

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

In the Matter of the Petition of)
Starlink Services, LLC to)
Relinquish Its Designation as an) Docket No. _____
Eligible Telecommunications Carrier)
Under 47 U.S.C. § 214(e)(2))

**STARLINK SERVICES, LLC’S
AMENDED PETITION TO RELINQUISH ITS DESIGNATION AS AN
ELIGIBLE TELECOMMUNICATIONS CARRIER**

Starlink Services, LLC (“Starlink Services”), by counsel and pursuant to Section 214(e)(46) of the Communications Act of 1934, as amended (“Act”) and Section 54.205 of the rules of the Federal Communications Commission (“FCC”), hereby requests that the Pennsylvania Public Utility Commission (the “Commission”) approve this Petition (“Petition”) to relinquish Starlink Services’ Eligible Telecommunications Carrier (“ETC”) designation, granted by the Commission on October 28, 2021 in Docket No. P-2021-3023580. In support of its Petition, Starlink Services states as follows.

I. BACKGROUND

Starlink Services is a limited liability company formed in 2020 under the laws of Delaware. Its principal business office is located at 1 Rocket Road, Hawthorne, California 90250.

Starlink Services is a wholly-owned subsidiary of Space Exploration Technologies Corp. (“SpaceX”), which is also a Delaware corporation with its principal business office located at 1 Rocket Road, Hawthorne, California 90250.

The Commission granted Starlink Services’ request for designation as an ETC in certain exchanges in Pennsylvania on October 28, 2021 in Docket No. P-2021-3023580. Starlink Services sought designation as an ETC in connection with the FCC’s Rural Digital Opportunity Fund (“RDOF”) Phase I auction, in which SpaceX had been awarded \$885 million in support to provide

broadband and standalone voice services in 35 states. That award included \$63,065,275 to provide broadband and standalone voice services to 10,952 census blocks encompassing 59,200 locations in Pennsylvania (the “ETC Territories”)¹. On December 22, 2020, pursuant to the processes established by the FCC, SpaceX assigned its winning bids to Starlink Services.

As it noted in its original application, Starlink Services applied for the ETC Authorization exclusively in connection with and as a requirement of its winning bids in the FCC Rural Digital Opportunity Fund (“RDOF”). Subsequently, the Wireline Competition Bureau (“Bureau”) denied Starlink Services’ RDOF “Long Form” application. Starlink Services appealed this bureau decision to the FCC, and the FCC later affirmed the bureau’s decision. As a result, Starlink Services will not receive any RDOF support to provide service in the state. Starlink Services is deeply disappointed and perplexed by the FCC’s decision to exclude the Starlink broadband service from RDOF and this decision directly undermines the very goal of RDOF: to connect unserved and underserved Americans.

II. ETC RELINQUISHMENT REQUIREMENTS

Starlink Services is entitled to relinquish its ETC designation pursuant to Section 214(e)(4) of the Act, which states in pertinent part:

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

¹ Referenced in the PUC Order authorizing Starlink Services as an ETC.

continue to be served, and shall require sufficient notice to permit the purchase or construction of adequate facilities by any remaining eligible telecommunications carrier.

Id.

47 CFR 54.205 of the FCC rules and the Commission's September 3, 2013 Secretarial Letter, issued in Docket No. M-2013-2380576 (ETC Relinquishment Secretarial Letter), reiterates these statutory requirements and establishes the following requirements for relinquishing an ETC designation: (1) there must be more than one ETC serving in the area of the ETC seeking relinquishment; (2) the ETC seeking relinquishment must provide advance notice to the relevant state commission; (3) the customers served by the relinquishing ETC must continue to be served by an ETC; and (4) to the extent that additional facilities are required to serve any of the relinquishing ETC's customers, sufficient notice must be provided to ensure that construction or purchase can be timely completed; and (5) the relinquishing ETC must serve a copy of its Petition upon the statutory advocates (the Office of Consumer Advocate, Office of Small Business Advocate, and the Commission's Bureau of Enforcement & Investigation) and all carriers referenced in the Petition as being alternative ETCs.

As shown in this Petition, Starlink Services' request to relinquish its ETC designation satisfies each of these requirements.

III. RELINQUISHMENT OF ETC AUTHORIZATION

A. The Commission should grant the relinquishment of Starlink Services' ETC designations because there are alternative ETCs in the ETC Territories.

As set forth in Section 214(e)(4) of the Act and Section 54.205 of the FCC Rules, federal law requires the Commission to permit the withdrawal of an ETC designation for any area serviced by at least one other ETC. The ETC Territories where Starlink Services is relinquishing its ETC

designations are covered in their entirety by numerous wireless service providers that qualify as ETCs, and they are well-served by ETCs other than Starlink Services, as listed in Attachment 1.²

B. This Petition Serves as Notice to all Designated Stakeholders.

This Petition serves as advance notice to the Pennsylvania Utility Commission, the Office of Consumer Advocate, Office of Small Business Advocate, and the Commission's Bureau of Enforcement & Investigation that Starlink Services wishes to relinquish its ETC authorization pursuant to Section 214(e)(4) of the Act and 47 CFR 54.205.

C. No Customers Were Served by Starlink Services.

Starlink Services did not initiate operations in Pennsylvania and has no customers in the Commonwealth. Starlink Services has never received universal service support, nor has it provided any broadband, voice, or other telecom services in the Commonwealth of Pennsylvania. Consequently, there are no customer transition obligations to fulfill, and therefore notice is not required. Further, the telecommunications market in Pennsylvania is highly competitive with numerous alternative carriers available to prospective customers, and thus the requested relinquishment of Starlink Services' designation will have no adverse effect upon industry competition or the public interest.

D. No Additional Facilities Will Need to Be Constructed Because Starlink Services Had No Customers.

The Act also requires that the remaining ETCs in the Starlink Services ETC Territory possess adequate facilities to accommodate the new customers. This element is inapplicable to Starlink Services because Starlink Services had no customers in Pennsylvania.

² To review qualified alternative ETCs in the Markets, see *Telephone Carriers by County* <https://www.puc.pa.gov/telecommunications/telephone-companies-contacts/>

E. Notice to Alternate ETC's.

As required by the ETC Relinquishment Secretarial Letter, Starlink Services is serving a copy of this Petition on all carriers referenced as being alternative ETCs in Attachment 1.

IV. CUSTOMER NOTICE

Starlink Services has no customers in Pennsylvania; therefore no customer notice is required.

V. CONCLUSION

As demonstrated above, Starlink Services satisfies the requirements to relinquish its ETC designation. Therefore, Starlink Services respectfully requests that the Commission grant this Petition in an expedited manner, approving relinquishment of Starlink Services' ETC designation in the ETC Territories, and providing any such other relief as the Commission deems just and reasonable under the circumstances.³

Respectfully submitted,



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Counsel for Starlink Services, LLC

³ Starlink Services notes that the unregulated Starlink-branded broadband service provided by Space Exploration Technologies Corp., a separate entity, remains available in the Commonwealth and that this request for relinquishment will have no impact on those subscribers.

VERIFICATION

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this Verified Petition to Relinquish Its Designation as an Eligible Telecommunications Carrier are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as foresaid that she verily believes the same to be true.

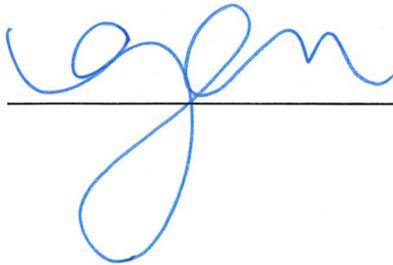
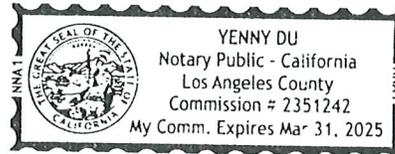


Richard Lee
Director
Starlink Services, LLC

To be completed by a Notary Public

Subscribed and sworn to before me

This 27th day of June, 2024



ATTACHMENT 1⁴

Existing ETCs in Starlink Services ETC Territory

	Company Name
1	Global Connection d/b/a StandUP Wireless
2	Keystone d/b/a Immix Wireless
3	Qlink Wireless
4	Tag Mobile
5	Tracfone d/b/a Safelink
6	Virgin Mobile d/b/a Assurance Wellness
7	Yourtel Mobile d/b/a Yourtel Wireless

⁴ <https://www.puc.pa.gov/telecommunications/telephone-companies-contacts/>

CERTIFICATE OF SERVICE

I, Adam H. Settle, hereby certify that on this 9th day of July, 2024 copies of the foregoing Petition to Relinquish Eligible Telecommunications Carrier Designation were served on the parties listed below via FedEx overnight.



Adam H. Settle, Esq.

Office of Consumer Advocate 555 Walnut Street 5 th Floor, Forum Place Harrisburg, PA 17101-1923	Office of Small Business Advocate 555 Walnut Street 5 ^{1st} Floor, Forum Place Harrisburg, PA 17101-1923	Office of Attorney General Office of Consumer Protection Strawberry Square Harrisburg, PA 17120
Bureau of Investigation and Enforcement Pennsylvania Public Utility Commission Commonwealth Keystone Building 400 North Street Harrisburg, PA 17120	Pennsylvania Public Utility Commission Law Bureau Commonwealth Keystone Building 400 North Street Harrisburg, PA 17120	Global Connection d/b/a StandUP Wireless 22 Lakeview Hollow Cherry Hill, NJ 08003
Keystone d/b/a Immix Wireless 357 Market St, Williamsport, PA 17701	Q Link Wireless, LLC c/o Incorp Services Inc. 9107 West Russell Road Suite 100 Las Vegas, NV 89148	TAG Mobile 9920 Brooklet Drive Houston, TX 77099
Tracfone d/b/a Safelink 3553 Cardinal Drive Sharpsville, PA 16150	Virgin Mobile d/b/a Assurance Wireless 6200 Spring Parkway KSOPHF0302-3B 120 Overland Park, KS 66251	Yourtel America, Inc. d/b/a Yourtel Wireless – d/b/a Terracom c/o Incorp Services Inc. 7208 Redtop Road Hummelstown, PA 17036