

From: Melnykovych, Andrew (PSC)
To: ["Keller, Charles"](#)
Subject: your comments in case 2018-00330 - Viasat Carrier Services ETC designation
Date: Friday, February 01, 2019 12:51:00 PM

Dear Mr. Keller:

Thank you for your comments on the application of Viasat Carrier Services for designation as an ETC.

Your comments in the above-referenced matter have been received and will be placed into the case file for the Commission's consideration.

The documents in this case are available at
http://psc.ky.gov/PSC_WebNet/ViewCaseFilings.aspx?case=2018-00330.

Thank you for your interest in this matter.

Andrew Melnykovych

Director of Communications
Kentucky Public Service Commission
502-782-2564 (direct) or 502-564-3940 (switchboard)
502-330-5981 (cell)
Andrew.Melnykovych@ky.gov

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By Kentucky PSC at 1:01 pm, Feb 01, 2019

From: Keller, Charles [REDACTED]
Sent: Friday, January 25, 2019 4:51 PM
To: PSC - Public Information Officer <PSC.Info@ky.gov>
Cc: 'Jennifer A. Manner Esq.' ([REDACTED])
Pinson, Gwen (PSC) <Gwen.Pinson@ky.gov>
Subject: Case 2018-00330 Comment

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At the request of Jennifer Manner of Hughes Network Systems, LLC, attached please find a case comment on Case No. 2018-0330. Please include this comment in the record of that proceeding.

Thank you for your assistance.

WILKINSON) BARKER) KNAUER) LLP

L. Charles Keller
1800 M Street, NW
Suite 800N
Washington, DC 20036

Tel: [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PETITION OF VIASAT CARRIER SERVICES, INC.)	
FOR DESIGNATION AS AN ELIGIBLE)	CASE NO.
TELECOMMUNICATIONS CARRIER TO RECEIVE)	2018-00330
CONNECT AMERICA FUND PHASE II AUCTION)	
SUPPORT FOR VOICE AND BROADBAND SERVICES)	

COMMENTS OF HUGHES NETWORK SYSTEMS, LLC

Pursuant to Title 807 Ky. Admin. Regs. 5:001, Section 4(11)(e), Hughes Network Systems, LLC (“Hughes”) submits these comments on the above-captioned petition of Viasat Carrier Services, Inc. (“Viasat”) for designation as an eligible telecommunications carrier (“ETC”). Hughes provides these comments to raise concerns about the ability of ViaSat to meet the standards for voice quality that apply to it as a winning bidder in the Federal Communications Commission’s (“FCC’s”) Connect America Fund (“CAF”) Phase II auction.

In response to inquiries by Commission Staff regarding Viasat’s ability to comply with voice quality standards,¹ Viasat stated that, “in July 2018, Viasat, Inc. conducted internal testing using the ITU-T Recommendation P.800 conversational opinion test and other parameters required by the FCC. The tests consisted of Viasat, Inc. employees randomly calling VoIP subscribers and conducting” the voice quality test.²

¹ See *Commission Staff’s First Request for Information to Viasat Carrier Services, Inc.*, Case No. 2018-00330 (Dec. 20, 2018) at 5, question 10.

² Viasat, Inc., Response to Staff’s First Request for Information of Viasat Carrier Services, Inc., Case No. 2018-00330 (Jan. 9, 2019) at 8, question 10, *citing Connect America Fund*, Order, DA 18-710, 33 FCC Rcd 6509, paras. 44-45, https://docs.fcc.gov/public/attachments/DA-18-710A1_Rcd.pdf.

Significantly, however, one of the “other parameters required by the FCC” for CAF Phase II voice quality testing is that “live interviews and surveys must be conducted *by an independent agency or organization.*”³ As Viasat acknowledges, its tests were conducted by “Viasat, Inc. employees,” not an independent agency or organization. As such, Viasat’s “preliminary testing” does not meet the FCC’s requirements, and is not responsive to the concern that Viasat’s voice service does not meet FCC-established standards for voice quality for high-latency bidders in the CAF-II auction.

Accordingly, The Commission should require Viasat to demonstrate that it is capable of meeting the applicable FCC-established standard for voice quality before granting the requested ETC designation.

Respectfully submitted,

By: _____ /s/
Jennifer A. Manner
Senior Vice President, Regulatory
Affairs
HUGHES NETWORK SYSTEMS, LLC
11717 Exploration Lane
Germantown, MD 20876
(301) 428-5893

January 25, 2019

³ *Id.*, 33 FCC Rcd at 6526 para. 46 (emphasis added).

*Alan N. Linker
Seiller Waterman, LLC
462 S. Fourth Street
Meidinger Tower, 22nd Floor
Louisville, KENTUCKY 40202

*Jason Sophinos
General Counsel
349 Inverness Drive South
ViaSat, Inc.
Englewood, COLORADO 80112

*Viasat Carrier Services, Inc.
349 Inverness Drive South
Englewood, CO 80112

*Michael P Donahue
Regulatory Counsel
Helein & Marashlian, LLC The Commlaw Group
1420 Spring Hill Road
Suite 205
Mclean, VIRGINIA 22102