

In the Matter Of The Application of)
Broadview Networks, Inc.)
For An Automatic Grant of Authority) WC Docket No. _____
To Discontinue Services Pursuant to)
Rule Section 63.71(i) and Section 214)
of the Communications Act of 1934)

Broadview Networks, Inc., (hereinafter, “Windstream”), through its undersigned counsel and pursuant to Section 214 of the Communications Act of 1934, as amended, 47 U.S.C. §214, and Section 63.71(i) of the Federal Communications Commission’s (“Commission”) rules, 47 C.F.R. §63.71(i), hereby files this Application for automatic grant of authority to discontinue the provision of POTS/DSO and Private Line services (the “Affected Services”) in the areas of hereinafter identified. In support of this Application, Windstream submits the following information:

a. Name and Address of Carrier (47 C.F.R. § 63.71(a)(1)-(4), (b)(2)):

b. Date of Planned Discontinuance (47 C.F.R. § 63.71(a)(2), (b)(2)):

Windstream plans to discontinue the Affected Service on or about March 29, 2019.

c. Point of Geographic Areas of Service Affected (47 C.F.R. § 63.71(a)(3), (b)(2)):

The Affected Services will be discontinued in the areas of Danvers, Framingham and Stoughton, MA; Jersey City and Lawrence Township, NJ; Brooklyn, Jamaica, Farmingdale, Flushing, Lindenhurst, Manhattan, Mount Vernon, North Babylon, and West Babylon, NY; and Arlington, VA.

d. Brief Description of the Type of Service to be Affected (47 C.F.R. § 63.71(a)(4), (b)(2)):

The services to be affected are POTS/DSO and Private Line.

2. Brief Description of the Dates and Methods of Notice to All Affected Customers (47 C.F.R. § 63.71 (b)(3)):

On date February 6, 2019 Windstream sent by First Class U.S. Mail notice to all affected customers of the planned discontinuance. A copy of such notice is attached hereto as Attachment 1, which is compliant with, among other things, Section 63.71(a)(5) of the Commission's rules, 47 C.F.R. § 63.71(a)(5).

3. Regulatory Classification of Carrier (47 C.F.R. § 63.71 (a)(4)):

Windstream is nondominant with respect to the services that it proposes to discontinue.

4. Service:

In accordance with Section 63.71(a)(1) of the Commission's rules, 47 C.F.R. § 63.71(a)(1), Windstream is submitting a copy of this Application by First Class U.S. Mail to the Massachusetts Department of Public Utilities, the New Jersey Board of Public Utilities, the New York Public Service Commission, and the Virginia State Corporation Commission, and to the Office of Massachusetts Governor, Charlie Baker, to the Office of New Jersey Governor, Phil

Murphy, to the Office of New York Governor, Andrew Cuomo and to the Office of Virginia Governor Ralph Northam, and also to the Secretary of Defense (at the address given in 47 C.F.R. § 63.71(a)).

5. Additional Questions Regarding This Application May be Addressed to the Undersigned.

6. Circumstances of Discontinuance.

Windstream provides the Affected Service across the above-identified areas via a copper-based network that Windstream leases from Verizon. Verizon is decommissioning the copper network in these locations and replacing it with newer fiber facilities. It is not technically feasible for Windstream to provide the Affected Service via leased fiber loops -- i.e., the Affected Services are provided on end-of-life copper facilities that are scheduled to be decommissioned on or after March 29, 2019. Twenty-eight (28) business customers in total will be affected.. Customers will have the option to transition to alternative services delivered via Windstream or through another provider.

7. Conclusion

Verizon's retirement of copper facilities is the direct cause of Windstream's proposed discontinuance of the Affected Service. Thus, automatic approval concurrent with the retirement is available pursuant Commission Rule 63.71(i), 47 C.F.R. § 63.71(i) and is appropriate here. Accordingly, attached hereto as Attachment 2 is Windstream's certification in accordance with rule 63.71(i)(2), 47 C.F.R. § 63.71(i)(2). Windstream will take reasonable steps, to the extent that is able, to assure that the discontinuance of this service is not unduly

disruptive to the present or future public convenience and necessity. Accordingly, Windstream respectfully requests that the Commission process this Application pursuant to Section 63.71(i).

Respectfully Submitted,

A handwritten signature in black ink that reads "Edward J. Cadieux". The signature is written in a cursive, flowing style.

Edward J. Cadieux
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February 6, 2019

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Section 63.71 Application was served this 6th day of February 2019, by mailing true and correct copies thereof, postage prepaid, to the following persons to the addresses listed below.

Secretary of Defense
Attn: Special Assistance for Telecommunications
Pentagon
Washington, DC 20301

Massachusetts Department of Public Utilities
Attn: Mark D. Marini, Secretary
One South Station
Boston, MA 02110

New Jersey Board of Public Utilities
Attn: Kristi Izzo, Secretary of the Board
44 So. Clinton Avenue
Trenton, NJ 08609

New York Public Service Commission
Attn: Kathleen H. Burgess, Secretary to the Commission
Empire State Plaza
Agency Building 3
Albany, NY 12223-1350

Virginia State Corporation Commission
Becky West, Secretary
1300 East Main Street
Richmond, VA 23219

Office of Governor Charles D. Baker
Statehouse, Room 280
Boston, MA 02133

Office of Governor Phil Murphy
PO Box 001
Trenton, NJ 08625

New York Governor Andrew Cuomo
State Capitol
Albany, NY 12224

Virginia Governor Ralph Latham
State Capitol, Third Floor
Richmond, VA 23219

A handwritten signature in cursive script, reading "Edward J. Cadieux". The signature is written in dark ink and is positioned above a horizontal line.

Edward J. Cadieux

Attachment 1

Customer Notice

Attachment 2

Certification Pursuant to Sec 63.71(i)(2)