

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of the Application of Starbeam)	
HIS, LLC for Designation as an Eligible)	
Telecommunications Carrier)	<u>Case No. DA-2022-0280</u>
Pursuant to Section 214(e)(2) of the)	
Communications Act of 1934, As Amended)	

STAFF RECOMMENDATION

COMES NOW the Staff of the Missouri Public Service Commission, by and through counsel, and for its *Recommendation* in this matter hereby states:

1. On April 12, 2022, Starbeam HIS, LLC, (“Starbeam”) filed its original application with the Public Service Commission (“Commission”) requesting a designation as an Eligible Telecommunications Carrier (“ETC”) in parts of the City of St. Louis and St. Louis County.

2. Starbeam submitted an updated application on May 3, 2022, and May 21, 2022, which clarified its request for ETC designation as statewide. Starbeam’s request, if approved, would permit it to receive federal low-income support to provide Lifeline service to qualifying Missouri residents.

3. Starbeam is registered as a Missouri Limited Liability Company with the Missouri Secretary of State and a provider of broadband internet access services, but it is not currently certificated or registered by the Commission.

4. Commission rule 20 CSR 4240-31.016 governs the specific eligible telecommunications carrier requirements that each applicant must meet. Applications must also comply with 20 CSR 4240-2.060 and shall be verified by oath as to the truthfulness contained in the application by an officer or director of the applicant.

5. The Commission also has federal authority to grant ETC status to a company pursuant to 47 U.S.C. § 214(e)(2) and 47 C.F.R. § 54.201.

6. Staff conducted an investigation and has provided a memorandum attached to this pleading as Appendix A. Staff's memorandum outlines the reasons why Staff believes Starbeam has met the federal requirements and the requirements of 20 CSR 4240-31.016, and should receive ETC designation.

7. Starbeam sought waiver of the 60-day notice requirement pursuant to the Commission's rule 20 CSR 4240-4.017.

WHEREFORE, Staff recommends that the Commission approve Starbeam's request for designation as an eligible telecommunications carrier for the purpose of receiving federal low-income support to provide Lifeline service in Missouri; that the designation be a statewide designation; grant waiver of the 60-day notice provision; and that it grant such other and further relief as the Commission considers just in the circumstances.

/s/ J. Scott Stacey
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by electronic mail, or First Class United States Postal Mail, postage prepaid, on this 3rd day of June, 2022, to all counsel of record.

/s/ J. Scott Stacey

MEMORANDUM

To: Missouri Public Service Commission Official Case File
Case No. DA-2022-0280

From: Kari Salsman, Senior Research/Data Analyst
Telecommunications Department

Subject: Staff's Recommendation to Approve Starbeam HSI, LLC's
Request for ETC Designation

Date: June 3, 2022

On April 12, 2022, Starbeam HSI, LLC (Starbeam) filed an application for designation as an Eligible Telecommunications Carrier (ETC) for the purpose of receiving federal low-income support and is requesting ETC designation on a statewide basis. The company later supplemented its application and responded to Staff data requests. The data requests attempt to gain a more thorough understanding of the company's anticipated compliance with Lifeline program requirements. The company is a broadband internet service provider and is not certificated or registered by the Missouri Commission.

Federal authority enables state commissions to grant ETC status to a company.¹ Missouri's ETC application requirements are contained in existing Missouri Commission rule 20 CSR 4240-31.016. Staff reviewed the company's request for compliance with Missouri's rule as well as federal requirements. In Staff's opinion the company has adequately met all ETC application requirements. Consequently Staff supports the company's application for ETC status.

Staff recommends the Commission grant statewide ETC status to Starbeam HSI, LLC for the purpose of receiving federal low-income support.

Appendix A

¹ 47 U.S.C. §214(e)(2) and FCC rule §54.201.