

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of	)	
Connect Everyone, LLC for Designation as	)	
a Competitive Eligible	)	
Telecommunications Carrier for the	)	Case No. 21-0026-TP-UNC
Purpose of Rural Digital Opportunities	)	
Fund Support	)	
	)	

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**REVIEW AND RECOMMENDATION  
SUBMITTED ON BEHALF OF THE STAFF OF  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

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On January 30, 2020, following the model of 2018’s Connect America Fund Phase II (CAF II) auction, the Federal Communications Commission (FCC) adopted a Report and Order in WC Docket Nos. 19-126 and 10-90 (R&O) that established the Rural Digital Opportunity Fund (RDOF).<sup>1</sup> Like the CAF II before it, the RDOF provides funding to connect unserved<sup>2</sup> rural homes and small businesses to high-speed broadband networks. The RDOF commits \$20.4 billion to be disbursed in two-phases over a ten-year period..<sup>3</sup> Of the \$20.4 billion, \$16 billion was budgeted for Phase I with the remaining \$4.4 billion plus any unawarded Phase I funds budgeted for Phase II.<sup>4</sup>To allocate the Phase I budgeted funds, the R&O established a multi-round, reverse descending clock auction that favors faster services with lower latency and encourages

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<sup>1</sup> *In the Matter of Rural Digital Opportunity Fund Connect America Fund*, WC Docket Nos. 10-126 and 10-90, Report and Order, 35 FCC Rcd 686 (2020) (RDOF Order).

<sup>2</sup> Unserved areas are those areas without broadband at speeds of 25 Mbps download and 3 Mbps upload, where no state or federal subsidy exists to provide broadband at this speed or better. See RDOF Order at para. 4.

<sup>3</sup> RDOF Order at paras. 7-8.

<sup>4</sup> *Id.* at para. 8.

intermodal competition to ensure maximum deployment of the best networks at a competitive cost.<sup>5</sup>

The Phase I winning bidders were announced on December 7, 2020,<sup>6</sup> and were required to submit a post-auction application for support to the FCC no later than January 29, 2021.<sup>7</sup> To be eligible for RDOF support, each winning bidder must demonstrate by June 7, 2021, that it has received designation as a high-cost eligible telecommunications carrier in all areas that the winning bidder seeks to receive support.<sup>8</sup> Winning bidders are permitted to assign some or all of their winning bids to related entities.<sup>9</sup> In Ohio, there were 11 winning bidders covering 191,093 assigned locations that will receive \$170,038,205.10 in total support over the 10 year period.<sup>10</sup>

In accordance with 47 U.S.C. §214(e)(2), upon request and consistent with the public interest, convenience and necessity, the Public Utilities Commission of Ohio (PUCO or Commission) may designate a requesting carrier meeting the requirements of 47 U.S.C. 214, 47 C.F.R. 54.201(d) and 47 C.F.R. 54.202 as a competitive eligible telecommunications carrier (CETC). Ohio Adm. Code 4901:1-6-09 sets forth the Commission's rules for the designation of CETCs in Ohio.

Connect Everyone, LLC (Connect Everyone or Applicant ) is one of the 11 winning bidders for the state of Ohio and, consistent with Ohio Adm. Code 4901:1-6-09(B)(2), submitted its application to be designated as an CETC on January 6, 2021. Connect Everyone LLC, is a wholly owned subsidiary of Starry, Inc. (Starry). While Connect Everyone will be the CETC designation holder and will receive RDOF funds, Starry will operate and provide the service. For this reason, Connect Everyone's documents pertaining to the CETC list Starry as the company.

As noted, service will be provisioned using Starry's proprietary fixed broadband technology as part of its deployment of a hybrid point-to-multipoint fixed wireless redundant network through its own facilities and resale of other carriers' services. For

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<sup>5</sup> *Id.* at para. 5

<sup>6</sup> FCC Public Notice DA 20-1422, (December 7, 2020). (Public Notice)

<sup>7</sup> *Id.* at para. 2.

<sup>8</sup> *Id.* at para. 36.

<sup>9</sup> *Id.* at para. 9.

<sup>10</sup> Public Notice, Attachment B. There may more ETC applications than winning bidders as some winning bidders are consortiums made up of multiple entities to whom support may be assigned. These assignees in turn will file for ETC designation.

the last mile, Starry plans to utilize this same infrastructure as well. All services will be offered through Starry.

Through the RDOF 904 Auction, Connect Everyone's assignments totaled 3,376 census blocks containing 18,280 locations. This high location count makes Connect Everyone the second largest winning bidder in Ohio. The winning bid locations represent numerous counties across Ohio, but the central eastern area contains the densest locations. Connect Everyone's total support from the RDOF 904 Auction comes to \$38,273,659.90 for just Ohio over the next ten years.

As required by 47 C.F.R. §54.101(a), Connect Everyone attests that Starry will provide voice-grade access to the public switched network, minutes of use for local service at no additional charge, access to emergency services including 911 and enhanced 911, and toll limitation for qualifying low-income customers.

Connect Everyone further attests that Starry will offer interconnected VoIP service as well as gigabit low latency broadband as one of its services. Starry plans to offer these services with rates competitive with those of urban areas.

Connect Every submits that Starry has provided high-speed internet services since 2017. In the event of damage to facilities, Connect Everyone certifies that Starry's point to multipoint fixed wireless and fiber network will have the ability to remain functional in emergency situations.

Under 47 C.F.R. §54.202(a)(1)(ii) the carrier requesting ETC designation must submit a five-year plan describing its deployment schedule. For the RDOF, the FCC waived this requirement. The Commission subsequently extended a waiver of the five-year plan requirement to all RDOF Phase I support applicants in Case No. 18-1491-TP-UNC.<sup>11</sup>

Staff reviewed all documents and exhibits filed on January 6, 2021, February 5, 2021, and February 25, 2021. From its review, staff finds that the application meets all the requirements set forth in the rule stated above. Therefore, staff recommends that the

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<sup>11</sup> *In the Matter of the Application of Mercury Wireless Indiana, LLC D/B/A Mercury Broadband for Designation as a High-Cost Rural Competitive Eligible Telecommunications Carrier*, Case No. 18-1491-TP-UNC, Supplemental Finding and Order (May 5, 2021).

Applicant be designated as a CETC in the service area identified as the census block locations it was assigned through the 2020 FCC RDOF auction.

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Summary: Staff Review and Recommendation electronically filed by Mrs. Tanika Hawkins on behalf of PUCO Staff