

Before the  
Federal Communications Commission  
Washington D.C. 20554

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	)	

**SECTION 63.71(i) APPLICATION OF BROADVIEW NETWORKS, INC.**

Broadview Networks, Inc., ("Broadview"), a Windstream company, 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 certain local services (Ethernet over Copper), Private Line and ISDN service (the "Affected Service") in the areas of hereinafter identified. 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..  
4001 North Rodney Parham Rd.  
Little Rock, AR 72212

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

Broadview plans to discontinue the Affected Services on or about June 28, 2019.

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

The Affected Service will be discontinued in the areas of Taunton and W. Roxbury, MA; Cherry Hill, Montclair, Perth, NJ; Astoria, Bethpage, Bronx, Brooklyn, Farmingdale, Flushing, Forest Hills, Fresh Meadows, Hawthorne, Jamaica, Long Island City, Lynbrook, Manhattan, Massapequa, Mineola and Woodhaven, NY; Conshohocken, Doylestown Township, Eddington and Plymouth. PA; and S. Kingstown, RI.

**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 included certain local services (Ethernet over Copper), Private Line, and ISDN.

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

On date April 15, 2019 Broadview, a Windstream company, 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)):**

Broadview 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), Broadview 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, the Pennsylvania Public Utility Commission, and the Rhode Island Public Utilities 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, to the Office of Pennsylvania Governor, Tom Wolf, to the Office of Rhode Island Governor, Gina Raimondo 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.**

Broadview provides the Affected Services across the above-identified areas via a copper-based network that Broadview leases from Verizon. Verizon is decommissioning the copper network in these locations and replacing it with newer fiber facilities. It is not technically feasible to provide the Affected Services via fiber loops -- i.e., the Affected Services are provided on end-of-life copper facilities that are scheduled to be decommissioned on or after June 28, 2019. Thirty-nine (39) business customers across these areas will be affected. Customers will have the option to transition to alternative services delivered on Verizon's fiber network, via Broadview or via a Windstream affiliate CLEC, or through a third-party provider.

**7. Conclusion**

Verizon's retirement of copper facilities is the direct cause of Windstream's proposed discontinuance of the Affected Services. 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.

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Edward J. Cadieux  
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April 25, 2019

### **CERTIFICATE OF SERVICE**

I hereby certify that the foregoing Section 63.71 Application was served this 25th day of April 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

Pennsylvania Public Utility Commission  
Attn: Rosemary Chiavetta, Secretary  
400 North Street  
Keystone Bldg.  
Harrisburg, PA 17120

Rhode Island Public Utilities Commission  
Attn: Ms. Luly Massaro, Commission Clerk  
89 Jefferson Blvd.  
Warwick, RI 02888

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

Pennsylvania Governor Tom Wolf  
225 Main Capitol Bldg.  
Harrisburg, PA 17120

Office of Rhode Island Governor Gina Raimondo  
State House  
Providence, RI 02903

A handwritten signature in black ink, reading "Edward J. Cadieux". The signature is written in a cursive, flowing style. The first name "Edward" is written with a large, prominent "E". The middle initial "J." is smaller and follows the first name. The last name "Cadieux" is written with a large, prominent "C" and a long, sweeping tail that extends to the right.

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Edward J. Cadieux

**Attachment 1**

**Customer Notice**

**Attachment 2**

**Certification Pursuant to Sec 63.71(i)(2)**