Otelco

Otelco Inc, 505 3rd Ave E, Oneonta, AL 35121 Phone: 205 625-3591

March 10, 2017

Kris Monteith
Acting 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] Brindlee Mountain Telephone LLC ("Brindlee" or the "Company") hereby notifies the Wireline Competition Bureau ("WCB" or "Bureau") of its intention to cease offering its broadband Internet transmission service as a separate component of its broadband Internet access service effective May 10, 2017. 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, either through the Company or through an affiliated company.

Brindlee 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 affiliate nonregulated ISP. Notice to the affiliate ISP 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 May 10, 2017.

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

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[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).

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.

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,

Dennis Andrews
Senior Vice President & General Manager
Brindlee Mountain Telephone 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 Robert Bentley, Governor of Alabama
Alabama Public Service Commission

[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).*

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 10th day of May, 2017 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 the Governor
The Honorable Robert Bentley
State Capitol
600 Dexter Avenue
Montgomery, Alabama 36130

Walter L. Thomas, Jr., Commission Secretary
Alabama Public Service Commission
100 North Union Street
RSA Union
Montgomery, AL 36104

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