

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of

CABLE ONE VOIP LLC d/b/a
SPARKLIGHT

For Designation as an Eligible
Telecommunications Carrier in the State
of Washington for the Purpose of
Receiving Support from the Federal
Rural Digital Opportunity Fund

DOCKET UT-210167

ORDER 02

GRANTING REQUEST TO
RELINQUISH ELIGIBLE
TELECOMMUNICATIONS
CARRIER DESIGNATION

BACKGROUND

- 1 On March 12, 2021, Cable One VoIP LLC d/b/a Sparklight (Cable One 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 Asotin 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.¹ On April 21, 2021, Cable One filed an amended petition.
- 2 On May 20, 2021, the Commission entered an Order 01, Granting Eligible Telecommunications Carrier Designation (Order 01).
- 3 On July 26, 2021, the FCC sent letters to several companies, including Cable One, raising concerns regarding some of the companies' winning RDOF Program bids for certain census blocks. On August 24, 2021, Cable One responded to the FCC's letter, requesting a waiver of the default penalties associated with the Company's decision to no longer pursue RDOF support for census blocks in several states, including two census blocks in Washington (Petition for Waiver).²

¹ 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).

4 On March 21, 2022, the Company filed a petition to relinquish its ETC designation in Washington (Relinquishment Petition) in this docket. In order to be consistent with its national position and Petition for Waiver filed with the FCC, the Company filed the Relinquishment Petition before state specific reporting deadlines (specifically, ETC reports that are due by July 1, 2022). The Company simultaneously seeks to voluntarily cancel its telecommunications registration in the state of Washington in Docket UT-220190.

5 On May 3, 2022, the FCC noted that the Company intended to not pursue several winning bids to provide RDOF support to specific census blocks, including the two census blocks it had won in Washington. Commission staff (Staff) reviewed the FCC documents and the Relinquishment Petition and believes it is acceptable and consistent with the Company's intent to cancel its registration.

DISCUSSION

6 We agree that the Relinquishment Petition is consistent with the Company's voluntary default under the RDOF Phase I Auction Program and the FCC's recognition, encouragement, and acceptance of these refinements on a national basis in order to direct federal universal service funding where it is needed most.

7 The Company's relinquishment of its ETC designation and cancellation of telecommunications registration may impact only four potential customers due to the lack of the subsidized service and facility availability. Other technologies and funding mechanisms will likely become available for broadband internet access service in the near future and the Company's parent company (Cable One, Inc.) may offer unregulated broadband internet access services, as well. There are currently other regulated and unregulated providers of telecommunications service also already available in these areas. We therefore grant the Company's Relinquishment Petition.

8 Because the Company is not only requesting to relinquish its ETC designation consistent with the FCC's current policy but also seeks to cancel its telecommunications registration with the Commission, we agree that cancellation of registration is also appropriate at this time.

² August 24, 2021, Petition for Waiver, available at [https://www.fcc.gov/ecfs/file/download/DOC-5ede12fd95400000-A.pdf?file_name=Cable%20One%20VoIP%20RDOF%20Petition%20for%20Waiver%20\(8-24-21\).pdf](https://www.fcc.gov/ecfs/file/download/DOC-5ede12fd95400000-A.pdf?file_name=Cable%20One%20VoIP%20RDOF%20Petition%20for%20Waiver%20(8-24-21).pdf)

FINDINGS AND CONCLUSIONS

- 9 (1) The Commission has jurisdiction over the subject matter of this order and is authorized to designate and authorize relinquishment of designation of 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.
- 10 (2) Cable One is a telecommunications company doing business in the state of Washington, registered with the Commission, and a designated ETC.
- 11 (3) Cable One’s relinquishment of its ETC designation is consistent with its voluntary default under the RDOF Phase 1 Auction Program.
- 12 (4) Cable One is voluntarily canceling its registration as a telecommunications company in the state of Washington in Docket UT-220190.
- 13 (5) Cable One’s relinquishment of its ETC designation will not materially harm consumers in Washington state and is consistent with the public interest and should be granted.
- 14 (6) This matter came before the Commission at its regularly scheduled meeting on June 30, 2022.

ORDER

THE COMMISSION ORDERS THAT:

- 15 (1) Cable One VOIP LLC d/b/a Sparklight’s petition to relinquish its Eligible Telecommunications Carrier designation is GRANTED, effective July 1, 2022.

DATED at Lacey, Washington, and effective June 30, 2022.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Chair

ANN E. RENDAHL, Commissioner