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March 31, 2006

RECEIVED

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Federal Communications Commission  
Office of Secretary

**VIA ELECTRONIC FILING**

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

**Re: CC Docket No. 02-33 – Notice of Discontinuance of Common Carrier  
Broadband Internet Access Transmission Service**

Dear Ms. Dortch:

Pursuant to the Commission's *Wireline Broadband Order*,<sup>1</sup> AT&T Inc., on behalf of its affiliates<sup>2</sup> (collectively, "AT&T"), hereby notifies the Commission that beginning May 1, 2006, AT&T will no longer offer Wholesale DSL Transport as a common carrier service to new customers and to existing customers seeking to add new locations. These service changes affect all of AT&T's service areas in Arkansas, California, Connecticut, Illinois, Indiana, Kansas, Michigan, Missouri, Nevada, Ohio, Oklahoma, Texas, and Wisconsin. AT&T intends, however, to offer a wholesale DSL transport service on a non-common carrier basis pursuant to the *Wireline Broadband Order*.

On February 10, 2006, AT&T notified affected customers via email that beginning March 1, 2006, AT&T would no longer offer Wholesale DSL Transport Service on a common carrier basis for new customers or existing customers seeking to add new locations. On February 28, 2006, AT&T provided additional notice to its customers via email that the March 1, 2006 deadline is extended until May 1, 2006. AT&T also posted both notices on its website that is commonly used by customers of this service to view notifications of changes in service offerings. Copies of the notifications are attached hereto as Attachments 1 and 2.

<sup>1</sup> *Appropriate Framework for Broadband Access to the Internet over Wireline Facilities Universal Service Obligations of Broadband Providers*, Report and Order and Notice of Proposed Rulemaking, CC Docket No. 02-33, 20 FCC Rcd 14853, ¶ 101 (2005) (*Wireline Broadband Order*).

<sup>2</sup> Wholesale Digital Subscriber Line ("DSL") Transport Service is currently offered on a common carrier basis by SBC Advances Solutions, Inc.; Ameritech Advanced Data Services of Illinois, Inc.; Ameritech Advanced Data Services of Indiana, Inc.; Ameritech Advanced Data Services of Ohio, Inc.; Ameritech Advanced Data Services of Michigan, Inc.; and Ameritech Advanced Data Services of Wisconsin, Inc.

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Ms. Marlene H. Dortch

March 31, 2006

Page 2

A copy of this letter has been submitted to the public utility commission and the governor of each state in which these services will be discontinued. A copy of this letter has also been sent to the Special Assistant for Telecommunications for the Secretary of Defense.

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

A handwritten signature in black ink, appearing to read "Thomas S. Hughes". The signature is written in a cursive style with a prominent horizontal stroke across the middle.

Sincerely,

Attachments

# **ATTACHMENT 1**



**Date:** February 10, 2006

**Number:** ISPASI06-012

**Effective Date:** March 1, 2006

**Category:** General Terms & Conditions

**Subject:** General Terms & Conditions – Wholesale DSL Transport

**Related Letters:**

**States Impacted:** SBC ASI West (CA, NV)

SBC ASI Southwest (MO, KS, AR, TX, OK)

SBC ASI Midwest (IL, MI, IN, OH, WI)

SBC ASI East (CT)

**Response Deadline:**

**Contact:** Regional Email Address

The FCC order 05-150 in CC Docket Nos. 02-33 and 01-337, released on September 23, 2005 and effective November 16, 2005, concluded that facilities-based wireline broadband Internet access service providers are no longer required to offer the wireline broadband transmission component of wireline broadband Internet access service as a telecommunications service under Title II of the Telecommunications Act.

Effective **March 1, 2006**, SBC Advanced Solutions, Inc. (SBC ASI) will offer Wholesale DSL Transport as a non-common carrier service according to FCC order 05-150. SBC ASI will only offer new ISPs (those without existing DSL Transport agreements) Wholesale DSL Transport services on a Zero Volume Commitment (ZVC) Month to Month (M/M) plan.

Wholesale DSL Transport Services will **no longer** be available to **new** ISPs at prices under the 1 year DSL-Volume Commitment Plan (VCP) agreement or the DSL-Term Pricing Plan (TPP) agreement. Wholesale DSL Transport on the DSL TPP agreement will **no longer** be available to **existing** VCP ISPs that don't currently have a TPP agreement. Effective upon the publication of this Notification, an existing TPP ISP request for a renewal/re-sign of the TPP agreement will not be accepted. Alternative terms will be offered at a future date. Options available to ISPs are detailed on page 2 of this Notification.

Also effective **March 1, 2006**, ISPs who have an existing TPP and VCP will be able to take advantage of the ZVC M/M plan. Existing ISPs currently on and paying the M/M plan rates will automatically receive the ZVC M/M terms and prices on new DSL Transport orders and their embedded base.

ZVC M/M prices are set forth in the following table. The price below includes applicable Federal Universal Service Fund (FUSF) charges. ZVC M/M rates may change at any time and notice will be provided when changes occur.

<b>ZVC M/M Total Price (Price including FUSF)</b>							
*	Primary	Primary+	Basic 1	Basic+	Symmetric	Premium 1	Advanced +
	<b>\$11.00</b>	<b>\$11.00</b>	<b>\$11.00</b>	\$45.00	\$67.50	\$89.10	<b>\$16.50</b>
			<b>0</b>				\$77.50

\* Embedded base only

Lines purchased under the ZVC M/M plan will carry the terms described within the Generally Available Terms and Conditions (GT&C), section 6.4.1.

**RLANs are not eligible for the new ZVC M/M plan. Options for ISPs that have existing TPP or VCP agreements are listed on the following page.**



**Existing ISPs with only VCP agreements (50-249 or 250+) can keep their existing agreement and choose any one or a combination of the following options:**

1. Create an additional SP profile for the new ZVC M/M plan.
  - \* Allow 30 calendar days for processing new SP profile.
  - \* Convert individual existing DSL Transport lines to the new ZVC M/M plan.
  - \* \$11.00 charge for the individual ISP Change Order to convert existing DSL Transport lines from VCP to ZVC M/M. May incur one (1) day service interruption.
  - \* Use the ZVC M/M plan for any new DSL Transport lines.
2. Migrate the existing **VCP** agreement to the ZVC M/M plan which results in the ISP's current one year VCP being inactivated.
  - \* Allow 7 - 10 business days to change the SP profile and 30 business days to change the embedded base with a 30 day effective bill date.
  - \* All embedded base DSL Transport lines are subject to the new ZVC M/M rates whether or not the rate is more or less than existing VCP rates. SBC ASI will migrate all DSL Transport embedded base lines at no charge to the ISP.
  - \* Use the ZVC M/M plan for all new DSL Transport lines.

**Existing ISPs with both TPP and VCP agreements (50-249 or 250+) can keep their existing agreements and choose any one or a combination of the following options:**

1. Create an additional SP profile for the new ZVC M/M plan.
  - \* Allow 30 calendar days for processing new SP profile.
  - \* Convert individual existing VCP DSL Transport lines to the new ZVC M/M plan.
  - \* Convert individual existing TPP DSL Transport lines to the new ZVC M/M plan. An ETF will apply if the end user line has not met the 1 year TPP.
  - \* \$11.00 charge for the ISP Change Order to migrate existing DSL Transport lines from VCP or TPP to ZVC M/M. May incur one (1) day service interruption.
  - \* Use the ZVC M/M plan for any new DSL Transport lines.
2. Migrate the existing **VCP** agreement to the ZVC M/M plan which results in the ISP's current one year VCP being inactivated.
  - \* Allow 7 - 10 business days to change the SP profile and 30 business days to change the embedded base with a 30 day effective bill date.
  - \* All embedded base DSL Transport lines are subject to the new ZVC M/M rates whether or not the rate is more or less than existing VCP rates. SBC ASI will migrate all DSL Transport embedded base lines at no charge to the ISP.
  - \* Use the ZVC M/M plan for any new DSL Transport lines.

**Existing ISPs with only a TPP agreement keep their current agreement and can choose to create an additional SP profile for the new ZVC M/M plan.**

- \* Allow 30 calendar days for processing new SP profile.
- \* Convert individual existing TPP DSL Transport lines to the new ZVC M/M plan. An ETF will apply if the end user line has not met the 1 year on TPP.
- \* \$11.00 charge for the ISP Change Order to migrate existing DSL Transport lines from TPP to ZVC M/M. May incur one (1) day service interruption.
- \* Use the ZVC M/M plan for any new DSL Transport lines.

ISPs wanting to take advantage of the ZVC M/M plan should send an email of inquiry to the following regional email addresses and should expect a response within 48 hours.

SBC ASI West and East: [sbacisp@att.com](mailto:sbacisp@att.com)

SBC ASI Southwest: [m25816@att.com](mailto:m25816@att.com)

SBC ASI Midwest: [mwsbcisp@att.com](mailto:mwsbcisp@att.com)

**ATCNI2**



Date: **February 28, 2006**

Number: **ISPASI06-021**

Effective Date: **May 1, 2006**

Category: **General Terms & Conditions**

Subject: **ADVISORY: Wholesale DSL Transport Common Carrier Service**

Related Letters: **ISPASI06-012**

States Impacted: **All service areas in the following locations:**

**SBC ASI East (CT)**

**SBC ASI Midwest (IL, IN, MI, OH, WI)**

**SBC ASI Southwest (AR, KS, MO, OK, TX)**

**SBC ASI West (CA, NV)**

Response Deadline: **N/A**

Contact: **AT&T Account Manager**

## ADVISORY

ISP Notification ISPASI06-012 states, "Effective March 1, 2006, SBC Advanced Solutions, Inc. (SBC ASI) will offer Wholesale DSL Transport as a non-common carrier service according to FCC order 05-150."

This notice advises that Wholesale DSL Transport will continue to be offered as a **common carrier service through April 30, 2006**. Beginning **May 1, 2006**, Wholesale DSL Transport will be offered as a **non-common carrier service** as described in ISP Notification ISPASI06-012.

### Description of Service:

Wholesale Digital Subscriber Line (DSL) Transport Service is a virtual session between ASI's ATM network and customer's designated end user premises utilizing asymmetrical DSL technology over a DSL Line. A DSL Line is the physical facility between the ASI's DSLAM (or remote terminal where a remote terminal has been installed by ASI's vendors or affiliates) and the Network Interface Device (NID) located at the end user premises. For additional information, please see ISP Notification ISPASI06-012.

### Name and Address of Carriers:

Wholesale DSL Transport Service is currently provided by:

SBC Advanced Solutions, Inc.  
1010 N. St. Mary's Street  
San Antonio, TX 78215

and



Ameritech Advanced Data Services of Illinois, Inc.  
Ameritech Advanced Data Services of Indiana, Inc.  
Ameritech Advanced Data Services of Ohio, Inc.  
Ameritech Advanced Data Services of Michigan, Inc.  
Ameritech Advanced Data Services of Wisconsin, Inc.  
2000 W. Ameritech Center Drive  
Hoffman Estates, IL 60196

AT&T will continue to explore alternative broadband Internet opportunities and will provide more information in the future.

**CERTIFICATE OF SERVICE**

I do certify that I have, this 31<sup>st</sup> day of March 2006, served a copy of the foregoing Notice of Discontinuance of Common Carrier Broadband Internet Access Transmission Service by U.S. Mail postage prepaid to the following:

Governor Mike Huckabee  
Governor's Office  
State Capitol Rm 250  
Little Rock, Arkansas 72201

Governor James Doyle  
115 East State Capitol  
Madison, Wisconsin 53702

Governor Arnold Schwarzenegger  
Governor's Office  
State Capitol Building  
Sacramento, California 95814

Governor Jennifer M. Granholm  
P.O. Box 30013  
Lansing, Michigan 48909

Governor M. Jodi Rell  
Office of the Governor  
State Capitol  
210 Capitol Avenue  
Hartford, Connecticut 06106

Governor Bob Taft  
30<sup>th</sup> Floor  
77 South High Street  
Columbus, Ohio 43215-6117

Governor Rod R. Blagojevich  
Office of the Governor  
207 State House  
Springfield, Illinois 62706

Governor Matt Blunt  
Office of the Governor  
Room 216, State Capitol Building  
Jefferson City, Missouri 65101

Governor Mitch Daniels  
Office of the Governor  
Statehouse  
Indianapolis, Indiana 46204

Governor Kenny Guinn  
Capitol Building  
Carson City, Nevada 89701

Governor Kathleen Sebelius  
Office of the Governor  
Capitol, 300 SW 10th Ave., Ste. 212S  
Topeka, Kansas 66612-1590

Governor Brad Henry  
State Capitol Building  
2300 N. Lincoln Blvd., Room 212  
Oklahoma City, Oklahoma 73105

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

Governor Jim Doyle  
Office of the Governor  
P.O. Box 7863  
Madison, WI 53707

Arkansas Public Utilities Commission  
1000 Center Street  
Little Rock, Arkansas 72201

California Public Utilities Commission  
320 West 4th Street, Ste. 500  
Los Angeles, CA 90013

Connecticut Department of Public Utilities  
Control  
Ten Franklin Square  
New Britain, CT 06051

Illinois Commerce Commission  
527 East Capitol Ave  
Springfield, IL 62701

Indiana Utility Regulatory Commission  
Indiana Government Center South  
302 West Washington St.  
Suite E-306  
Indianapolis, IN 46204

Kansas Corporation Commission  
Commissioners, Utilities Division, Motor  
Carriers, Pipeline Safety and Energy  
1500 SW Arrowhead Road  
Topeka, KS 66604-4027

Michigan Public Service Commission  
P.O. Box 30221  
Lansing, MI 48909

Missouri Public Service Commission  
Public Information Office  
Governor Office Building  
200 Madison Street  
PO Box 360  
Jefferson City, MO 65102-0360

Public Utilities Commission of Nevada  
101 Convention Center Drive  
Suite 250  
Las Vegas, NV 89109

Oklahoma Corporation Commission  
P.O. Box 52000  
Oklahoma City, OK 73152-2000

Public Utilities Commission of Texas  
1701 N. Congress Avenue  
PO Box 13326  
Austin, TX 78711-3326

Public Service Commission of Wisconsin  
610 North Whitney Way. P.O. Box 7854  
Madison, Wisconsin 53707-7854

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

/s/ Otis Robinson  
Otis Robinson