



February 22, 2018

Kris Monteith
Wireline Competition Bureau Chief
Federal Communications Commission
445 Twelfth Street, SW
Washington, D.C. 20554

Re: *Protecting and Promoting the Open Internet*, GN Docket No. 14-28, *Connect America Fund*, WC Docket No. 10-90, *Developing a Unified Intercarrier Compensation Regime*, CC Docket No. 01-92

Dear Ms. Monteith:

Pursuant to the Federal Communications Commission's ("FCC" or "Commission") *Open Internet Order*,¹ Alteva of Warwick LLC, New York Study Area Code 150135 ("Alteva-NY" or the "Company"), hereby notifies the Wireline Competition Bureau ("WCB" or "Bureau") of its intention to cease offering its DSL broadband Internet transmission service as a separate component of its broadband Internet access service effective April 23, 2018. As such, the transmission component will not be provided as a separate regulated service and will only be provided as part of the complete broadband Internet access service that the Company offers to end user customers within its New York serving area through the Company.

Alteva-NY currently provides broadband Internet transmission service as a detariffed Title II offering. The only customer for the Company's broadband Internet transmission service is the Company's nonregulated ISP division. Notice to the ISP division was provided this date by interoffice memorandum that the Company will discontinue the offering of broadband Internet transmission service as a separate component of its broadband Internet access service effective April 23, 2018.

The Commission made clear in the *Rate-of-Return Connect America Fund Order*,² as well as the *Clarification Order*,³ that a rate-of-return carrier could make the retail offering described in the foregoing first paragraph, and thus the revenues associated with the broadband Internet access transmission would no longer be subject to the federal universal service assessment pursuant to FCC Form 499-A.

¹ *Protecting and Promoting the Open Internet*, GN Docket No. 14-28, Report and Order on Remand, Declaratory Ruling and Order, 30 FCC Rcd 5601, ¶ 460 and n. 1378 (2015).


² *Connect America Fund*, WC Docket Nos. 10-90, et al., Report and Order, Order and Order on Reconsideration and Further Notice of Proposed Rulemaking, FCC 16-33, ¶ 194, n. 428 (rel. Mar. 30, 2016).

³ *Connect America Fund*, WC Docket Nos. 10-90, et al., Order DA 16-661, ¶ 25 (WCB, rel. June 15, 2016) (citing the *Open Internet Order*).

This notice is effective 60 days from the date of this letter unless withdrawn or extended prior to that time.

Please contact the undersigned if you have any questions,

Sincerely,

DocuSigned by:

0098744178D4184
Matthew Conroy
CFO
Alteva of Warwick, LLC.

cc: Pamela Arluk, Chief, Wireline Competition Bureau Pricing Policy Division
Special Assistant for Telecommunications at the Department of Defense
The Office of the Honorable Andrew Cuomo, Governor of New York
New York Public Service Commission

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Notification of Discontinuance of broadband Internet transmission service as a separate component of its broadband Internet access service was served this 22nd day of February 2018 by mailing true and correct copies thereof, postage prepaid, to the following persons:

Secretary of Defense
Attn: Special Assistant for Telecommunications
1000 Defense Pentagon
Washington, D.C. 20301-1000

Office of Governor Andrew Cuomo
Governor of New York State
NYS State Capitol Building
Albany, NY 12224

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