

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF STARLINK	)	
SERVICES, LLC FOR AUTHORITY TO	)	CASE NO.
RELINQUISH ITS ELIGIBLE	)	2024-00254
TELECOMMUNICATIONS CARRIER	)	
DESIGNATION	)	

ORDER

Starlink Services, LLC (Starlink), on August 16, 2024, filed with the Commission an application to relinquish Starlink’s designation as an Eligible Telecommunications Carrier (ETC) for the purposes of providing Lifeline.

On April 8, 2021, the Commission awarded Starlink ETC designation in Case No. 2021-00002 for the purpose of receiving Federal High-Cost and Low-Income support from the Federal Universal Service Fund in the census blocks awarded in Phase I of the Rural Digital Opportunity Fund (RDOF) Auction.<sup>1</sup> Starlink asserts that it has never received its awarded RDOF support for the Kentucky census blocks,<sup>2</sup> nor has it provided telecommunications services in Kentucky to date.<sup>3</sup> Subsequent to the April 8, 2021 Order awarding ETC status to Starlink by the Commission, Starlink’s application was rejected by the Federal Communications Commission (FCC) via the Wireline Competition Bureau,

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<sup>1</sup> Case No. 2021-00002, *Electronic Application of Starlink Services, LLC for Designation as an Eligible Telecommunications Carrier for Purposes of Receiving Rural Digital Opportunities Fund Support*, (Ky. PSC Apr. 8, 2021), final Order.

<sup>2</sup> Application, Exhibit 1.

<sup>3</sup> Application at 1–2.

and affirmed on appeal December 12, 2023.<sup>4</sup> Starlink, as grounds for its motion, stated that, recognizing it never received its awarded funds and does not currently provide telecommunications services in Kentucky, the company no longer needs to hold ETC designation in the Commonwealth. Starlink requests relinquishment of its ETC designation in all census blocks in Kentucky where Starlink is designated as an ETC.<sup>5</sup> Further, Starlink asserts that the census blocks identified in Exhibit 1 are served by other ETC designated and incumbent local exchange carrier providers.<sup>6</sup>

### LEGAL STANDARD

The Lifeline program is a federal program in which carriers, authorized by state commissions as ETCs, may participate in the program. Electing to be authorized as an ETC is voluntary. However, in order to relinquish Lifeline ETC status, a carrier must meet the following statutory standards: (1) there is more than one ETC in the area of the carrier seeking relinquishment; (2) the carrier provides advance notice to the state Commission of its intent to relinquish; (3) customers must continue to be served by an ETC; and (4) sufficient notice is given if additional facilities will need to be constructed to serve the customers of the relinquishing entity. If the carrier meets the requirements, the state commission shall approve the relinquishment.

The relevant statute is 47 U.S.C. § 214(e)(4), which provides, in pertinent part, that:

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

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<sup>4</sup> Application at 2.

<sup>5</sup> Application at 3.

<sup>6</sup> Application at 4.

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. The State commission . . . shall establish a time, not to exceed one year after the State commission approves such relinquishment under this paragraph, within which such purchase or construction shall be completed.

#### DISCUSSION

It appears that Starlink has met the statutory minimums so that the Commission must grant the relinquishment. First, there are at several other wireless ETCs in Starlink's coverage area.<sup>7</sup> Additionally, all incumbent local exchange carriers in Kentucky, except for BellSouth Telecommunications, LLC d/b/a AT&T Kentucky, offer Lifeline service in Starlink's coverage area. Therefore, there are multiple Lifeline providers in Starlink's coverage area. Second, Starlink provided sufficient advance notice. Finally, Starlink has no Lifeline customers in Kentucky. The current ETCs, because they all adhere to the same FCC requirements and provide service in Starlink's areas, will be able to meet the service needs of potential customers.

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<sup>7</sup> Application at 5, footnote 8.

## CONCLUSIONS AND FINDINGS

Based on the evidence and having been sufficiently advised, the Commission finds that, pursuant to 47 U.S.C. § 214(e)(4): Starlink has made timely application to the Commission to relinquish Starlink's ETC authority, there is more than one ETC in the service territory, those carriers have sufficient facilities for the provision of service; and Starlink has no current customers in Kentucky. Therefore, the Commission, pursuant to 47 U.S.C. § 214(e)(4), finds that Starlink shall be permitted to relinquish its designation as an ETC.

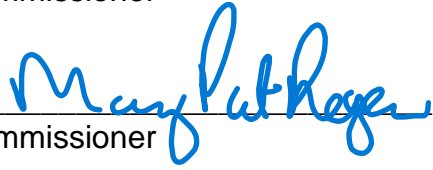
IT IS THEREFORE ORDERED that:

1. Starlink's request to relinquish its designation as an ETC is granted.
2. A copy of this Order shall be served on the Federal Communications Commission and the Universal Service Administration Company.
3. This case is closed and removed from the Commission's docket.

PUBLIC SERVICE COMMISSION

  
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Chairman

  
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Commissioner

  
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Commissioner



ATTEST:

  
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