WC Docket No. 14-204

CenturyLink™

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DOCKET FILE COPY ORIGINAL

VIA COURIER

ACCEPTED/FILED

SEP 17 2014

Federal Communications Commission
Office of the Secretary

September 17, 2014

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

RECEIVED

SEP 25 2014

FCC-Competition Policy Division

Re: *In the Matter of Section 63.71 Application of Embarq Corporation d/b/a CenturyLink, Inc. For Authority Pursuant to Section 214 of the Communications Act of 1934, As Amended, to Discontinue the Provision of Service* – Amendment to August 26, 2014 Application

Dear Ms. Dortch:

On August 26, 2014, Embarq Corporation d/b/a CenturyLink, Inc. (CenturyLink) applied for authority pursuant to Section 63.71 of the Commission's rules,[1] and Section 214 of the Communications Act of 1934, as amended,[2] to discontinue its Frame Relay (Embarq Frame Relay) and Asynchronous Transfer Mode (Embarq ATM) service throughout its service area.

As required by the FCC's rules,[3] CenturyLink attempted on that date to serve a copy of its Application on the governors and the state public utility commissions of the affected states, along with the Special Assistant for Telecommunications for the U.S. Secretary of Defense via first-class U.S. Mail (postage prepaid). It has now come to CenturyLink's attention that multiple copies of the Application have been returned by the U.S. Postal Service for insufficient postage. By this letter, CenturyLink seeks to amend its Application to ensure it has satisfied the Commission's applicable service requirements. To date, CenturyLink's Application has not been publicly noticed by the Commission.

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[1] 47 C.F.R. § 63.71.

[2] 47 U.S.C. § 214.

[3] 47 C.F.R. § 63.71(a) (paragraph 7 of the Application).

Out of an abundance of caution, CenturyLink is re-serving a copy of its Application on all of the state governor and PUC recipients,[4] along with the Special Assistant for Telecommunications for the U.S. Secretary of Defense (whose address also has been updated). Enclosed with this correspondence is a copy of the Application that was stamped as received on August 26, 2014 by the Commission's Office of the Secretary.

Please contact me with any questions.

Sincerely,

Craig J. Brown

Craig J. Brown

Enclosures

cc: Certificate of Service

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[4] The customer notification that was previously completed as is described in paragraph 5 of CenturyLink's Application is not affected by today's amendment. However, regarding the application to discontinue the frame relay and ATM services of its CenturyTel affiliate, which was filed on the same day as the present Application, the service copy for the Special Assistant for Telecommunications for the U.S. Secretary of Defense was returned (marked "Moved, Left No Address, Unable to Forward"). *See In the Matter of Section 63.71 Application of CenturyLink, Inc., f/k/a CenturyTel, Inc. For Authority Pursuant to Section 214 of the Communications Act of 1934, As Amended, to Discontinue the Provision of Service*, Section 63.71 Application (filed Aug. 26, 2014). Under separate cover, the Special Assistant is being re-served with a copy of the CenturyTel Application at the updated address reflected in the attached Certificate of Service.

STAMP AND RETURN

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of	)	ACCEPTED/FILED
	)	
Section 63.71 Application of	)	AUG 26 2014
	)	
Embarq Corporation d/b/a CenturyLink, Inc.	)	Federal Communications Commission Office of the Secretary
	)	
For Authority Pursuant to Section 214 of the Communications Act of 1934, As Amended, to Discontinue the Provision of Service	)	

SECTION 63.71 APPLICATION

Embarq Corporation d/b/a CenturyLink, Inc. (CenturyLink) hereby applies for authority pursuant to Section 63.71 of the Federal Communications Commission's (Commission) rules, 47 C.F.R. § 63.71, and Section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, to discontinue its Frame Relay (Embarq Frame Relay) and Asynchronous Transfer Mode (Embarq ATM) service throughout its service area. This Application is a component of CenturyLink's ongoing initiative to retire all of its Frame Relay and ATM services and transition affected customers to more current and capable technologies.[1]

[1] Concurrent with this Application, CenturyLink is filing an application to discontinue the Frame Relay and ATM services provided by its CenturyTel affiliate. *See, In the Matter of Section 63.71 Application of CenturyLink, Inc., f/k/a CenturyTel, Inc. for Authority Pursuant to Section 214 of the Communications Act of 1934, As Amended, To Discontinue the Provision of Service*, Section 63.71 Application (filed Aug. 26, 2014). Last year, CenturyLink filed a similar application for its Qwest Communications Company affiliate. *See, In the Matter of Section 63.71 Application of Qwest Communications Company LLC d/b/a CenturyLink QCC for Authority Pursuant to Section 214 of the Communications Act of 1934, As Amended, To Discontinue the Provision of Service*, WC Docket 13-266, Section 63.71 Application (filed Oct. 31, 2013). That application remains pending. *See, Application of Qwest Communications Company LLC d/b/a CenturyLink QCC To Discontinue Domestic Telecommunications Services Not Automatically Granted,* WC Docket No. 13-266, Public Notice (rel. Dec. 13, 2013). In the

CenturyLink is a non-dominant provider of Embarq Frame Relay and Embarq ATM services. CenturyLink submits the following information in support of its application:

1. Name and address of carrier

CenturyLink
100 CenturyLink Drive
Monroe, Louisiana 71203

2. Date of planned service discontinuance

As of December 31, 2014, or as soon thereafter as the necessary regulatory approvals can be obtained, CenturyLink will no longer offer these services to new customers or accept new orders from existing customers (except to the extent such orders are permitted by contract). Existing customers of these services will be grandfathered as follows:

- Existing contracts for these services will not be renewed.
- Customers with a contract that expires *prior to December 31, 2014* may retain their Embarq Frame Relay and/or Embarq ATM service covered by that contract on a month-to-month basis until December 31, 2014.
- Customers with a contract that expires *after December 31, 2014* may retain their Embarq Frame Relay and/or Embarq ATM service covered by that contract until the expiration of that contract.

3. Points of geographic areas of service affected

CenturyLink seeks authority to discontinue the provision of Embarq Frame Relay and Embarq ATM services in the states of Florida, Kansas, Indiana, Minnesota, Missouri, Nebraska, New Jersey, Nevada, North Carolina, Ohio, Oregon, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, Washington, and Wyoming.

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future, CenturyLink intends to file an application to discontinue the Frame Relay and ATM services provided by its Qwest corporation affiliate.

4. Brief description of the type of services affected

Embarq Frame Relay Service is a connection-oriented packet-switched data service allowing for the interconnection of Local Area Networks (LAN) or other compatible customer equipment. Embarq ATM Service is a connection-oriented multiplexing and switching service based on ATM cell-based switching technology. This service uses fixed-length cells to support transmission of multiple types of traffic (such as data, voice and video) over a LAN or Wide Area Network (WAN).

In 2011, CenturyLink was advised by equipment manufacturer Alcatel-Lucent that the equipment used for Embarq Frame Relay and Embarq ATM services would no longer be manufactured as of December 31, 2011 and that all support would be discontinued as of December 31, 2014.

As a result of their merger, CenturyTel, Inc. and Embarq, Inc. merged and consolidated their billing systems into one system, housing information for all of the predecessor companies' Frame Relay and ATM customers. CenturyLink currently has approximately 1000 customers purchasing CenturyTel and Embarq Frame Relay and ATM services, but the consolidated billing system for these services does not track customers by their pre-merger affiliate name. This Application therefore identifies the total number of Frame Relay and ATM customers served by these two CenturyLink affiliates. However, because the affiliates are subject to different regulation – for CenturyTel, dominant regulation, and, for Embarq, non-dominant regulation – CenturyLink has filed separate applications to discontinue those affiliates' Frame Relay and ATM services.

Current customers have the option of moving to alternative CenturyLink services, such as IQ Networking Private Port Service, which uses the latest technology to create a robust VPN

service, IQ Public Service, Metro Ethernet or Private Line services. Customers can also turn to numerous other providers of similar services.

5. Brief description of the dates and methods of notice to all affected customers

On February 5, 2014, CenturyLink notified its customers by U.S. Mail of its plans for discontinuing its Embarq Frame Relay and Embarq ATM services. (*See*, Attachment A.) On August 18, 2014, CenturyLink sent these customers official notice of this planned discontinuance by U.S. Mail. (*See*, Attachment B.)

6. Dominance of carrier with respect to the service to be discontinued

CenturyLink is a non-dominant carrier with regard to the services to be discontinued.

7. Service

In accordance with 47 C.F.R. § 63.71(a), CenturyLink has mailed a copy of this application to the Governor and public utility commission of each affected state identified in Paragraph 3 above, as well as to the Special Assistant for Telecommunications under the Secretary of Defense.

Respectfully submitted,

CENTURYLINK

By: _____

Craig J. Brown
CenturyLink, Inc.
1099 New York Avenue, NW
Suite 250
Washington, DC 20001
Phone 303-992-2503
Craig.J.Brown@CenturyLink.com
Its Attorney

DATE: August 26, 2014

Attachment A

100 CenturyLink Drive
Monroe, LA 71203

CenturyLink®

Date

NAME
ADDRESS
CITY, STATE ZIP

Dear **<Customer Name>**,

At CenturyLink, our goal is to provide you with great quality and value while still remaining competitive. Changing market conditions require that we continually evaluate our prices, product offerings and infrastructure.

Occasionally our evaluation directs us to make changes to some products; therefore, we are writing to inform you of CenturyLink's plan to grandfather, and ultimately discontinue, its interstate and intrastate Frame Relay and Asynchronous Transfer Mode (ATM) services offered by its CenturyTel, Embarq, and Qwest Corporation affiliates as the equipment used to deliver these services has been discontinued by the manufacturer. We want to give you advance notice so you have the opportunity to plan with us for the upcoming changes.

Later this year, after required regulatory notification and filings, these Frame Relay and ATM services will no longer be available to new customers or for new orders from existing customers (except to the extent permitted by contract). Existing customers of these services will be grandfathered as follows:

- Existing contracts for these services will not be renewed.
- Customers with a contract that expires *prior to December 31, 2014* may retain their Frame Relay and/or ATM service covered by that contract on a month-to-month basis until December 31, 2014.
- Customers with a contract that expires *after December 31, 2014, including option periods,* may retain their Frame Relay and/or ATM service covered by that contract until the expiration of the base contract and all option periods.

We encourage you to contact your account team to discuss alternatives to Frame Relay and ATM Service, such as CenturyLink's IQ Networking Private Port Service, which uses the latest technology to create a robust VPN service.

If you have any questions about these changes, please contact your CenturyLink Service Manager or Sales Representative. Thank you for choosing CenturyLink for your communication needs—we value you as our customer.

Attachment B

CenturyLink

100 CenturyLink Drive
Monroe, LA 71203

Date

NAME
ADDRESS
CITY, STATE ZIP

Dear <Customer Name>,

In February of 2014, CenturyLink communicated to you our intent to discontinue interstate and intrastate Frame Relay and Asynchronous Transfer Mode (ATM) services offered by its CenturyTel and Embarq affiliates as the equipment used to deliver these services has been discontinued by the manufacturer. At that time, we advised you that our plan was to submit the required regulatory notification and filings later in 2014. We are now moving forward with those regulatory filings and are sending you this notice as required.

As of December 31, 2014, or as soon after that date as authorized by the Federal Communications Commission and relevant state regulatory commissions, the Frame Relay and ATM services offered by CenturyLink's CenturyTel and Embarq affiliates will no longer be available to new customers or for new orders from existing customers (except to the extent permitted by contract). Existing customers of these services will be grandfathered as follows:

- Existing contracts for these services will not be renewed.
- Customers with a contract that expires *prior to December 31, 2014* may retain their Frame Relay and/or ATM service covered by that contract on a month-to-month basis until December 31, 2014.
- Customers with a contract that expires *after December 31, 2014* may retain their Frame Relay and/or ATM service covered by that contract until the expiration of that contract.

At CenturyLink, our goal is to provide you with great quality and value while still remaining competitive. Changing market conditions require that we continually evaluate our prices, product offerings and infrastructure.

If you have not done so already, we encourage you to contact your account team to discuss alternatives to Frame Relay and ATM Service, such as CenturyLink IQ® Networking Private Port Service, which uses the latest technology to create a robust VPN service.

If you have any questions about these changes, please contact your CenturyLink Service Manager or Sales Representative. Thank you for choosing CenturyLink for your communication needs—we value you as our customer.

100 CenturyLink Drive
Monroe, LA 71203

Attachment B

CenturyLink

For Legacy CenturyTel customers:

The following statement is required by the Federal Communications Commission (FCC):

The FCC will normally authorize this proposed discontinuance of service (or reduction or impairment) unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 30 days after the Commission releases public notice of the proposed discontinuance. Address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20554, and include in your comments a reference to the Sec. 63.71 Application of CenturyLink. Comments should include specific information about the impact of this proposed discontinuance (or reduction or impairment) upon you or your company, including any inability to acquire reasonable substitute service.

For Legacy Embarq customers:

The following statement is required by the Federal Communications Commission (FCC):

The FCC will normally authorize this proposed discontinuance of service (or reduction or impairment) unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 15 days after the Commission releases public notice of the proposed discontinuance. Address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20554, and include in your comments a reference to the Sec. 63.71 Application of CenturyLink. Comments should include specific information about the impact of this proposed discontinuance (or reduction or impairment) upon you or your company, including any inability to acquire reasonable substitute service.

CERTIFICATE OF SERVICE

I, Jana Hurst, do hereby certify that I have caused the foregoing **SECTION 63.71 APPLICATION** to be 1) filed with the Secretary of the FCC via courier (original and five copies plus one for stamp and return), 2) served, via U.S. Mail on the Governors of the states, and commonwealths listed on the attached service list, 3) served, via U.S. Mail, on the Public Utility Commissions listed on the attached service list, and 4) served via U.S. Mail on the Special Assistant for Telecommunications under the Secretary of Defense.

Jana Hurst

August 26, 2014

Rick Scott
Executive Office of Rick Scott
The Capitol
400 S. Monroe Street
Tallahassee, FL 32399-0001

Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Office of Governor Sam Brownback
Capitol
300 SW 10th Avenue
Suite 212S
Topeka, KS 66612-1590

Kansas Corporation Commission
1500 SW Arrowhead Road
Topeka, KS 66604-4027

Office of the Governor Michael R. Pence
State House
200 W. Washington Street
Room 206
Indianapolis, IN 46204

Indiana Utility Regulatory Commission
PNC Center
Suite 1500
101 West Washington Street
Indianapolis, IN 46204

Office of the Governor Mark Dayton
130 State Capitol
75 Rev. Dr. Martin Luther King Jr. Blvd.
St. Paul, MN 55155

Minnesota Public Utilities Commission
121 7th Place East
Suite 350
St. Paul, MN 55101-2147

Jay Nixon
Office of the Governor
P.O. Box 720
Jefferson City, MO 65102

Missouri Public Service Commission
200 Madison Street
P.O. Box 360
Jefferson City, MO 65102-0360

Office of the Governor Dave Heineman
Lincoln Office/State Capitol
P.O. Box 94848
Lincoln, NE 68509-4848

Nebraska Public Service Commission
1200 N Street, Suite 300
Lincoln, NE 68508

Office of the Governor Brian Sandoval
State Capitol Building
101 N. Carson Street
Carson City, NV 89701

Public Utilities Commission of Nevada
1150 E. William Street
Carson City, NV 89701-3109

Office of the Governor Chris Christie
The State House
P.O. Box 001
Trenton, NJ 08625

New Jersey Board of Public Utilities
44 S. Clinton Avenue
PO Box 350
Trenton, NJ 08625

Office of the Governor Pat McCrory
Office of the Governor
20301 Mail Service Center
Raleigh, NC 27699-0301

North Carolina Utilities Commission
4325 Mail Service Center
Raleigh, NC 27699-4325

Office of the Governor John R. Kasich
Riffe Center
30th Floor
77 South High Street
Columbus, OH 43215-6117

Public Utilities Commission of Ohio
180 East Broad Street
Columbus, OH 43215

Office of the Governor John Kitzhaber
State Capitol, Room 160
900 Court Street, N.
Salem, OR 97301

Public Utility Commission of Oregon
550 Capitol Street, NE
Suite 215
Salem, OR 97301

Office of the Governor Tom Corbett
225 Main Capitol Building
Harrisburg, PA 17120

Pennsylvania Public Utility Commission
400 North Street
Keystone Building, 2nd Floor
Harrisburg, PA 17120

Office of the Governor Nikki Halley
1205 Pendleton Street
Columbia, SC 29201

Public Service Commission of South Carolina
101 Executive Center Drive
Suite 100
Columbia. SC 29210

Office of the Governor Bill Haslam
Tennessee State Capitol, 1st Floor
Nashville, TN 37243

Office of the Governor Rick Perry
P.O. Box 12428
Austin, TX 78711-2428

Office of Governor Terry McAuliffe
Patrick Henry Building
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Richmond, VA 23219

Office of the Governor Jay Inslee
P.O. Box 40002
Olympia, WA 98504-0002

Office of the Governor Matt Mead
200 West 24th Street
State Capitol Building, Room 124
Cheyenne, WY 82002-0010

Secretary of Defense
Attn. Special Assistant for
Telecommunications
1300 Defense Pentagon
Washington, DC 20301

Tennessee Regulatory Authority
502 Deaderick Street
Nashville, TN 37243

Public Utility Commission of Texas
1701 North Congress Avenue
P.O. Box 13326
Austin, TX 78711-3326

Virginia State Corporation Commission
1300 East Main Street
P.O. Box 1197
Richmond, VA 23219

Washington Utilities and Transportation
Commission
1300 S. Evergreen Park Drive SW
Olympia, WA 98504-7250

Wyoming Public Service Commission
Hansen Building
2515 Warren Avenue
Suite 300
Cheyenne, WY 82002

CERTIFICATE OF SERVICE

I, Ross Dino, do hereby certify that I have caused the foregoing **AMENDMENT TO SECTION 63.71 APPLICATION** to be 1) filed with the Secretary of the FCC via courier (original and five copies plus one for stamp and return), 2) served, via U.S. Mail on the Governors of the states listed on the attached service list, 3) served, via U.S. Mail, on the Public Utility Commissions listed on the attached service list, and 4) served via U.S. Mail on the Special Assistant for Telecommunications under the Secretary of Defense.

Ross Dino

Ross Dino

September 17, 2014

Rick Scott
Executive Office of Rick Scott
The Capitol
400 S. Monroe Street
Tallahassee, FL 32399-0001

Office of Governor Sam Brownback
Capitol
300 SW 10th Avenue
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Office of the Governor Michael R. Pence
State House
200 W. Washington Street
Room 206
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The State House
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Kansas Corporation Commission
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Topeka, KS 66604-4027

Indiana Utility Regulatory Commission
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Minnesota Public Utilities Commission
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Suite 350
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Missouri Public Service Commission
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Jefferson City, MO 65102-0360

Nebraska Public Service Commission
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Lincoln, NE 68508

Public Utilities Commission of Nevada
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Tennessee State Capitol, 1st Floor
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Raleigh, NC 27699-4325

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180 East Broad Street
Columbus, OH 43215

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Salem, OR 97301

Pennsylvania Public Utility Commission
400 North Street
Keystone Building, 2nd Floor
Harrisburg, PA 17120

Public Service Commission of South Carolina
101 Executive Center Drive
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Columbia, SC 29210

Tennessee Regulatory Authority
502 Deaderick Street
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Virginia State Corporation Commission
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Richmond, VA 23219

Washington Utilities and Transportation Commission
1300 S. Evergreen Park Drive SW
Olympia, WA 98504-7250

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Secretary of Defense
Attn. Special Assistant for
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Pentagon
Washington, DC 20301