BEFORE THE PUBLIC UTILITY COMMISSION OF OREGON

UM 2146

In the Matter of the Application of	)
Starlink Services, LLC for Designation	)
as an Eligible Telecommunications Carrier	)
for Purposes of Receiving Rural Digital	)
Opportunities Fund Support	)

AMENDED APPLICATION OF STARLINK SERVICES, LLC FOR DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER FOR PURPOSES OF RECEIVING RURAL DIGITAL OPPORTUNITIES FUND SUPPORT AND AS AN ELIGIBLE TELECOMMUNICATIONS PROVIDER; REQUEST FOR EXPEDITED CONSIDERATION

Space Exploration Technologies Corp. ("SpaceX") was selected by the Federal Communications Commission ("FCC" or "Commission") as a winning bidder in the Rural Digital Opportunity Fund ("RDOF") auction to provide satellite broadband and Voice-over-IP ("VoIP") service in the census blocks noted on Exhibit 1 in Oregon (the "Service Area").[1] On December 22, 2020, pursuant to the procedures developed by the FCC, SpaceX assigned its winning bids to its wholly-owned subsidiary Starlink Services, LLC ("Starlink Services"). In accordance with RDOF requirements, Starlink Services submits this application (the "Application") seeking designation as an Eligible Telecommunications Carrier ("ETC") and Eligible Telecommunications Provider ("ETP") for the Service Area. This request is made pursuant to Section 214(e)(2) of the Communications Act of 1934[2], Section 54.201 of the FCC's rules,[3] and OAR 860-033-0021. Starlink Services' receipt of RDOF support is contingent on Starlink Services receiving an ETC designation from the Public Utility Commission of Oregon

[1] References to exhibits are to the exhibits filed with Starlink Services' original application dated January 4, 2021, which are incorporated herein by this reference.

[2] 47 U.S.C. § 214(e)(2).

[3] 47 C.F.R. § 54.201.

("PUC") by June 7, 2021. Given the FCC's deadline for ETC designation, Starlink Services requests expedited consideration of this Application.

Starlink Services is pleased that SpaceX was selected to receive $57,897,559 through RDOF over ten years to improve high-speed broadband and voice services within the Service Area.[4] As demonstrated herein, Starlink Services meets the requirements for ETC and ETP designation, and such designation will serve the public interest.

I. BACKGROUND ON SPACEX AND STARLINK SERVICES.

SpaceX is a private American company founded in 2002 by Elon Musk to revolutionize space technologies. SpaceX is incorporated in Delaware, with its principal office located at 1 Rocket Road, Hawthorne, California 90250. Starlink Services is a wholly-owned subsidiary of SpaceX, formed in Delaware, with its principal office located at 1 Rocket Road, Hawthorne, California 90250. SpaceX designs, manufactures, and launches the world's most advanced rockets, spacecraft, and satellites, and now offers broadband service over the world's largest satellite constellation. SpaceX has over 8,000 employees in the United States, based at the Company's headquarters in Hawthorne, California, and at facilities across the country. Starlink Services is registered to do business in the state of Oregon, as shown by its filing with the PUC on January 13, 2021. Starlink Services will rely on the significant managerial and technical expertise of SpaceX in delivering service to consumers.

SpaceX is leveraging its proven track record of rapid innovation and experience building rockets and spacecraft to deploy Starlink, a space-based broadband internet system capable of

[4] *See Rural Digital Opportunity Fund Phase I Auction (Auction 904) Closes; Winning Bidders Announced*, AU Docket No. 20-34, WC Docket Nos. 19-126, 10-90, DA 20-1422 (Dec. 7, 2020) ("*RDOF Winning Bidder PN*"). Excerpts relevant to the instant application are included at Exhibit 2.

providing truly low-latency, high-throughput service in even the most remote areas of the country. This service is ideal for bringing broadband and VoIP to underserved rural areas in the United States. Since the grant of its FCC satellite authorization in 2018, SpaceX has successfully deployed the largest satellite constellation in history and demonstrated its ability to deliver high-quality internet to thousands of users. This kind of swift execution, engineering excellence, and rapid innovation is foundational to SpaceX and is one of SpaceX's core competencies.

The FCC authorized SpaceX in 2018 to deploy and operate Starlink, a revolutionary constellation of more than 4,400 Non-Geostationary Orbit ("NGSO") satellites in low Earth orbit ("LEO"). The FCC based its decision on the ability of SpaceX "to bring high-speed, reliable, and affordable broadband service to consumers in the United States and around the world, including areas underserved or currently unserved by existing networks."[5] FCC Chairman Pai further explained that the Commission moved quickly to license systems such as SpaceX's network because it can "deliver fast, low-latency broadband services to millions in the United States and around the world."[6] Starlink Services wholeheartedly agrees with Chairman Pai that Starlink "meshes well with the FCC's twin goals of closing the digital divide and promoting innovation."[7]

Starlink Services and SpaceX are bringing to bear SpaceX's successful history of design innovation, manufacturing capability, and ability to operationalize complex space and ground

[5] *In re Space Exploration Holdings, LLC Application for Approval of Orbital Deployment and Operating Authority for the SpaceX NGSO Satellite System*, Memorandum Opinion, Order and Authorization, 33 FCC Rcd 3391, para. 1 (2018).

[6] Remarks of FCC Chairman Ajit Pai, U.S. Chamber of Commerce Policy Roundtable on Small Satellite Integration (July 9, 2019).

[7] *Id*.

systems[8] in order to create a U.S.-based manufacturing capability for Starlink satellites, customer premises equipment, and ground station antennas. The result is the creation of a comprehensive ground network that currently communicates with over 1,300 Starlink satellites deployed, enabling SpaceX to commence beta service with thousands of users across multiple states and in some international locations. Starlink's technical maturity and inherent capacity to support high-throughput, low-latency broadband service to underserved communities in even the most remote and rural areas of the United States promises to materially contribute to closing the digital divide. SpaceX and Starlink Services are proud to be able to contribute to the United States in this manner.

With more than 1,300 satellites deployed, SpaceX has launched sufficient satellites in volume to provide continuous coverage to large parts of the United States and is expanding the size of its constellation rapidly to provide coverage over the entire country. SpaceX has already deployed ground equipment to support initial broadband operations in desired locations. SpaceX is currently offering select users beta consumer-grade broadband service in Arizona, California, Colorado, Connecticut, Delaware, Florida, Iowa, Idaho, Illinois, Indiana, Kansas, Kentucky, Massachusetts, Maryland, Maine, Michigan, Minnesota, Missouri, Mississippi, Montana, North Carolina, North Dakota, Nebraska, New Hampshire, New Jersey, Nevada, New York, Ohio, Oregon, Pennsylvania, Rhode Island, South Dakota, Texas, Utah, Virginia, Vermont, Washington, Wisconsin, West Virginia, and Wyoming. Currently, Starlink beta users are selected to validate

[8] The success of Starlink is built on a deep history of technical innovation and engineering know-how at SpaceX. Since its inception, SpaceX has leveraged American innovation, technical savvy, and its integrated, iterative culture to solve the most ambitious challenges in launch and spacecraft design. SpaceX has demonstrated unmatched speed-to-market and it has delivered on its promises of next-generation satellite broadband. Through SpaceX's Falcon family of launch vehicles, it has successfully launched 112 times and is relied upon by the Department of Defense and the National Aeronautics and Space Administration for their critical launch needs. The world's leading commercial satellite manufacturers and operators also rely on SpaceX for launch of their satellites.

technical, operational, and business system readiness ahead of a broader public beta service roll-out.

II. SPACEX'S PARTICIPATION IN THE RURAL DIGITAL OPPORTUNITY FUND AND ASSIGNMENT OF WINNING BIDS TO STARLINK SERVICES.

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 25/3 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 auction 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 $57,897,559 in Oregon.[9] On December 22, pursuant to the processes established by the FCC, SpaceX assigned its winning bids to Starlink Services.

In addition to receiving an ETC designation from each relevant state authority (or from the FCC if the state disclaims jurisdiction) by June 7, 2021,[10] all RDOF winning bidders are required to commercially offer voice and broadband service consistent with certain milestones and speed and latency requirements. RDOF recipients must offer service to 40% of the awarded locations statewide by the end of the third full calendar year following funding authorization, and

[9] *See RDOF Winning Bidder PN*.

[10] *Rural Digital Opportunity Fund Phase I Auction Scheduled for October 29, 2020; Notice and Filing Requirements and Other Procedures for Auction* 904, Public Notice, AU Docket No. 20-34, WC Docket Nos. 19-126, 10-90, 35 FCC Rcd 6077, para. 81 (June 9, 2020) ("*RDOF Auction Procedures PN*"); *RDOF Winning Bidder PN* para. 36.

20% each year thereafter, resulting in 100% deployment to funded locations by the end of the sixth calendar year.[11]

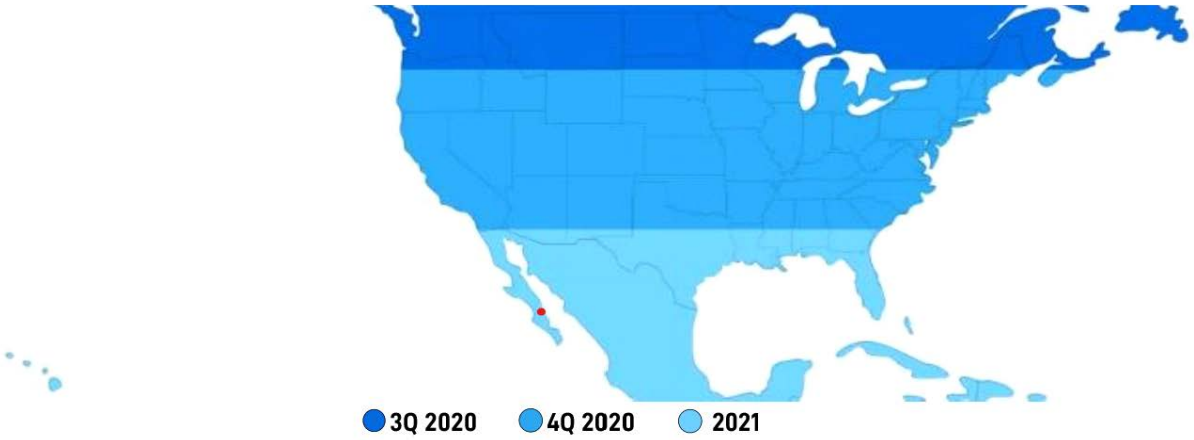
III. STARLINK SERVICES NETWORK ARCHITECTURE.

A dramatic revolution in cost-effective, reusable launch services—a capability SpaceX has developed and maintains in-house—has enabled SpaceX to deploy a space-based system at the scale necessary to match the capabilities of terrestrial broadband providers, meeting current demand with high throughput and low-latency broadband that can address the full range of internet use cases, particularly for underserved areas.

As noted above, SpaceX provides internet services via its NGSO constellation of satellites that operate in LEO. To date, SpaceX has conducted 16 Starlink launches deploying more than 900 satellites. SpaceX can comfortably rely on its current authorization from the Commission to operate its NGSO constellation consisting of 4,408 satellites, which provides broadband service using Ku- and Ka-band spectrum. As depicted below, SpaceX has launched a sufficient number of satellites to provide uninterrupted coverage to the northern United States. SpaceX has sufficient parts on hand and launches on manifest to deploy the remaining satellites needed for uninterrupted coverage over the majority of the United States in the coming months. SpaceX aims to achieve total coverage of the contiguous United States and Hawaii in 2021. Starlink Services will leverage these achievements, the Starlink constellation, and associated ground equipment to provide service to end users.

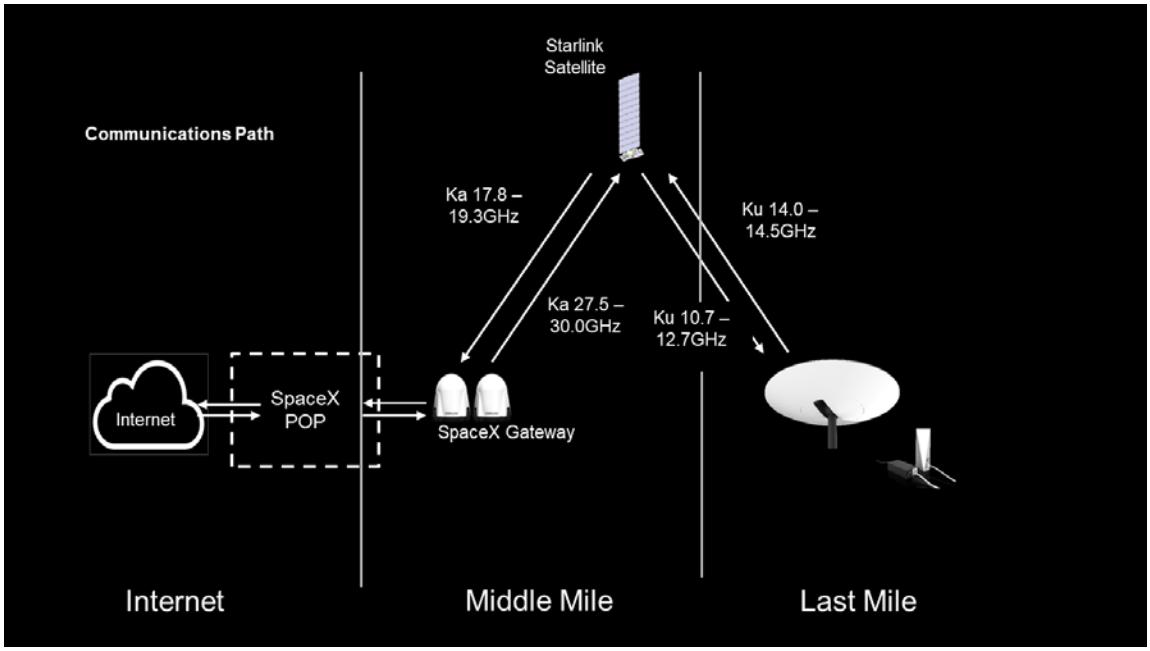
[11] *Rural Digital Opportunity Fund et al.*, WC Docket No. 19-126 et al., Report and Order, 35 FCC Rcd 686, 696, para. 45 (2020) ("*Rural Digital Opportunity Fund Order*").

Figure 1 - Starlink Coverage Map



Starlink Services will use Starlink satellites to provide Internet Protocol ("IP") connectivity between customer premises equipment (over its licensed Ku-band spectrum) and its gateways (over its licensed Ka-band spectrum). Aggregate consumer data travels via terrestrial fiber from regional gateway sites to internet Points of Presence ("PoPs") where traffic enters into the internet. The diagram below summarizes these components of the network.

Figure 2 - Starlink Network Architecture



Unlike traditional satellite broadband services, SpaceX designed every component of its network—the gateway antennas, the customer premises equipment, the software, and even the satellites themselves—for upgradability and scalability. The Starlink constellation leverages proven beam-forming and beam-steering capabilities to direct Ku-band beams to specific ground locations in targeted geographic areas called "cells." Because the satellite's beam covers a much smaller geographic footprint than traditional satellite internet services, Starlink Services can allocate and manage capacity and throughput characteristics to a defined group of consumers in a more precise manner. Starlink Services' ability to closely manage traffic resembles a terrestrial-deployed network.

SpaceX's network architecture has no significant variations by state, region, or other criteria where it has gateway sites and PoPs already in place, beyond standard regional configurations for standalone voice services such as localized phone numbers and emergency service integrations. Starlink Services may also offer different language support dependent on the region served. SpaceX has also applied to the FCC to deploy a next-generation system that will meet future surges in broadband demand, which will similarly be available for Starlink Services' use.

IV. STARLINK SERVICES MEETS THE STATUTORY AND REGULATORY REQUIREMENTS FOR ETC DESIGNATION.

Starlink Services meets all applicable federal and state requirements for designation as an ETC, including 47 U.S.C. §214(e), 47 C.F.R. § 54.201, *et seq*. and the *Oregon ETC Order.*[12]

[12] *Public Utility Commission of Oregon Staff Investigation into Eligible Communications Carrier Requirements*, Docket UM 1648, Order No. 15-382 (Dec. 1, 2015) ("*Oregon ETC Order*").

a. Starlink Services' ETC Service Area.

Starlink Services requests ETC designation for the Service Area, which is encompassed by the census blocks for which it has been provisionally awarded RDOF support, as identified in Exhibit 1.

b. Starlink Services Meets All Federal Requirements for ETC Designation.

i. Starlink Services Will Offer Supported Services, on a Common Carrier Basis, Throughout the Proposed Service Area.

For purposes of this designation, Starlink Services will provide broadband internet access service and standalone voice service to the public throughout the Service Area on a common carrier basis. Starlink Services is a common carrier for purposes of 47 U.S.C. § 214(e)(1) and 47 C.F.R. § 54.201(d).

ii. Starlink Services Will Offer Supported Services Using Its Own Facilities.

Pursuant to 47 C.F.R. § 54.201(d)(1), Starlink Services will satisfy the requirement for offering the services supported by RDOF throughout the Service Area using a combination of owned and leased facilities. As described above, SpaceX is a facilities-based satellite provider with its own fleet of satellites, earth stations, gateways, switching facilities, and other associated facilities and, therefore, Starlink Services will offer the supported services using its own facilities or a combination of its own facilities and resale of another carrier's service.

iii. Starlink Services Will Offer Voice Telephony Service.

Pursuant to 47 C.F.R. § 54.101(a)(1) and (b), Starlink Services will provide voice telephony services, including: (a) voice-grade access to the public switched telephone network ("PSTN") or its functional equivalent; (b) minutes of use for local service provided at no additional charge to end users; (c) access to emergency services; and (d) toll limitation services

to qualifying low-income consumers in accordance with 47 C.F.R. §§ 54.500, *et seq.* Starlink Services will offer voice services on a standalone basis at rates that are reasonably comparable to urban rates.

1. Starlink Services Will Provide Voice-Grade Access to the Public Switched Telephone Network.

Pursuant to 47 C.F.R. § 54.101(a), Starlink Services will provide voice-grade access to the PSTN by providing interconnected VoIP. Starlink Services is exploring avenues for the provision of voice services consistent with the requirements and goals of RDOF, including using a white-label managed service provider ("MSP") voice platform that Starlink Services has certified to meet quality and performance standards exceeding those required by RDOF. In this baseline plan, Starlink Services would provide telephone services connecting consumers to its MSP's platform using its network capacity, which is available to consumers through their customer premises equipment. Consumers will have the option of using a third-party, conventional phone connected to a Session Initiation Protocol ("SIP") standards-compliant analog terminal adaptor or a native-IP Phone selected from a list of certified models.

The MSP solution represents Starlink Services' baseline plan for a standalone voice service offering. Starlink Services continues to assess integrating alternative standalone voice applications into the Starlink network, including other third-party providers, or possibly developing its own proprietary solution. Starlink Services may adopt such approaches in the event that further testing demonstrates alternative solutions would provide a superior experience to the end customer, or if Starlink Services determines the end user would benefit from the existence of multiple voice solutions to introduce competition and redundancy into the supply chain – all while fully complying with RDOF and ETC requirements.

The FCC, in its *USF/ICC Transformation Order*, made clear that eligible voice telephony services under Section 54.101(a) include the provision of voice service "over any platform, including the PSTN and IP networks."[13] The FCC further has explained that "a broadband provider may satisfy its voice obligation by offering voice service through an affiliate or by offering a managed voice solution (including VoIP) through a third-party vendor."[14] Starlink Services will provide interconnected VoIP throughout the Service Area, sufficient for voice-grade access to the PSTN pursuant to Section 54.101(a).

2. Starlink Services Will Provide Local Usage at No Additional Charge.

As part of the voice-grade access to the PSTN, an ETC must provide minutes of local service at no additional charge to end-users. The FCC has not specified a minimum amount of local usage that an ETC must offer. Starlink Services will offer voice rate plans in the Service Area that include local calling at no additional charge and will comply with any and all minimum local usage requirements adopted by the FCC or states with jurisdiction over Starlink Services' standalone voice service.

3. Starlink Services Will Provide Access to Emergency Services.

ETCs are required to provide access to the emergency services provided by local government or other public safety organizations, such as 911 and enhanced 911, to the extent the local government in an ETC's service area has implemented 911 or enhanced 911 systems.

[13] *Connect America Fund et al.*, Report and Order and Further Notice of Proposed Rulemaking, 26 FCC Rcd. 17663, 17685, para. 78 (2011) ("*USF/ICC Transformation Order*").

[14] *See WCB Reminds Connect America Fund Phase II Applicants of the Process for Obtaining Federal Designation as an Eligible Telecommunications Carrier*, WC Docket Nos. 09-197, 10-90, Public Notice, DA 18-714, 3-4 (rel. July 10, 2018) ("*FCC ETC Procedures Notice*").

Starlink Services will satisfy this requirement by providing 911 and E911 for all of its customers, to the extent the local governments in its Service Area have implemented 911 and E911.

4. Starlink Services Will Offer Toll Limitation Services for Qualifying Low-Income Consumers.

In its *Lifeline and Link Up Reform Order,* the FCC explained that toll limitation would no longer be deemed a supported service as of 2014.[15] Accordingly, Starlink Services will not seek reimbursement for toll limitation services. Starlink Services currently has no Lifeline customers because only carriers designated as an ETC can participate in the Lifeline program. Once designated as an ETC, however, Starlink Services will participate in Lifeline, as required by the FCC's rules, and will provide toll blocking service in accordance with 47 C.F.R. §§ 54.500, *et seq.*

iv. Starlink Services Will Offer Broadband Internet Access Services.

Pursuant to 47 C.F.R. § 54.101(a)(2), Starlink Services will offer broadband internet access service with the capability to transmit data to, and receive data by wire or radio from, all or substantially all internet endpoints, including any capabilities that are incidental to and enable the operation of the communications service, but excluding dial-up service. Starlink Services will offer broadband at rates that are reasonably comparable to rates offered in urban areas.

[15] *In the Matter of Lifeline and Link Up Reform and Modernization, et. al.,* WC Docket No. 11-42, Report and Order, FCC 12-11, para. 229 (Feb. 6, 2012).

v. Starlink Services Will Provide Lifeline to Qualified Low-Income Consumers.

As required by 47 C.F.R. § 54.405, Starlink Services will provide Lifeline to qualifying low-income consumers and publicize the availability of Lifeline service in a manner reasonably designed to reach those likely to qualify for the service.

vi. Starlink Services Will Advertise the Availability of Supported Services.

Pursuant to 47 U.S.C. § 214(e)(2) and 47 C.F.R. § 54.201(d), Starlink Services will advertise the availability and rates of each of the supported services detailed above and the availability of Lifeline benefits throughout its ETC Service Area by media of general distribution.

vii. Starlink Services Will Comply with the Service and Performance Requirements Applicable to the Support It Receives.

Pursuant to 47 C.F.R. § 54.202(a)(1)(i), Starlink Services will comply with the service and performance requirements applicable to the support that it receives, including the performance requirements and deployment milestones associated with RDOF support.[16] Further, Starlink Services will comply with all applicable state and federal consumer protection and service quality standards associated with the receipt of RDOF support.

[16] Starlink Services notes that the FCC has waived the requirements to: (1) submit a five-year plan per 47 C.F.R. § 54.202(a)(1)(ii); and (2) demonstrate that it will satisfy applicable consumer protection and service quality standards per 47 C.F.R. § 54.202(a)(3). The FCC waived these requirements because "the Commission adopted more specific measures to track deployment, including annual reporting of service to geocoded locations and certification of compliance with benchmark milestones" and "such obligations were no longer essential to the Commission's ability to monitor ETC use of support for its intended purpose." *FCC ETC Procedures Notice* 4-5. To the extent necessary, Starlink Services requests a waiver of state requirements based on these waived FCC requirements.

viii. Starlink Services Will Remain Functional in Emergency Situations.

Pursuant to 47 C.F.R. § 54.202(a)(2), Starlink Services will have sufficient back-up power to remain functional without an external power source in emergency situations, will be able to reroute traffic around damaged facilities, and will be able to manage traffic spikes resulting from emergency situations. At the user level, Starlink Services will offer a 24-hour battery back-up option for user equipment that will provide the ability to make phone calls in the event of a power outage. At the system level, Starlink Services is building redundancy into the network. For example, every user will have multiple satellites in view with which it can communicate. Additionally, every satellite will have multiple gateway sites in view with which it can communicate. The Starlink traffic routing system ensures that every user is served with bandwidth before users demanding more bandwidth get additional throughput assigned, which gives the Starlink network robustness in the event of emergencies requiring high throughput.

ix. Starlink Services Is Not Subject to a Denial of Federal Benefits under the Anti-Drug Abuse Act of 1988.

Pursuant to 47 C.F.R. § 1.2002, Starlink Services is not subject to a denial of federal benefits pursuant to section 5301 of the Anti-Drug Abuse Act of 1988, as implemented in the Commission's rules.

c. Starlink Services Meets All State Requirements for ETC and ETP Designation.

To the extent not already described above, Starlink Services meets the state requirements for ETC and ETP designation established in the *Oregon ETC Order* and OAR 860-033-0021 as follows:

i. Information Regarding Applicant and Its Common Carrier Status.

1. Name of Entity Requesting Designation and Corporate Affiliation.

Starlink Services is an LLC, formed in Delaware, with its principal office located at 1 Rocket Road, Hawthorne, California 90250.

2. Demonstration of the Applicant's Common Carrier Status.

See Section IV(b). Starlink Services will offer VoIP and broadband internet access service on a common carrier basis.

3. Description of the General Types of Services and Geographic Area for Which the Applicant Is Authorized in the State of Oregon.

See Section IV(a) and Section V(b)(i-iv). Starlink Services will offer VoIP and broadband internet access service throughout the Service Area.

4. Demonstration that Applicant Is Financially and Technically Capable of Providing the Supported Services in Compliance with FCC and Commission Rules.

Starlink Services' technical capability to provide the supported services in compliance with the FCC and Commission's rules is described in Sections I, II, and III above. The FCC required SpaceX to demonstrate that it has sufficient financial qualifications in order to qualify as a bidder in the RDOF Auction. SpaceX was identified as a qualified bidder on October 13, 2020.[17] Starlink Services filed its long-form application for RDOF support with the FCC on February 16, 2021, pursuant to the FCC's RDOF procedures.

[17] *See 386 Applicants Qualified to Bid in the Rural Digital Opportunity Fund Phase I Auction*, AU Docket No. 20-34, Public Notice, DA 20-1187, attachment A (rel. Oct. 13, 2020) (recognizing SpaceX as a qualified bidder).

ii. Commitment and Ability to Provide All Supported Services and Description of Each Element Required in 47 CFR § 54.101(a).

See Section IV(i-iv) above.

1. Identification of Any Required Supported Voice Telephony Services That Are Not Currently Offered, and an Explanation of When and How Such Services Will Be Made Available.

Starlink Services does not presently offer voice telephony services in Oregon. Starlink Services commits to make voice telephony services available in the Service Area consistent with the deployment obligations associated with RDOF support. As an RDOF recipient, Starlink Services will be required to offer service to 40% of the number of awarded locations statewide by the end of the third full calendar year following funding authorization, and 20% each year thereafter, resulting in 100% deployment to funded locations by the end of the sixth calendar year.[18]

2. Identification and Description of Each of Applicant's Voice Telephony Local Service Offerings (the Name the Plan Is Marketed under, the Number of Minutes and Included Calling Area, and the Price) within the Proposed Designated Service Area.

Starlink Services is presently developing the pricing and structure of its voice telephony plans. Starlink Services commits to offer voice and broadband services at rates that are reasonably comparable to rates offered in urban area, as required by the FCC as a condition of RDOF support.[19] Starlink Services will offer voice rate plans in the Service Area that include local calling at no additional charge.

[18] *Rural Digital Opportunity Fund Order* para. 45.

[19] *See id.* para. 42.

3. *Description of Broadband Services to Be Offered, If Such Services Must Be Provided as a Condition for Receiving USF Support.*

See Sections II and IV(b)(iv).

iii. Identification and Definition of Proposed Designated Service Area.

1. *Explicit Identification of the Proposed Designated Service Area Through:*

a. *Map Showing Boundaries of Applicant's Federally-Licensed or State-Certificated Area Within Oregon, or an Explanation Why Such Boundaries Do Not Exist, and the Boundaries of the Requested Designated Service Area.*

See Exhibit 3.

b. *Rationale for Selection of the Type of Geographic Unit to Define the Proposed Designated Service Area;*

Starlink Services defines the Service Area by census block, consistent with the geographic unit adopted by the FCC for purposes of assigning RDOF support.

c. *Listing of Each and Every Specific Geographic Unit. . . That Will Be Included in the Designated Service Area, with Identification of Any Units for which Service Will Not Be Provided Throughout.*

See Exhibit 1.

d. *Identification of Specific Tribal Lands (as Defined in 47 C.F.R. § 54.5 Or 47 C.F.R. § 54.400(e) as Appropriate) Included in Proposed Designated Service Area, If Any.*

See Exhibit 4.

iv. Commitment and Ability to Offer Supported Services Throughout the Proposed Service Area and to Provide Service to All Requesting Customers.

See Section IV(b)(i-iv). Starlink Services commits to provide service to customers in the Service Area pursuant to the milestones established by the FCC for all RDOF recipients, namely to 40% of the number of awarded locations statewide by the end of the third full calendar year following funding authorization, and 20% each year thereafter, resulting in 100% deployment to funded locations by the end of the sixth calendar year.[20]

v. Types of Facilities Used to Offer Supported Services.

See Section IV (b)(i-iv). As described above, Starlink Services will leverage the Starlink constellation and associated ground infrastructure to provide service. These communication assets are owned by Starlink Services, SpaceX, or a wholly-owned SpaceX subsidiary.

vi. Map Showing Extent of Current Coverage and, Explanation of the Basis for Depiction of Coverage.

The Starlink constellation is capable of providing coverage throughout the Service Area, provided there are no significant obstructions in a given location.

vii. Identification of Service Providers with which Applicant Has Current and Relevant Resale or Interconnection Agreements.

Starlink Services does not resell the services of unaffiliated carriers nor does it have relevant interconnection agreements to identify.

[20] *Rural Digital Opportunity Fund Order* para. 45.

viii. Commitment to Use Support Funds in Accordance with FCC and Commission Rules.

See Exhibit 5 for the required affidavit. Starlink Services will comply with the service requirements applicable to the support it receives. *See* Section IV(b)(vii). Starlink Services notes that the FCC has waived the requirement to submit a five-year plan per 47 C.F.R. § 54.202(a)(1)(ii) for RDOF support recipients because "the Commission adopted more specific measures to track deployment, including annual reporting of service to geocoded locations and certification of compliance with benchmark milestones" and "such obligations were no longer essential to the Commission's ability to monitor ETC use of support for its intended purpose."[21] As such, Starlink Services requests a waiver of the requirement to submit a five-year plan. Starlink Services notes that, as an RDOF recipient, it will be subject to rigorous deployment milestones and penalties for noncompliance that will ensure RDOF-supported services are timely delivered to customers.[22]

ix. Commitment to Advertise High-Cost (Non-Lifeline) Supported Services Throughout the Service Area.

Starlink Services commits to advertise supported services throughout the service area. *See* Section IV(b)(vi).

x. Commitment to Offer and Advertise Lifeline and OTAP Services.

Starlink Services commits to offer and advertise the availability of and the charges for its services using media of general distribution throughout the service area. *See* Section IV(b)(vi).

[21] *See FCC ETC Procedures Notice* 4-5.

[22] *See Rural Digital Opportunity Fund Order* para. 45.

Starlink Services is presently formulating the terms, conditions, rates and charges of its Lifeline offerings.

xi. Demonstration of Ability to Remain Functional in Emergencies.

See Section IV(b)(viii). Starlink Services will comply with applicable 911 and E911 requirements as well as Oregon's 9-1-1 emergency reporting system tax requirements.

xii. Commitment to Meet Service Quality and Consumer Protection Standards.

Starlink Services commits to adhere to the speed, latency and other requirements associated with RDOF funding and comply with applicable state and federal service quality and consumer protection standards. Starlink Services will resolve complaints received by the PUC. A contact person to work with the PUC's Consumer Services Division is identified below:

R. Edward Price
Senior Counsel
SPACE EXPLORATION TECHNOLOGIES CORP.
PARENT COMPANY OF STARLINK SERVICES, LLC
1155 F Street, N.W.
Suite 475
Washington, DC 20004
Ted.Price@spacex.com
(585) 455-6672

Please direct any complaints to: starlinkresolutions@spacex.com.

xiii. Designation on Tribal Lands.

Starlink Services will notify and engage appropriate Tribal authorities in the proposed Service Area. Starlink Services has already begun this engagement in Oregon and will provide evidence of such engagement in a supplemental filing as specified in *Oregon ETC Order*.

xiv. Commitment to Provide Required Reports.

Starlink Services commits to file all required reports with the PUC.

xv. Commitment to Collect and Remit RSPF Surcharge.

Starlink Services commits to collect the RSPF surcharge from customers and to remit the specified RSPF surcharge amount to the PUC in accordance with the provisions of OAR 860-033-0006. Starlink Services will also keep all records supporting each Remittance Report it has submitted to the PUC in accordance with the provisions of OAR 860-033-0008, and will comply with the audit provisions of that rule.

xvi. Commitment to Offer Discounts.

Starlink Services commits to offer to all low-income customers who meet eligibility requirements OTAP discounts with all service offerings that include broadband internet access service or basic telephone service in accordance with the provisions of OAR 860-033-0010.

xvii. Commitment to Comply with Other PUC Rules.

Starlink Services has reviewed and will comply with all of the other requirements of OAR 860-033-0005 through 860-033-0110 applicable to an ETP.

V. DESIGNATING STARLINK SERVICES AS AN ETC IS IN THE PUBLIC INTEREST.

Expedited designation of Starlink Services as an ETC in the Service Area in Oregon will serve the public interest by ensuring that the Company is eligible to receive federal USF support, including the RDOF support it won through the auction, and to expand broadband coverage in and throughout the Service Area in Oregon. As described above, Starlink Services has been provisionally awarded $885 million in federal support over ten years in 35 states. In Oregon, Starlink Services has been provisionally awarded $57,897,559, which will directly benefit the

citizens in the Service Area. The FCC has determined that the voice and broadband services Starlink Services will deploy through RDOF support will advance the goal of RDOF to "ensure continued and rapid deployment of broadband networks to unserved Americans."[23] Indeed, SpaceX has already begun to engage schools and tribal organizations in discussions to provide high-speed broadband service via Starlink in underserved areas in the Service Area.

RDOF support will allow Starlink Services to accelerate service for those who need it most and prioritize deployment to the underserved. The public interest is served by designating Starlink Services as an ETC in the Service Area and bringing RDOF funds to Oregon for the benefit of those living in rural areas.

Specifically, ETC designation will benefit users in Oregon by enabling Starlink Services to utilize RDOF support to take the following actions:

Accelerate production of satellites and customer premises equipment. RDOF support will allow Starlink Services to accelerate production of its satellites and customer premises equipment. This additional production will result in an acceleration of capacity deployment and more terminals at lower cost for those living in underserved areas.

Targeted gateway deployment. Starlink Services is already deploying an extensive gateway infrastructure network designed to allow service in major markets across the country. Yet, the same market forces that drive the placement of these gateways also drive the deployment of purely terrestrial networks. With RDOF support, Starlink Services will be able to activate gateway sites in thinly populated areas of the country where their use could not otherwise be

[23] *RDOF Auction Procedures PN* para. 5.

justified. This support would mean faster deployment and better service for people in otherwise underserved areas.

Dynamic allocation of capacity. RDOF support will allow Starlink Services to allocate dynamically deployable capacity to the underserved areas that need it most. Under the terms of the RDOF program, Starlink Services will hold back a portion of its system capacity that could otherwise be sold to locations outside of the RDOF program, so that high-quality internet service can be provisioned to supported locations in the Service Area that do not currently have access to 25/3 Mbps broadband service within ten days of receipt of any order.

VI. CONCLUSION.

In conclusion, as described above, Starlink Services satisfies all state and federal requirements for ETC and ETP designation in the Service Area. Furthermore, designating Starlink Services as an ETC for purposes of receiving RDOF support is in the public interest because it will enable Starlink Services to receive support that will facilitate rapid deployment of broadband and VoIP service to the Service Area in Oregon at speeds and latency comparable to terrestrial systems in urban locations. Starlink Services respectfully requests that the PUC grant this ETC/ETP Application by June 7, 2021.

VII. NOTICES.

Pleadings, orders, notices, or other correspondence and communications regarding this Application should be provided to:

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Respectfully submitted,

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March 25, 2021

Exhibit 1

Service Area

Exhibit 2

RDOF Winning Bidder Public Notice

Exhibit 3

Service Area Map

Exhibit 4

Tribal Areas

Exhibit 5

Certification