

Before the  
Federal Communications Commission  
Washington D.C. 20554

In the Matter Of The Application of )  
Windstream Services, LLC )  
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 WINDSTREAM SERVICES, LLC**

Windstream Services, LLC ("Windstream"), on behalf of its competitive local exchange carrier affiliates Earthlink Business, 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(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 DS0/POTS, DS1/1.5Mb T-1 Voice, Data and Integrated service, and Hosted Voice service ("Affected Services"). to certain customers located in the areas of hereinafter identified due to copper retirement. 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)):**

Earthlink Business, 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)):**

Windstream plans to discontinue the Affected Service on or about November 12, 2018.

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

The Affected Services will be discontinued in the areas of Merchantville, NJ and New York (Manhattan), New York.

**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 are DS0/POTS, DS1/1.5Mb T-1 Voice, Data and Integrated service, and Hosted Voice service.

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

On August 3, 2018 Windstream sent by First Class U.S. Mail notice to each of the 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)):**

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 New Jersey Board of Public Utilities and to the New York Public Service Commission, and to the Office of

New Jersey Governor, Phil Murphy and to the Office of New York Governor, Andrew Cuomo, 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 Affected Services to certain customers located in the above-identified areas via a copper-based network supplied by Verizon and leased through a third-party carrier. 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 November 12, 2018. Five (5) retail business customers will be affected: These customers will have the option to transition to alternative services delivered on Verizon's fiber network, via Windstream or through another 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 fluid and cursive, with the first and last names being more prominent than the middle initial.

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Edward J. Cadieux  
Regulatory Counsel  
Windstream Services, LLC  
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Little Rock, AR 72112  
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Edward.Cadieux@windstream.com

August 6, 2018

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing Section 63.71 Application was served this 6th day of August 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

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

Office of Governor Phil Murphy  
PO Box 001  
Trenton, NJ 08625

New York Governor Andrew Cuomo  
State Capitol  
Albany, NY 12224

A handwritten signature in black ink, reading "Edward J. Cadieux". The signature is written in a cursive, flowing style.

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Edward J. Cadieux

**Attachment 1**

**Customer Notice**

**Attachment 2**

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