

Agenda Date: June 30, 2022
Item Numbers: A3 and A4

Dockets: UT-210167 and UT-220190
Company Name: Cable One VoIP LLC d/b/a Sparklight

Staff: Tim Zawislak, Senior Telecommunications Regulatory Analyst
Sean Bennett, Telecommunications Regulatory Analyst
Jing Roth, Assistant Director - Telecommunications

Recommendation

In Docket UT-210167, enter Order 02 granting Cable One's requested relinquishment of Eligible Telecommunications Carrier (ETC) designation, effective July 1, 2022; and in Docket UT-220190, allow the Company's voluntary cancellation of telecommunications registration in the State of Washington, also effective July 1, 2022.

Discussion

On May 20, 2021, the Washington Utilities and Transportation Commission (Commission) granted ETC designation to Cable One VoIP LLC d/b/a Sparklight (Cable One or Company) for purposes of participating in the Federal Communications Commission's (FCC) Rural Digital Opportunity Fund Phase I high-cost universal service program (RDOF Program) in Order 01 in Docket UT-210167.¹

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 penalties associated with the Company's decision to no longer pursue RDOF support (default) for census blocks in several states, including two census blocks in Washington (Petition for Waiver).²

On March 21, 2022, the Company filed a petition to relinquish its ETC designation in Washington (Relinquishment Petition) in Docket UT-210167. In order to be consistent with its national position and Petition for Waiver filed with the FCC, the Relinquishment Petition was filed before state specific reporting deadlines (specifically, ETC reports that are due by July 1, 2022).

¹ See also, UTC Staff Memo and Attachment in Docket UT-210167, dated May 20, 2021.

² August 24, 2021, Petition for Waiver - [https://www.fcc.gov/ecfs/file/download/DOC-Sede12fd95400000-A.pdf?file_name=Cable%20One%20VoIP%20RDOF%20Petition%20for%20Waiver%20\(8-24-21\).pdf](https://www.fcc.gov/ecfs/file/download/DOC-Sede12fd95400000-A.pdf?file_name=Cable%20One%20VoIP%20RDOF%20Petition%20for%20Waiver%20(8-24-21).pdf)

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).³ Commission Staff has reviewed the FCC documents and the Relinquishment Petition and finds it to be acceptable. This 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.

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 because the Company no longer intends to operate as a telecommunications company in Washington state. Commission Staff agrees that cancellation of registration is also appropriate, at this time.

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.⁴

Conclusion

Commission Staff recommends that the Commission, enter Order 02 granting Cable One's requested relinquishment of Eligible Telecommunications Carrier (ETC) designation, effective July 1, 2022, in Docket UT-210167; and allow the Company's voluntary cancellation of telecommunications registration, also effective July 1, 2022, in Docket UT-220190.

³ May 3, 2022, FCC Public Notice (page 6 under *Defaults*) and Attachment B (page 6 of 18) - <https://www.fcc.gov/edocs/search-results?t=quick&dockets=20-34&releasedDate=20220503>

⁴ CenturyLink for wireline and AT&T Mobility and Inland Cellular for wireless.