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November 2, 2022

VIA ELECTRONIC FILING

Public Utilities Commission of Ohio
180 E. Broad Street
Columbus, OH 43215

Re: RDOF Default and Cancellation of the Eligible Telecommunications
Designation of Connect Everyone, LLC - Case No. 21-26-TP-UNC

To the Commission:

On behalf of Connect Everyone, LLC, enclosed for filing please find the attached letter confirming that Connect Everyone, LLC will not be receiving funding under the FCC's RDOF Phase I 904 Auction, and requesting that the Commission rescind its Eligible Telecommunications Carrier Designation.

Very truly yours,

STEVENS & LEE

Linda R Evers

Linda R. Evers

Enclosure



STARRY

38 Chauncy Street, 2nd Floor
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October 28, 2022

Public Utilities Commission of Ohio
180 E. Broad Street
Columbus, OH 43215

**Re: RDOF Default and Cancellation of the Eligible Telecommunications
Designation of Connect Everyone, LLC - Case No. 21-26-TP-UNC**

Dear Commissioners:

Connect Everyone, LLC (Connect Everyone), a wholly owned subsidiary of Starry, Inc. (Starry) (collectively, Company) hereby notifies the Public Utilities Commission of Ohio (Commission) that the Company has defaulted on all of the bids that the Company won in the Federal Communications Commission's (FCC) Rural Digital Opportunity Fund (RDOF) Phase I Auction 904. In light of the default, the Company cannot satisfy the requirement that Connect Everyone receive final approval to receive RDOF funds from the FCC, on which the Commission conditioned its designation of Connect Everyone as an eligible telecommunications carrier (ETC).¹ Thus, the Company hereby requests that the Commission declare that Connect Everyone has not met the conditions necessary to retain its ETC designation and rescind the ETC designation.

In 2020, the Company won \$38,273,659.90 over ten years in FCC Auction 904 to provide broadband and voice services in 3,376 census blocks in Ohio containing 18,280 locations.² Receipt of the RDOF support that the Company won was conditioned upon Connect Everyone receiving ETC designations in each of the states for which it won support, including Colorado.³ To satisfy this condition, on January 6, 2021, the Company filed an application with the Commission seeking designation for Connect Everyone as an ETC for the geographic areas covered by the bids it won in Auction 904.

On June 2, 2021, the Commission conditionally granted the Company's application for ETC designation (ETC Designation Order).⁴ In the ETC Designation Order, the Commission conditioned Connect Everyone's designation as an ETC on "Connect Everyone obtaining final FCC approval at the conclusion of the auction process."⁵

On October 12, 2022, the Company notified the FCC that it intended to relinquish all RDOF support and would no longer pursue its winning RDOF bids. The Company made this

¹ See Public Utilities Commission of Ohio, Finding and Order, Case No. 21-26-TP-UNC, ¶ 39 (issued June 2, 2021) (*ETC Designation Order*).

² *Rural Digital Opportunity Fund Phase I Auction (Auction 904) Closes, Winning Bidders Announced*, FCC Form 683 Due January 29, 2021, Public Notice, 35 FCC Rcd. 13888, Attach. A, 13911-912 (2020).

³ 47 C.F.R. § 54.803(b).

⁴ *ETC Designation Order* ¶ 39.

⁵ *Id.*

decision in order to maximize liquidity while it continues efforts to raise additional capital; to sharpen its focus on its core mission of providing competitive broadband services primarily in dense areas; and in light of changed circumstances in the marketplace since its original decision to participate in the auction in 2020, including additional government subsidy programs that have or may target the same areas for which it won subsidy support in RDOF. On the same day, the FCC issued a public notice that included a statement explaining that by informing the FCC that it no longer intended to pursue its RDOF bids, Connect Everyone had defaulted on them.⁶ To date, the Company has not received any RDOF or any other form of federal or state Universal Support Fund funding.

Given that Connect Everyone has defaulted on its RDOF winnings and therefore will not receive final FCC approval to receive the RDOF support that it won in Auction 904, the Company requests that the Commission immediately declare that the Company has not met the corresponding requirement on which the Commission conditioned its designation of Connect Everyone as an ETC and rescind Connect Everyone's ETC designation.⁷

Respectfully Submitted,



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⁶ *Rural Digital Opportunity Fund Support Authorized for 1,885 Winning Bids; Bid Defaults Announced*, AU Docket No. 20-34 et al., Public Notice, DA 22-1086, at 8 n.57 (October 12, 2022).

⁷ See 4 C.C.R. § 723-2:2187(e).

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in

Case No(s). 21-0026-TP-UNC

Summary: Correspondence Connect Everyone LLC Request to Relinquish ETC
Designation electronically filed by Mr. Michael A. Gruin on behalf of Connect
Everyone LLC, a wholly owned subsidiary of Starry, Inc.