

BEFORE THE MISSOURI PUBLIC HEARING COMMISSION

IN RE: APPLICATION OF STARBEAM HSI, LLC)
FOR DESIGNATION AS AN ELIGIBLE) Application No. DA-2022-0280
TELECOMMUNICATIONS CARRIER)

Application for Designation as an ETC

THE CAVANAUGH LAW FIRM, L.L.C.

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Application for Designation as ETC

STARBEAM HSI, LLC (“Starbeam HSI” or the “Company”) respectfully applies for designation as an Eligible Telecommunications Carrier (“ETC”) to the Missouri Public Service Commission (“Commission”) under section 214(e)(2) of the Communications Act of 1934, as amended (the “Act”), Sections 54.101 through 54.207 of the rules and regulations of the Federal Communications Commission (“FCC”), and under the rules and regulations of the Commission including 20 CSR 4240-31.016 and 20 CSR 4240-2.060 to provide Lifeline services to qualifying Missouri residents in the requested areas. Starbeam HSI will not seek access to funds from the federal Universal Service Fund for the purpose of providing service to high cost areas.

I. REQUIREMENTS FOR DESIGNATION AS AN ETC

Section 254(e) of the Act provides that “only an eligible telecommunications carrier designated under section 214(e) shall be eligible to receive specific federal universal service support.” Section 214(e)(2) of the Act authorizes state commissions, such as the Commission, to designate ETC status for federal universal service purposes and authorizes the Commission to designate wireline ETCs. Section 214(e)(1) of the Act and Section 54.201(d) of the FCC’s rules provide that applicants for ETC designation must be common carriers that will offer all of the services supported by universal service, either using their own facilities or a combination of their own facilities and the resale of

another carrier's services per 47 U.S.C. 214(e)(1)(A). Applicants also must commit to advertise the availability and rates of such services per 47 U.S.C. 214(e)(1)(B).

II. COMPANY OVERVIEW

Starbeam HSI is a Missouri Limited Liability Company. Pursuant to 20 CSR 4240-2.060(1)(B), attached as Exhibit B is Starbeam HSI, LLC's certificate of good standing from the Missouri Secretary of State. Starbeam HSI does not have a parent company or any subsidiaries. Starbeam HSI is a provider of broadband Internet access services. Starbeam HSI is not certificated or registered by the Missouri Commission. The Company will not be providing a telecommunications service or IVoIP service as defined by Section 386.020.

Starbeam HSI will provide affordable and reliable high-speed Internet services with a focus on qualifying low-income consumers for existing and future Universal Service programs such as Lifeline and the Affordable Connectivity Program. Starbeam HSI will provide services with speeds up to 300 Mbps download and 150 Mbps upload. Along with Internet access, Starbeam HSI will provide the equipment necessary to receive Starbeam HSI Internet service and to provide in-home WiFi services at no charge to subscribers.

III. COMMUNICATIONS AND CORRESPONDENCE

Pleadings, orders, notices, or other correspondence and communications regarding this Application should be provided to:

Andrew Coffin
Sole Member
Starbeam HSI, LLC

875 Rochdale Dr
Kirkwood, MO 63122
Tel: 314.941.2646
Email: andy@starbeamhsi.com

With a copy to:

Bryan Cavanaugh
The Cavanaugh Law Firm, L.L.C.
75 West Lockwood Avenue, Suite 222
St. Louis, MO 63119

Email: bcavanaugh@cavanaugh-law.net

IV. STARBEAM HSI SATISFIES THE REQUIREMENTS FOR DESIGNATION AS AN ETC UNDER

Starbeam HSI meets all federal and state requirements for designation as an ETC in Missouri, including, 47 U.S.C. § 214(e) and 47 C.F.R. § 54.201, et seq., and the Missouri Commission rules found in 20 CSR 4240

A. STARBEAM HSI meets all criteria for designation as an ETC under federal law. Specifically:

- 1. Description of Service.** Starbeam HSI offers, and will offer, upon designation as an ETC in Missouri, broadband Internet access services and functionalities required by 20 CSR 4240-31.015, Section 45.101(a)(1)-(9) and Section 54.202(a) of the FCC's Rules (47 C.F.R. 54.101(a)). All offered internet services meet the FCC definition of Broadband (i.e. 25 mbps

download/3 mbps upload). All offered Internet services have unlimited data usage allowances. Starbeam also provides Wi-Fi enabled equipment for accessing its broadband Internet services to its subscribers at no charge. Starbeam HSI's services and rates are available for viewing online at <https://starbeamhsi.com>. A schedule of Starbeams HSI current service offerings and rates can be found in Exhibit A.

2. Service Areas. Starbeam HSI is not a rural telephone company as defined in Section 153(37) of the Act (47 U.S.C. § 153(37)). Accordingly, Starbeam HSI is required to describe the geographic area(s) within which it requests designation as an ETC. Starbeam HSI requests ETC designation that is statewide in scope to allow the Company to provide Lifeline service wherever its fixed wireless infrastructure can be deployed and where it may make affordable broadband Internet access services available to low-income consumers. Starbeam HSI understands that this requested service area will likely overlap with rural carriers in Missouri, but maintains that the public interest factors described below justify its designation in these carriers' service areas, especially because it seeks ETC designation solely to utilize USF funding to provide Lifeline service to qualified low-income

consumers. Starbeam HSI is not eligible for and does not seek high-cost support.

3. **Starbeam HSI will offer services using its own facilities.**

Starbeam HSI will use its own fixed wireless infrastructure to deliver its services in the designated areas.

4. **Starbeam HSI will advertise availability of service and its price using media of general distribution.**

Starbeam HSI will promote its services, their availability, and their costs, online, in print, on air, and through community engagement.

5. **Starbeam HSI will comply with applicable Federal Service requirements.**

Starbeam HSI certifies that it will comply with the service requirements applicable to the support it receives according to 47 C.F.R. 54.202(a)(1)(i).

6. **Starbeam HSI is not required to provide a 5-year network plan.**

Starbeam HSI seeks ETC designation only to provide supported services under 47 C.F.R. Subpart E and therefore is not required to submit a 5-year network improvement or upgrade plan per federal rule 47 C.F.R. § 54.202(a)(1)(ii).

7. **Starbeam HSI's ability to remain functional in emergency situations.**

Starbeam HSI certifies that its fixed wireless network will have the ability to remain functional in emergency situations and fulfill the applicable requirements. Starbeam

HSI has established reasonable provisions to meet emergencies resulting from failures of lighting or power service, sudden and prolonged increases in traffic, illness of operators or from fire, storm or acts of God, including provisions to supply a reasonable amount of emergency power to provide a reasonable amount of battery service at members' premises. Starbeam HSI's network facilities will have off-grid backup power available, as well, from battery and generator power. Starbeam HSI's off-grid backup power will give network facilities sufficient availability of backup power. This system will ensure functionality without an external power source. Starbeam HSI will deploy redundant access points in service areas to re-route traffic and provide service in the event an emergency disables an access point in an area. In the case of damaged facilities, Starbeam HSI will also maintain adequate capacity to manage traffic spikes from emergency situations..

8. Starbeam HSI will satisfy applicable consumer protection, consumer privacy, and service quality standards.

Starbeam HSI will satisfy all consumer protection and service quality standards as provided in 47 C.F.R 54.202(a)(3), and

all applicable state specific consumer protection and service quality standards. Starbeam HSI follows applicable federal and state service quality and consumer protection rules. Starbeam HSI will comply with quality of service requirements including monitoring and reporting service quality metrics where required.

9. Descriptions of rates, terms, and conditions of proposed broadband Internet access services to be supported as

Lifeline Services. As required by 47 C.F.R. 54.101, Starbeam HSI will offer broadband services supported by federal universal service support mechanisms, including the following capabilities:

- a) Broadband Internet Access Services: Per 47 C.F.R. 54.101(a)(2), Starbeam HSI's broadband Internet access service provides the capability to transmit data to and receive data by wire from all or substantially all Internet endpoints, including any capabilities that are incidental to and enable the operation of the communications service.

Starbeam HSI will offer Lifeline and ACP service as required by the FCC's rules at all locations where it has been awarded support according to 47 C.F.R. 54.101(d). Starbeam HSI will

offer broadband Internet access services at rates reasonably comparable to urban rates according to the FCC's Urban Rate Survey Data.

10. Explanation of how Starbeam HSI intends to provide service through the proposed service area, including areas where the Company lacks network facilities.

Starbeam HSI will deploy fixed wireless infrastructure including point-to-multi-point access points and customer premise base stations.

11. Starbeam HSI will ensure service will be provided in a timely manner to requesting customers. Starbeam HSI will install services to new and returning customers within 10 business days whenever customer equipment, and when required, network expansion equipment is available. Current global supply chain issues make the availability of fixed wireless equipment unpredictable.

12. Starbeam HSI is financially viable and technically capable of providing broadband Internet access services.

Starbeam HSI possesses the financial and technical capabilities to pay for all start-up expenses (e.g., construction, hardware, operations, to get its fixed wireless network built

and the begin the provisioning of broadband services throughout its proposed ETC Designation area

13. Disciplinary history, if any, of application or individual associated with applicant. Neither Starbeam HSI, nor any individuals associated with Starbeam HSI, has a history of any disciplinary action.

14. Elements for participation in the Lifeline program.

Starbeam HSI will offer Lifeline broadband Internet access service to qualifying low-income consumers pursuant to the Commission's Lifeline rules.

15. Certifications of Compliance. Consistent with Section 20 CSR 4240-31.016(6), Starbeam HSI:

- a) Certifies that it will comply with the ETC requirements identified in 20 CSR 4240-31.015
- b) Does not intend to seek support from the Missouri USF or the disabled program at this time
- c) Commits to notify the Commission of any changes to company contact info
- d) Certifies that it is compliant with all reporting and assessment obligations to the Commission
- e) Certifies that it is compliant with contribution obligations to the federal USF

f) Commits to solely conduct business under the name granted for ETC status. Starbeam HSI will not use any additional service or brand names.

16. **FCC High Cost Compliance.** Starbeam HSI does not seek high-cost support.

B. Starbeam HSI meets all additional state requirements in 20 CSR 4240-2.060(1) and 20 CSR 4240-31.016.

1. Starbeam HSI has no pending action or final unsatisfied judgments or decisions against it from any state or federal agency or court which involve customer service or rates within the last 3 years.
2. No annual report or assessment fees are overdue.
3. Andrew Coffin, an authorized representative of Starbeam HSI, has verified under oath the accuracy of the statements in this document.
4. Starbeam HSI is a single member LLC wholly owned by Andrew Coffin. Therefore, no other individual or entity has 10% or more ownership interest in Starbeam HSI.
5. Andrew Coffin is the managing member of Starbeam HSI.
6. Starbeam HSI does not share ownership or management with any other company receiving universal service funding.

7. There have been no matters brought in the last 10 years by any state, federal or law enforcement agency involving fraud, deceit, perjury, stealing or omission or misstatement of fact against Starbeam HSI, any person or entity with 10% or more ownership interest in Starbeam HSI, or any affiliated company under common management or ownership.
8. Starbeam HSI has not obtained any waivers of ETC-related requirements from the FCC

V. DESIGNATION OF STARBEAM HSI AS AN ETC IS IN THE PUBLIC INTEREST

In 2019, the Pew Research Center released a report¹ showing that 50% of non-broadband users cite the cost of a home broadband subscription as the reason for not having broadband service. Starbeam HSI's sole purpose is to bring affordable Internet access to households in its designated areas.

Designation of Starbeam HSI as an ETC serves the public interest because Starbeam HSI will offer broadband services to low-income households that qualify for Lifeline benefits in the designated area and it will assist those households in applying for those benefits. Starbeam HSI ETC designation will bring another competitive broadband provider to consumers in the designated areas. Starbeam HSI is already working with

¹ <https://www.pewresearch.org/internet/2019/06/13/mobile-technology-and-home-broadband-2019/>

community development groups in St. Louis' less affluent neighborhoods to set up programs and services for their residents. Starbeam HSI is determined to make it easier for consumers located within the designated areas to receive affordable high-speed broadband Internet services that are comparable to those enjoyed by other customers. Starbeam HSI believes that access to affordable and reliable high-speed broadband Internet services will provide its subscribers with access to educational, training, and career opportunities that will improve their quality of life and the sustainability of their neighborhoods.

VI. CONCLUSION

For the reasons stated herein, Starbeam HSI respectfully requests that the Commission promptly designate Starbeam HSI as an ETC in the State of Missouri for the purpose of participating in the Lifeline program.

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E-mail: bcavanaugh@cavanaugh-law.net
Attorneys for Starbeam HSI, LLC

Pursuant to 20 CSR 4240-31.016(2)(A), Andrew C. Coffin, having been duly sworn, swears that he is the sole member and manager of Starbeam HSI, LLC and that the statements in this Request for ETC Status are true.

Subscribed and sworn to before me, a notary public, on May 3, 2022:



Andrew C. Coffin



Notary Public

My commission expires: 2-7-26



AFFIDAVIT

I, Andrew Coffin, a natural person, do hereby swear and affirm that I am an officer or general partner of Starbeam HSI, LLC and that the information and statements contained in this application are true and correct to the best of my knowledge and belief.

By signing this form, I hereby certify that neither I, nor any other members of this filing party, has had communications with a Commissioner, Commissioner Advisor, Regulatory Law Judge, member of the General Counsel or any member of their support team in the sixty (60) days prior to the filing date of this application regarding any substantive issue included in this filing. If any communication of this sort has occurred in the previous sixty (60) day period, I further certify this application was held until sixty (60) days have passed from the date of the subject communication, or we have requested a waiver for good cause as allowed by Commission Rule 20 CSR 4240- 4.017(1) (D).

Signature [Signature]
Printed Name Andrew Coffin
(Title) Member

State of Missouri
County of Saint Louis

Subscribed and sworn before me this 3 day of May, 2022

[Signature]
Notary Public



Exhibit A

Service Offerings and Rates

Essential Internet: 50 Mbps download/25 Mbps upload. Perfect for a smaller household. Capable of running the following concurrently...

- Up to 2 video streaming devices
- Up to 2 audio streaming devices
- Up to 5 browsing devices

Price: \$30/mo (\$0 after \$30 ACP Credit)

Expanded Internet: 100 Mbps download/50 Mbps upload. Perfect for a medium-sized household with one or two remote students or workers. Capable of running the following concurrently...

- Up to 4 video streaming devices
- Up to 4 audio streaming devices
- Up to 10 browsing devices

Price: \$60/mo (\$30 after \$30 ACP Credit)

Enhanced Internet: 150 Mbps download/75 Mbps upload. Perfect for a large household with multiple remote students and workers. Capable of running the following concurrently...

- Up to 6 video streaming devices
- Up to 6 audio streaming devices
- Up to 15 browsing devices

Price: \$90/mo (\$60 after \$30 ACP Credit)

Exhibit B

Certificate of Good Standing

STATE OF MISSOURI



John R. Ashcroft
Secretary of State

CORPORATION DIVISION
CERTIFICATE OF GOOD STANDING

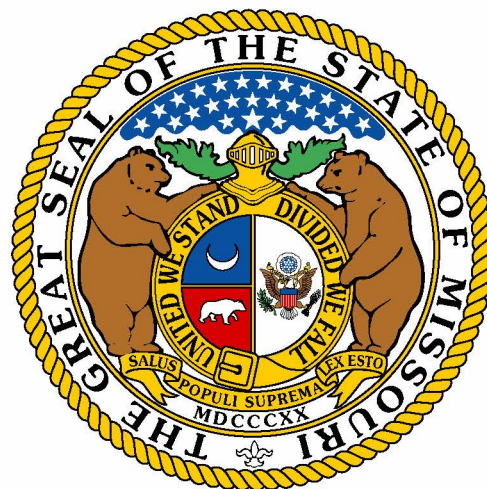
I, JOHN R. ASHCROFT, Secretary of State of the STATE OF MISSOURI, do hereby certify that the records in my office and in my care and custody reveal that

Starbeam HSI, LLC
LC014364309

was created under the laws of this State on the 17th day of March, 2022, and is active, having fully complied with all requirements of this office.

IN TESTIMONY WHEREOF, I hereunto set my hand and cause to be affixed the GREAT SEAL of the State of Missouri. Done at the City of Jefferson, this 2nd day of May, 2022.


Secretary of State



Certification Number: CERT-05022022-0104