

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of

COLUMBIA ENERGY, LLC

For Designation as an Eligible  
Telecommunications Carrier in the State  
of Washington Pursuant to 47 U.S.C. §  
214(e)(2)

DOCKET UT-210043

ORDER 01

GRANTING ELIGIBLE  
TELECOMMUNICATIONS  
CARRIER DESIGNATION  
FOR THE PURPOSE OF  
RECEIVING SUPPORT FROM THE  
FEDERAL RURAL DIGITAL  
OPPORTUNITY FUND

**BACKGROUND**

1 On January 22, 2021, Columbia Energy, LLC (Columbia or Company) filed a petition (Petition) with the Washington Utilities and Transportation Commission (Commission) requesting designation as an Eligible Telecommunications Carrier (ETC) in select census blocks in Walla Walla county in the state of Washington under 47 U.S.C. § 214(e)(2), applicable rules of the Federal Communications Commission (FCC), and Chapter 480-123 Washington Administrative Code (WAC), for the purpose of receiving federal Rural Digital Opportunity Fund (RDOF) support.<sup>1</sup> Columbia proposes to provide voice and broadband service, including Lifeline service, to Washington consumers in 236 locations identified by the FCC as unserved by broadband service at speeds less than 25 Mbps up and 3 Mbps down. ETC designation would allow the Company to receive federal universal service support through the FCC's RDOF program for service to these locations.

---

<sup>1</sup> See *Rural Digital Opportunity Fund; Connect America Fund*, WC Docket Nos. 19-126, 10-90, Report and Order, 35 FCC Rcd 686, ¶ 2 (released Feb. 7, 2020) (*RDOF Order*), clarified on reconsideration by *Rural Digital Opportunity Fund Auction (Auction 904); Rural Digital Opportunity Fund; Connect America Fund*, AU Docket No. 20-34, WC Docket Nos. 19-126, 10-90, FCC 20-127, Order on Reconsideration (released Sept. 29, 2020).

- 2 On March 11, 2021, Columbia filed its FCC long-form application, which addresses the Company's RDOF investment plans. On April 28, 2021, Columbia filed an amended petition.
- 3 Columbia requested designation as an ETC throughout 44 census blocks, identified in its amended Petition at Attachment 1, where the Company will operate as a winning bidder in the FCC's RDOF Phase I reverse auction. In its Petition, Columbia committed to offer voice and broadband services throughout its designated service area either using its own facilities or a combination of its own facilities and resale of another carrier's services. Columbia has also committed to make Lifeline services available to low-income consumers and will advertise all supported services throughout its service area.
- 4 In response to Commission Staff's (Staff's) request, Columbia provided its initial plan of investments. These investments will enable the Company to begin deployment of the supported services. Columbia has committed to meeting the deployment milestones established for the RDOF program. The Company will offer commercially at least one voice and one broadband service meeting the relevant service requirements to the required number of locations within the timeframe required by the RDOF rules.
- 5 Based on its bid, Columbia must meet the gigabit performance tier standard.<sup>2</sup> Columbia has provided voice and internet service in central Washington since 2001. Columbia now provides broadband via fiber-to-the-home (FTTH) and has successfully deployed broadband and VoIP services to unserved and underserved parts of central Washington. In response to discovery, the Company stated that its current price for broadband is \$129.95 (that is below the FCC benchmark of \$133.32 per month for broadband at Gigabit speeds). Staff understands that Columbia will continue to offer services that are at or below the FCC's reasonable comparability benchmarks for voice and broadband services.
- 6 The Company has demonstrated its ability to remain functional in emergency situations and has stated that it will comply with the applicable consumer protection and service quality standards of the Commission in Chapter 480-120 WAC.

---

<sup>2</sup> See 47 C.F.R. § 54.805(b).

7 Staff recommends that the Commission grant Columbia's amended Petition for designation as an ETC in the identified census blocks in Walla Walla county for the purpose of receiving RDOF support.

### DISCUSSION AND DECISION

8 Common carriers designated as ETCs under 47 U.S.C. § 214 are eligible to receive federal universal service support. State utility commissions are responsible for designating common carriers as ETCs for the purpose of receiving such funds.<sup>3</sup> The Commission will approve the petition of a carrier requesting ETC designation if the petition meets the requirements of WAC 480-123-030, the designation will advance some or all the purposes of universal service found in 47 U.S.C. § 254, and the designation is in the public interest.<sup>4</sup>

9 State commissions are authorized to designate a carrier as an ETC for a service area that the state commission designates if the carrier meets the following two requirements of 47 U.S.C. § 214(e)(1) throughout the service area:

A. Offer the services that are supported by federal universal service support mechanisms under section 254(c), either using its own facilities or a combination of its own facilities and resale of another carrier's services (including the services offered by another eligible telecommunications carrier); and

B. Advertise the availability of such services and the charges therefor using media of general distribution.

10 The FCC has established the definition of services supported by federal universal support mechanisms in 47 C.F.R. § 54.101(a).<sup>5</sup> In addition to providing these services, ETCs must comply with all other relevant federal universal service rules in 47 C.F.R. Part 54. Carriers seeking RDOF support must meet the FCC RDOF requirements at 47 C.F.R. Part 54, Subpart J.

11 We agree with Staff that Columbia is capable of providing the services supported by federal universal support mechanisms including the RDOF. Columbia's amended

---

<sup>3</sup> 47 U.S.C. § 214(e)(2).

<sup>4</sup> WAC 480-123-040.

<sup>5</sup> See 47 U.S.C. § 254(c)(1).

Petition, supplemented by the Company's long-form application, meets the Commission's requirements for ETC petitions in Chapter 480-123 WAC, and is consistent with RDOF and other federal requirements. Designation of Columbia as an ETC will serve the public interest by making voice and broadband available to Washingtonians who currently lack high-speed broadband service.

### FINDINGS AND CONCLUSIONS

- 12 (1) The Commission has jurisdiction over the subject matter of this order and is authorized to designate Eligible Telecommunications Carriers in Washington under 47 U.S.C. § 214(e)(2), 47 C.F.R. §54.201(b)–(c), RCW 80.36.610, and Chapter 480-123 WAC.
- 13 (2) Columbia is a telecommunications company doing business in the state of Washington and registered with the Commission.
- 14 (3) Columbia meets the requirements under 47 U.S.C. § 214(e)(1) for designation as an ETC because it will offer and advertise the services supported by federal universal service support throughout its ETC service area.
- 15 (4) Columbia's designation as an ETC will advance the purposes of universal service found in 47 U.S.C. § 254 because the Company will offer voice telephony, broadband, and Lifeline services, consistent with the FCC's universal service requirements, to locations identified by the FCC as unserved by broadband service at speeds less than 25 Mbps up and 3 Mbps down, which will facilitate universal service.
- 16 (5) Designating Columbia as an ETC is in the public interest because the Company has demonstrated it will meet RDOF program service requirements, which will make high-speed Internet service available to Washington consumers in 236 locations. Because Columbia holds a winning bid in the RDOF auction at the "gigabit" tier, designating the Company as an ETC will result in the availability of broadband service at speeds of at least 1,000 Mbps down and 500 Mbps up for Washington consumers who currently have no access to broadband or who have Internet access only at speeds of less than 25 Mbps up and 3 Mbps down.
- 17 (6) Columbia's amended Petition meets the requirements of the Commission's ETC rules in Chapter 480-123 WAC.

- 18 (7) The census blocks in Attachment 1 to the amended Petition comprise an appropriate ETC service area because Columbia holds the winning bid for those census blocks following the FCC's RDOF Phase I reverse auction.
- 19 (8) This matter came before the Commission at its regularly scheduled meeting on May 20, 2021.

**ORDER**

**THE COMMISSION ORDERS:**

- 20 (1) Columbia Energy, LLC's petition for designation as an ETC is hereby GRANTED, for the census blocks set forth in Attachment 1 to the amended Petition.
- 21 (2) The Commission retains jurisdiction over this matter for purposes of effectuating this order.

DATED at Lacey, Washington, and effective May 20, 2021.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Chair

ANN E. RENDAHL, Commissioner

JAY M. BALASBAS, Commissioner