

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: March 1, 2021

TO: Adam Teitzman, Commission Clerk

FROM: Ashley Weisenfeld, Office of the General Counsel *AJW*

RE: 20210011-TP - Application for designation as an eligible telecommunications carrier (ETC) for purposes of receiving rural digital opportunities fund support, or request to decline jurisdiction, and request for expedited consideration, by Starlink Services, LLC.

Please place the attached letter from Starlink Services, LCC in the above referenced docket file.

AJW

February 26, 2021

Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

RE: Consequences of Disclaiming Jurisdiction Over ETC Designation, Docket No. 20210011

Dear Commissioners:

Thank you for your question regarding the consequences of disclaiming jurisdiction over eligible telecommunications carrier (“ETC”) designation. This question arises in connection with the ETC application filed by Starlink Services, LLC (“Starlink Services”) with the Florida Public Service Commission (“PSC”) on January 4, 2021 (Docket No. 20210011).

As the PSC is aware, Starlink Services must be designated an ETC prior to receiving Rural Digital Opportunity Fund (“RDOF”) support. While the PSC has the first opportunity to designate Starlink Services an ETC, the Federal Communications Commission (“FCC”) may designate Starlink Services as an ETC in Florida if the PSC finds it does not have jurisdiction.¹

Indeed, several states in which Starlink Services is seeking ETC designation have declined to exercise jurisdiction over designating Starlink Services an ETC, including Alabama, Connecticut, New Hampshire, New York, Tennessee, Virginia, and West Virginia. In these states, Starlink Services has applied for ETC designation at the FCC, which is currently pending.² When Starlink Services filed its FCC ETC application, Starlink Services noted that additional states may disclaim jurisdiction over it, and that Starlink would amend its FCC application accordingly.³ Ample time remains for Starlink Services to amend its FCC ETC application to include the State of Florida, but we ask, respectfully, for Florida to make this decision expeditiously. Florida disclaiming jurisdiction over designating Starlink Services as an ETC will not prejudice Starlink Services’ receipt of RDOF funds provided it disclaims jurisdiction in the near term so that Starlink can amend its FCC application to include Florida.

We hope this information is helpful. Please let us know if there are further questions on this point or if we can provide additional information.

¹ 47 U.S. Code § 214(e)(6).

² See Starlink Services, LLC Petition for Designation as an Eligible Telecommunications Carrier, WC Docket No. 09-197, filed on Feb. 3, 2021, available at: <https://ecfsapi.fcc.gov/file/1020316268311/Starlink%20Services%20LLC%20Application%20for%20ETC%20Designation.pdf>

³ See *id.* at 2.

Sincerely,

/s/ R. Edward Price

R. Edward Price

Senior Counsel

SPACE EXPLORATION TECHNOLOGIES CORP.

PARENT COMPANY OF STARLINK SERVICES, LLC

1155 F. Street, NW

Washington, D.C. 20004

Ted.Price@spacex.com

(585) 455-6672