREGOING **COMMENTS OF THE COMMISSION STAFF**, IN CASE NO. SSL-T-24-01, BY EMAILING A COPY THEREOF TO THE FOLLOWING:

AISHANI SHUKLA STARLINK SERVICES, LLC 1155 F STREET NW STE 475 WASHINGTON DC 20004 E-MAIL: <a href="mailto:aishani.shukla@spacex.com">aishani.shukla@spacex.com</a>	

  
PATRICIA JORDAN, SECRETARY