STARLINK

24 January 2025

Utilities Regulation & Competition Authority
Frederick House, Frederick Street
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Nassau, Bahamas
info@urcabahamas.bs

RE: Response to Consultation Document ECS 75/2024

Dear Sir/Madam:

With reference to Consultation Document ECS 75/2024, Space Exploration Technologies (SpaceX) and its subsidiary Starlink Services Bahamas Ltd. are providing the responses contained in Enclosure 1 hereto.

We commend URCA's efforts to modernize the licensing regime and fee structure for satellite-based services such as Starlink's and welcome further dialogue with the Authority to promote The Bahamas' regional leadership in the electronic communications sector.

Kind regards,

Stephen Nelson
Director, Satellite Policy
Stephen.nelson@spacex.com

Enclosures:

1. Responses to Consultation Document ECS 75/2024

Enclosure 1: Responses to Consultation Document ECS 75/2024

Question 6:

Do you agree with URCA's proposed way forward on licencing regime to accommodate satellite based services in The Bahamas?

If not, please provide a detailed explanation of your suggestions, including supporting evidence where available.

Response:

In section 4.1.2, URCA proposes two roles for ECS providers: (1) disseminating alert messages through the NAWS; and (2) providing end user terminals for government use.

On the first role, Starlink notes that it may not be technically feasible for some satellite service providers to transmit national alert messages through the NAWS. Accordingly, we advise URCA to adopt a flexible approach that considers the licensee's ability to provide this service and does not unduly punish licensees that cannot.

On the second role, Starlink notes its readiness and experience in supporting national disaster relief and emergency response efforts. In 2024, Starlink helped people around the world connect when other means of communication were unavailable. Whether it was the result of flooding, wildfires, earthquakes, hurricanes, cable cuts, or other crises when communication was impacted, the Starlink team worked with governments and key responding organizations to rapidly restore connectivity. These responses spanned North and South America, the Caribbean, Europe, Asia, and Africa.

When Hurricane Helene affected a wide region of the southeast United States, communities were disconnected from transportation and communication. Starlink was used by first responders to facilitate communication, search and rescue teams, hospitals, schools, local police patrols, and fire trucks. Residents could connect with friends, family, and work, supported by free Starlink service for the rest of the year.

In a first, Starlink's Direct to Cell service was activated, allowing people to connect via LTE devices and send and receive more than 300,000 text messages. Hundreds of emergency alerts were also delivered via Direct to Cell to people in the affected areas, messages that otherwise wouldn't have been able to be received.

Although the Starlink team responds as rapidly as possible to every crisis, in times of disaster, minutes matter. So the best case scenario is that Starlink is already available and in the hands of responders and individuals. This was the case in Vanuatu, where Starlink became available in October 2024. When an earthquake struck in December, individuals were able to immediately use their Starlink terminals to support search and rescue efforts, and Starlink worked with our local resellers to send more kits to supplement.

As in all the abovementioned cases, Starlink can be powerful tool during matters of national interest in the Bahamas. We encourage URCA and its government partners to adopt a proactive—rather than reactive—approach to ensuring communications resiliency during these events.

Enclosure 1 (cont.)

Question 7:

Do you agree with URCA's preliminary views on the expected spectrum demand in lowfrequency and high-frequency bands from satellite-based communication services in The Bahamas?

Do you have any other comments on the precise bands that should be opened in priority to satellite-based communication services in The Bahamas?

Please provide a detailed explanation of your views, including supporting evidence where available.

Response:

Starlink agrees with URCA's position that enabling satellite operators to access MSS spectrum and higher-frequency bands such as Q/V-, E-, and W- will be key to ensuring fair and efficient use of national spectrum resources and maximizing the quality of service provided to subscribers in The Bahamas.

Question 10:

Do you have any comments on the principles et revised structure proposed by URCA for satellite-based electronic communications services in The Bahamas?

Please provide a detailed explanation of your views, including supporting evidence where available.

Response:

Starlink urges URCA not to adopt pricing formulas that charge based on the potential total bandwidth accessed. Doing so would be problematic in shared-use bands because such fee structures incentivize satellite operators to stick to narrower ranges of frequency, thereby reducing agility, making congestion more likely and decreasing the ability to avoid or react to interference. These fees increase the cost of providing marginal Mbps of capacity to ease network congestion at time of peak use. High fees will also deter operators from using additional bandwidth, reducing network capacity. In principle, such fees might reasonably reflect the marginal cost of spectral congestion; however, in practice, as the Ku and Ka bands are not congested, bandwidth prices that exceed marginal costs deter efficient use of spectrum and negatively impact system capacity for consumers.

Fees structures that charge a low fixed fee regardless of bandwidth are more consistent with incentivizing, designing and implementing efficient systems like Starlink's.

Enclosure 1 (cont.)

Question 11:

Do you have any comments on the proposed requirements for satellite service providers conducting the administration and management of their business from premises outside of The Bahamas?

Please provide a detailed explanation of your views, including supporting evidence where available.

Response:

Starlink readily and willingly complies with lawful intercept requirements in each of the 110+ markets in which we are licensed. However, given the structural challenges, technical impracticalities and considerable costs associated with imposing a data localization requirement on global satellite service providers operating in The Bahamas, Starlink opposes the local data storage requirement proposed in 7.1(a). Starlink can and does facilitate independent access to necessary data by authorized government and law enforcement authorities without physically storing such data within the country itself.

Starlink also opposes the imposition of a local representation requirement for managing data intercept requests and ensuring regulatory compliance, as these functions are already robustly satisfied by Starlink's existing global compliance mechanisms.