

CAHILL GORDON & REINDEL LLP
32 OLD SLIP
NEW YORK, NY 10005

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LA Public Service Commission

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JOEL H. LEVITIN
MARK LOFTUS

TELEPHONE: (212) 701-3000
WWW.CAHILL.COM

1990 K STREET, N.W.
WASHINGTON, DC 20006-1181
(202) 862-8900

CAHILL GORDON & REINDEL (UK) LLP
20 FENCHURCH STREET
LONDON EC3M 3BY
+44 (0) 20 7920 9800

WRITER'S DIRECT NUMBER
202-862-8950
ckiser@cahill.com

JOHN MacGREGOR
TRISTAN E. MANLEY
BRIAN T. MARKLEY
MEGHAN N. McDERMOTT
WILLIAM J. MILLER
EDWARD N. MOSS
JOEL MOSS
NOAH B. NEWITZ
WARREN NEWTON §
JULLANA OBREGON
JAVIER ORTIZ
DAVID R. OWEN
JOHN PAPACHRISTOS
LUIS R. PENALVER
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PETER J. ROONEY
MATTHEW E. ROSENTHAL
THORN ROSENTHAL
TAMMY L. ROY

ANDREW SCHWARTZ
DARREN SILVER
JOSIAH M. SLOTNICK
RICHARD A. STIEGLITZ JR.
SUSANNA M. SUH
SEAN R. TIERNEY
JOHN A. TRIPODORO
HERBERT S. WASHER
FRANK WEIGAND
MICHAEL B. WEISS
MILES C. WILEY
DAVID WISHENGRAD
C. ANTHONY WOLFE
ELIZABETH M. YAHL

* ADMITTED AS A SOLICITOR IN ENGLAND AND WALES ONLY
‡ ADMITTED AS A SOLICITOR IN WESTERN AUSTRALIA ONLY
§ ADMITTED IN DC ONLY
§ ADMITTED AS AN ATTORNEY IN THE REPUBLIC OF SOUTH AFRICA ONLY

March 12, 2024

Via Federal Express

Brandon Frey
Executive Secretary
Louisiana Public Service Commission
Galvez Building, 12th Floor
602 North Fifth Street
Baton Rouge, Louisiana 70802

**RE: Cable One VoIP LLC d/b/a Sparklight
Request to Relinquish ETC Designation**

Dear Secretary Frey:

Cable One VoIP LLC d/b/a Sparklight (the "Company"), by its attorneys, respectfully submits an original and two (2) copies of the Company's request to relinquish its designation as an eligible telecommunications carrier ("ETC") in Louisiana.

Please date-stamp the extra copy of the filing and return it in the envelope provided. If you have any questions regarding this matter, please contact the undersigned.

Respectfully submitted,

/s/ Angela F. Collins

Chérie R. Kiser
Angela F. Collins

Counsel to Cable One VoIP LLC d/b/a Sparklight

Enclosures

F24 724 73

ROUTE TO DEPT. *Bull* DATE *3/13* ROUTE FROM DEPT. _____
DEPT. _____ DATE _____

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MAR 13 2024

**BEFORE THE
LOUISIANA PUBLIC SERVICE COMMISSION**

LA Public Service Commission

CABLE ONE VOIP LLC D/B/A SPARKLIGHT,)
EX PARTE)
)
REQUEST TO RELINQUISH ELIGIBLE)
TELECOMMUNICATIONS CARRIER DESIGNATION)
APPROVED BY THE COMMISSION IN ORDER NO.)
S-35938, AS MODIFIED IN ORDER NO. S-36484)
)

DOCKET NO. S-_____

REQUEST TO RELINQUISH ETC DESIGNATION

Cable One VoIP LLC d/b/a Sparklight (the “Company”), by its attorneys, respectfully submits this request to the Louisiana Public Service Commission (the “Commission”) to relinquish the Company’s eligible telecommunications carrier (“ETC”) designation in accordance with 47 U.S.C. § 214(e)(4) and Federal Communications Commission (“FCC”) Rule 54.205. Upon grant of this request, the Company will no longer operate as an ETC in Louisiana. In support of this request for relinquishment, the Company states:

1. The Company is a Delaware limited liability company with a principal place of business located at 210 E. Earll Drive, Phoenix, Arizona 85012. The Company is registered as an interconnected Voice over Internet Protocol (“VoIP”) service provider in Louisiana. The Company will continue to provide interconnected VoIP services pursuant to its registration after grant of this request.

2. The Company is a wholly owned subsidiary of Cable One, Inc. (“Cable One”), a publicly traded Delaware corporation (NYSE: CABO). Cable One and its wholly owned subsidiaries provide cable/video, Internet access, broadband, and voice services in 23 states.

3. In January 2020, the FCC adopted the framework and rules for Phase I of the Rural Digital Opportunity Fund (“RDOF”) auction (Auction 904) to connect millions of rural

homes and small businesses to fixed high-speed broadband networks.¹ Cable One participated in Auction 904 as a member of the Wisper-CABO 904 Consortium (the “Consortium”). On December 7, 2020, the FCC announced the results of Auction 904, and the Consortium was a winning bidder in numerous states, including Louisiana. Pursuant to the FCC’s process for distributing winning bids among related entities, the Consortium assigned the Company as the entity to receive RDOF support for certain winning bids in the state of Louisiana.

4. The FCC required the Company (and other RDOF winning bidders) to obtain high-cost ETC designation in a state as a condition for receiving RDOF funding in that state. On May 25, 2021, in Docket No. S-35938, the Commission designated the Company as an ETC in eight census block groups in which the Company was deemed the winning bidder in Auction 904 as well as additional geographic areas in which the Company requested to be designated as an ETC for the provision of federal Lifeline services.

5. On July 26, 2021, the FCC provided the Company (and numerous other RDOF winning bidders) with a list of census blocks covered by the Company’s winning RDOF bids in which “concerns” had been raised that those areas “are already served by one or more service providers that offer 25/3 Mbps broadband service or otherwise raise significant concerns about wasteful spending, such as parking lots and international airports.”² The FCC Letter asked the Company and other RDOF winning bidders to review their bids based on “significant concerns about the best use of [the public’s] limited universal service funds.”³

¹ *Rural Digital Opportunity Fund, et al.*, 35 FCC Rcd 686 (2020) (“RDOF Order”).

² Letter from Michael Janson, FCC, to Cable One VoIP LLC (July 26, 2021) (“FCC Letter”), <https://us-fcc.app.box.com/s/lq4iqpjt8ukal4wve6hbrkbs5473kpcw/file/838638500240>.

³ FCC Letter at n.4.

6. In response to the FCC Letter, on August 16, 2021, the Company informed the FCC that it would no longer pursue RDOF support for certain census blocks identified in the FCC Letter based on the Company's determination that those census blocks either contained no serviceable locations or already received broadband service at 25/3 Mbps or better. The Company also indicated it would further review its other RDOF winning bids to determine if the public interest would be served by relinquishing RDOF support for any of the Company's other winning bids.

7. On August 24, 2021, the Company informed the FCC that it would no longer seek RDOF support in several additional census blocks in Louisiana. At that time, the Company determined it would retain its RDOF ETC designation for census block group 220839705001, which is located in Richland Parish and includes 22 locations in four census blocks (the "Service Area").⁴

8. The Company then requested that the Commission partially relinquish the Company's ETC designation for all geographic areas of Louisiana except the Service Area. The Company also requested to relinquish the additional Lifeline ETC designation it received for non-RDOF areas. The Commission granted the Company's requests in Order No. S-36484 issued on November 10, 2022 in Docket No. S-36484.

9. On March 12, 2024, the Company notified the FCC that the Company: (1) had completed the required buildout to the 22 locations in the Service Area; (2) was withdrawing from the RDOF program for the state of Louisiana; and (3) was filing with this Commission to relinquish its ETC designation.

⁴ <https://www.fcc.gov/document/auction-904-10th-authorization-public-notice>.

10. The Company has met its buildout obligations and service milestones for each of the 22 locations in the Service Area well in advance of the RDOF compliance deadlines. Each of the locations currently receives broadband service at actual speeds of at least 100 Mbps downstream and 20 Mbps upstream with at least 2 terabytes of monthly usage (the “above-baseline” performance tier)⁵ as reflected in the Company’s certification submitted to the High Cost Universal Broadband (“HUBB”) portal on March 1, 2024.

11. The Company will continue to provide broadband service and voice service to the 22 locations in the Service Area notwithstanding its withdrawal from the RDOF program for the state of Louisiana. However, the Company will no longer receive RDOF support payments for the 22 locations and will no longer be considered an ETC in Louisiana. The Company will remain subject to certain recordkeeping rules for the RDOF program.⁶

12. In light of the foregoing, the Company files the instant request to relinquish its ETC designation in Louisiana in its entirety.

13. Federal law provides an objective standard for ETC relinquishment: a state commission “shall permit” an ETC to relinquish its ETC designation “in any area” so long as that area is served by more than one ETC.⁷ FCC Rule 54.205 requires an ETC to “give advance notice to the state commission of such relinquishment.”⁸ The Company meets the standard for ETC relinquishment.

14. To the Company’s knowledge, there are numerous other ETCs operating in the Service Area, including wireless ETCs and incumbent local exchange carriers (“ILECs”), as

⁵ 47 C.F.R. § 54.805(b)(2).

⁶ *See, e.g.*, 47 C.F.R. § 54.320(b).

⁷ 47 U.S.C. § 214(e)(4); 47 C.F.R. § 54.205.

⁸ 47 C.F.R. § 54.205(a).

shown in Exhibit 1. In reviewing AT&T Louisiana's requests for relinquishment of its ETC authority, the Commission found there were numerous ETCs operating in the AT&T Louisiana service territory, which includes some of the Service Area.⁹ Further, as an incumbent local exchange carrier, CenturyLink continues to have ETC obligations in the Service Area.

15. No consumer will be affected by the Company's request to relinquish its ETC designation in Louisiana. The Company does not serve any customers in the Service Area pursuant to its ETC designation at this time. Thus, no customer notice is required in connection with the Company's relinquishment.

16. Finally, there will be no discontinuance of service associated with relinquishment of the Company's ETC designation because the Company does not serve any customers in the Service Area pursuant to its ETC designation at this time.

⁹ See, e.g., Docket Nos. S-34632 and S-36167.

CONCLUSION

WHEREFORE, for the foregoing reasons, the Company respectfully requests that the Commission grant this request and issue an order confirming the Company's relinquishment of its ETC designation in Louisiana.

Dated: March 13, 2024

Respectfully submitted,

**CABLE ONE VOIP LLC D/B/A
SPARKLIGHT**

/s/ Chérie R. Kiser

Chérie R. Kiser
Angela F. Collins
CAHILL GORDON & REINDEL LLP
1990 K Street, N.W., Suite 950
Washington, D.C. 20006
202-862-8900 (telephone)
ckiser@cahill.com
acollins@cahill.com

Its Attorneys

EXHIBIT 1

The Company seeks to relinquish its ETC designation in its entirety. The Company's current ETC Service Area is set forth below. Other known ETCs in the area also are listed, which were determined using the "Companies Near Me" search function for companies participating in the Lifeline program. This search function is available on the Universal Service Administrative Company ("USAC") website at <https://cnm.universalservice.org/>.

RDOF areas to be relinquished

Parish	Census Blocks	Located Near	Other ETCs
Richland	220839705001002 220839705001003 220839705001004 220839705001018	Rayville Delhi	CenturyLink, AT&T, Q Link Wireless, Assurance Wireless, Tag Mobile, Life Wireless, Access Wireless, Global Connection of America, New Phone Wireless, Safelink Wireless