

Before the  
Federal Communications Commission  
Washington D.C. 20554

In the Matter Of	)	
	)	
Section 63.71 Application of	)	
	)	WC Docket No. _____
Broadview Networks, Inc.	)	
EarthLink Business, LLC	)	
Connecticut Telephone & Communications Systems, Inc.	)	
Choice One Communications of Pennsylvania, LLC	)	
Conversent Communications of Massachusetts, Inc.	)	
Conversent Communications of New York, LLC	)	
Conversent Communications of New Jersey, LLC	)	
Windstream D&E Systems, LLC	)	
Cavalier Telephone, LLC	)	
Talk America, LLC	)	
PAETEC Communications, LLC	)	
	)	
For Authority Pursuant to Section 214 of	)	
the Communications Act of 1934, As Amended,	)	
to Discontinue the Provision of Service	)	

**SECTION 63.71 APPLICATION OF WINDSTREAM SERVICES, LLC**

Windstream Services, LLC on behalf of its competitive local exchange carrier affiliates Broadview Networks, Inc., EarthLink Business, LLC, Connecticut Telephone & Communications Systems, LLC, Choice One Communications of Pennsylvania, LLC, Conversent Communications of Massachusetts, Inc., Conversent Communications of New York, LLC, Conversent Communications of New Jersey, Inc., Windstream D&E Systems, LLC, Cavalier Telephone, LLC, Talk America, LLC and PAETEC Communications, LLC (collectively “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 of the Federal Communications Commission’s (“Commission”) rules, 47 C.F.R. §63.71, hereby files this Application to discontinue the provision of certain services listed in Attachment 1 (collectively,

“Services”) in certain locations in the states of Maryland, Massachusetts, New Jersey, New York, Pennsylvania, and Virginia . In support of this Application, Windstream submits the following information:

**1. Information listed in 47 C.F.R. § 63.71(a)(1)-(4) (47 C.F.R. § 63.71(b)(2)):**

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

Broadview Networks, Inc.  
EarthLink Business, LLC  
Connecticut Telephone & Communications Systems, LLC  
Choice One Communications of Pennsylvania, LLC  
Conversent Communications of Massachusetts, Inc.  
Conversent Communications of New York, LLC  
Conversent Communications of New Jersey, Inc.  
Windstream D&E Systems, LLC  
Cavalier Telephone, LLC  
Talk America, LLC  
PAETEC Communications, LLC

4001 North Rodney Parham Rd.  
Little Rock, AR 72212

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

Services will be discontinued on April 16, 2018.

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

Services will be discontinued in certain locations in the states of Maryland, Massachusetts, New Jersey, New York, Pennsylvania, and Virginia.

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

The Services are listed in Attachment 1.

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

On January 7, 2018, January 24, 2018, January 26, 2018 and January 31, 2018, Windstream sent by First Class U.S. Mail notice to all affected customers of the planned discontinuance. Note that the customer notice includes the specific service to be discontinued for each customer. A sample copy is attached hereto as Attachment 2.

**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 public utilities commissions and governors of each state in which discontinuance is proposed 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 Services to approximately 67 customers, including one wholesale customer, in certain locations in Maryland, Massachusetts, New Jersey, New York, Pennsylvania, and Virginia. The Services are provided over a copper network Windstream leases from Verizon, which will be retired by Verizon on April 16, 2018. Windstream will transition most customers to equivalent services delivered on Verizon's fiber network. However, Windstream does not have an equivalent fiber service for these customers, which will require a different product or termination of services with Windstream. Attached hereto as Attachment 3 is Windstream's certification in accordance with rule 63.71(i)(2), 47 C.F.R. § 63.71(i)(2).

## 7. Conclusion

Windstream believes that the proposed discontinuance is reasonable and necessary. As outlined herein, 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 permit it to discontinue the provision of Services to customers in certain locations of Maryland, Massachusetts, New Jersey, New York, Pennsylvania and Virginia pursuant to Section 63.71.

Respectfully Submitted,



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Cesar Caballero  
Senior Regulatory Counsel  
Windstream Services, LLC  
4001 N. Rodney Parham Rd.  
MS: 1170-B1F03-53A  
Little Rock, AR 72112  
(501) 748-7142  
cesar.caballero@windstream.com

February 14, 2018

## **CERTIFICATE OF SERVICE**

I hereby certify that the foregoing Section 63.71 Application was served this 14<sup>th</sup> day of February 2018, 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

Maryland Public Service Commission  
William Donald Schaefer Tower  
6 St. Paul St., 16<sup>th</sup> Floor  
Baltimore, MD 21202

Office of Governor Larry Hogan  
100 State Circle  
Annapolis, MD 21401-1925

Massachusetts Department of Public Utilities  
One South Station  
5<sup>th</sup> Floor  
Boston, MA 02110

Office of Governor Charlie Baker  
Massachusetts State House  
Room 280  
Boston, MA 02133

New Jersey Board of Public Utilities  
44 South Clinton Avenue  
Trenton, NJ 08625-0350

Office of Governor Phil Murphy  
P.O. Box 001  
Trenton, NJ 08625

New York State Public Service Commission  
Three Empire State Plaza  
Albany, NY 12223-2838

Office of Governor Andrew Cuomo  
NYS State Capitol Building  
Albany, NY 12224  
Pennsylvania Public Utility Commission  
400 North Street  
Keystone Building  
Harrisburg, PA 17120

Office of Governor Tom Wolf  
508 Main Capitol Building  
Harrisburg, PA 17120

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

Office of Governor Ralph Northam  
P.O. Box 1475  
Richmond, VA 23218



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## **Attachment 1**

### **List of Services to Discontinue**

- Foreign Exchange
- Digital Subscriber Line (DSL)
- ISDN/BRI
- Analog private line
- Pulsenet
- Local Exchange Service delivered via UNE-Loop or UNE-Platform

## Attachment 2 Customer Notice

Windstream Services, LLC  
4001 N. Rodney Parham Rd.  
Little Rock, AR 72212



January 24, 2018

### Important Notification Regarding Your DSL Service for Account # [REDACTED]

As a valued Windstream customer, we want to let you know that changes are occurring at the location from which your service is provisioned. Your service today is being delivered over a copper network that Windstream leases from Verizon. Verizon is decommissioning this copper network and replacing it with newer fiber technology to provide a better, improved suite of services.

With this change the current DSL Service you are receiving from Windstream will no longer be available over the new fiber plant. **As a result, Windstream customers in the Columbia, MD area will have these services retired on April 16, 2018.** The change requires action on your part and we want to work with you to make you aware of your options and assist you in any way possible to ensure a smooth transition prior to the service retirement.

**To avoid service interruption, we encourage you to take action as soon as possible by contacting your Customer Advocate or Customer Care at 800.600.5050, no later than February 28, 2018 to explore an alternative service solution.**

The FCC will normally authorize this proposed discontinuance of service (or reduction or impairment) unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 15 days after the Commission releases public notice of the proposed discontinuance. You may file your comments electronically through the FCC's Electronic Comment Filing System using the docket number established in the Commission's public notice for this proceeding, or you may address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20554, and include in your comments a reference to the § 63.71 Application of Windstream Services, LLC. Comments should include specific information about the impact of this proposed discontinuance (or reduction or impairment) upon you or your company, including any inability to acquire reasonable substitute service.

Thank you for your time and attention to this important matter to ensure enough time is allotted to select and migrate to a new solution prior to April 16, 2018.

Regards,

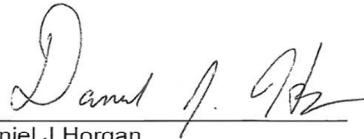
Windstream Customer Care

### **Attachment 3 Certification**

#### **Copper Retirement Certification**

I am Senior Director, Carrier Relations for Windstream Services, LLC ("Windstream"). Pursuant to Federal Communications Commission ("FCC") Rule 63.71(i)(2), 47 C.F.R. § 63.71(i)(2), I hereby certify, under penalty of perjury, that copper retirement is the basis for Windstream's foregoing application for discontinuance of service. I further certify that I am authorized to execute this certification.

Executed: January 24, 2018

A handwritten signature in black ink, appearing to read "Daniel J. Horgan", written over a horizontal line.

Daniel J Horgan  
Sr Director, Carrier Relations  
Windstream Services, LLC