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**VIA ECFS**

April 28, 2017

Kris Monteith
Acting Bureau Chief, Wireline Competition Bureau
Office of the Secretary
445 12th Street, S.W.
Washington, D.C. 20554

RE: Notice of Discontinuance of Common Carrier Broadband Internet Access Transmission Service Under Tariff and Change to Offering of Service on a Private Carriage Basis Only

GN Docket No. 14-28; CC Docket No. 02-33; WC Docket No. 10-90

Dear Ms. Monteith,

Pursuant to the 2006 *Wireline Broadband Classification Order*[1] , the 2016 *Rate-of-Return Reform Order*[2], and the *Open Internet Order*[3], Clements Tel. Co., Study Area Code 361372, is hereby providing the FCC with the attached notice of the Company's discontinuance of common carrier broadband Internet access transmission service under tariff, effective July 1, 2017. Clements Tel. Co. had detariffed its consumer broadband-only loop service at the establishment of the CBOL service. In addition, the Company will offer and provide broadband Internet access transmission service including CBOL only to its affiliated Internet service provider on a private carriage basis.

Following the notice to the FCC is the notice that Clements Tel. Co. furnished its affiliated Internet service provider, which is presently the only customer of the Company's broadband Internet access transmission service.

A copy of this notice is also being sent to the Minnesota Public Utilities Commission, the Governor of Minnesota, and the Special Assistant for Telecommunications at the Department of Defense.

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[1] *Appropriate Framework for Broadband Access to the Internet Over Wireline Facilities et al., CC Docket No. 02-33 et al.*, Report and Order and Notice of Proposed Rulemaking, FCC 05-150 (rel. Sept. 23, 2005), para. 101 (*Wireline Broadband Classification Order*).

[2] *Connect America Fund et al.*, WC Docket No. 10-90 *et al.*, Report and Order, Order and Order on Reconsideration, and Further Notice of Proposed Rulemaking, 31 FCC Rcd 3087, 3159, para. 193 (2016) (*Rate-of- Return Reform Order*).

[3] *Protecting and Promoting the Open Internet*, GN Docket No. 14.28, Report and Order on Remand, Declaratory Ruling and Order, 30 FCC Rcd 5601, Para 460 and n. 1378 (2015).

If you have any questions, please do not hesitate to contact me.

Sincerely,

Staci Malikowski
Chief Financial Officer
Clements Telephone Company
218-346-5500
Staci.malikowski@arvig.com

Attachment

**Clements Tel. Co.**
**Study Area Code 361372**

**Notice of Discontinuance of Common Carrier Broadband Internet Access Transmission Service Under Tariff**
**CC Docket No. 02-33**
**GN Docket No. 14-28**
**WC Docket No. 10-90**

Clements Tel. Co. currently offers common carrier broadband Internet access transmission service under tariff through the National Exchange Carrier Association (NECA) Tariff F.C.C. No. 5. Clements Tel. Co. hereby provides notice that the Company has requested from NECA that it remove the Company as a provider of Digital Subscriber Line Access under Tariff F.C.C. No. 5, effective July 1, 2017. Clements Tel. Co. had previously ceased offering Consumer Broadband-Only Loop service under tariff and currently offers on a detariffed basis.

Clements Tel. Co. will continue to provide broadband Internet access transmission service on a permissive detariffed basis and on a private carriage basis exclusively to its affiliate Internet service provider (ISP). Since the Company will cease to offer its broadband Internet access transmission on a common carrier basis, it is no longer necessary for it to make public the rates, terms, and conditions of the service. Instead, the rates, terms and conditions of the service will be furnished upon request to its affiliate ISP via intercompany memorandum.

The permissive detariffing of Clements Tel. Co.'s broadband Internet access and CBOL service will apply to the entirety of the Company's study area. This includes the following exchanges: Clements.

Presently, Clements Tel. Co.'s only customer for its broadband Internet access transmission service is the Company's own non-regulated ISP affiliate. The Company's affiliated ISP purchases broadband Internet access transmission and CBOL service for use as an input to the retail broadband Internet access services it offers to residential and business end-user customers. The discontinuance of the tariffed offering of broadband Internet access transmission and CBOL and the change to offering under a private carriage arrangement will have no effect on the end-user services provided by the Company's affiliated ISP.

On April 27, 2017, Clements Tel. Co. furnished its affiliated ISP with the attached memorandum, which notifies the ISP of the Company's plan to discontinue its provisioning of broadband Internet access transmission service under tariff and change to a private carriage basis exclusively.

cc: Minnesota Public Utilities Commission
Governor of Minnesota
Special Assistant for Telecommunications at the Department of Defense

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To: Mark Birkholz, Clements Tel. Co.

From: Staci Malikowski, Clements Tel. Co.

Date: April 27, 2017

RE: Notice of Detariffing of Broadband Internet Access Transmission and Consumer Broadband-Only Loop Service

This is to notify you of a change in the way in which Clements Tel. Co. provides broadband Internet access transmission and CBOL service, which is used as an input for the broadband Internet access services that you offer to residential and business end-user customers.

Presently, Clements Tel. Co. provides broadband Internet access transmission service under tariff through the National Exchange Carrier Association (NECA) Tariff F.C.C. No. 5. Effective July 1, 2017, Clements Tel. Co. will no longer offer its broadband Internet access transmission service under the NECA tariff. Instead, it will offer the service on a detariffed basis similar to how Clements Tel. Co. provides your current CBOL service. Additionally, Clements Tel. Co. will be changing the overall service offering to a private carriage basis. Service offerings on a private carriage basis are made exclusively to affiliate companies of Clements Tel. Co. As an affiliate of Clements Tel. Co. all rates, terms and conditions will be furnished upon request via intercompany memorandum.

Clements Tel. Co.'s detariffed, private carriage broadband Internet access transmission and CBOL services will be offered throughout the entirety of the Company's service area. This includes the following exchanges: Clements.

The discontinuance of the tariffed offering of broadband Internet access transmission and CBOL service will have no effect upon these services or the manner in which you purchase them.