



7852 Walker Drive, Suite 200, Greenbelt, MD 20770
phone: 301-459-7590, fax: 301-577-5575
internet: www.jsitel.com, e-mail: jsi@jsitel.com

August 1, 2006

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
Washington, D.C. 20554

Attention: Wireline Competition Bureau

RE: Notification of Discontinuance of Common-Carriage Tariffed Wireline Broadband Internet Access Service (WBIAS) and Initiation of Provision on a Permissive Detariffed Common-Carriage Basis by:

Amherst Telephone Company –SAC 330843

CC Docket No. 02-33

Dear Ms. Dortch:

John Staurulakis, Inc. (JSI), on behalf of Amherst Telephone Company (Company), an issuing carrier for NECA Tariff F.C.C. No. 5, respectfully files the attached notice pursuant to the *Wireline Broadband Order* of the intent of the Company to discontinue its Wireline Broadband Internet Access Service (WBIAS) offerings under NECA Tariff F.C.C. No. 5 effective September 1, 2006. Upon discontinuance of the tariffed offerings, the Company will provide WBIAS on a common-carriage non-tariffed basis. See *Appropriate Framework for Broadband Access to the Internet over Wireline Facilities, Universal Service Obligations of Broadband Providers*, CC Docket No. 02-33, WC Docket No. 05-271, Report and Order and Notice of Proposed Rulemaking, 20 FCC Rcd 14853 (2005), FCC 05-150 (Rel. Sept. 23, 2005), (*Wireline Broadband Order*).

Any questions regarding the notice may be directed to me at the address and telephone number listed above or by email at sduncan@jsitel.com.

Sincerely,

Scott Duncan
Staff Director-Regulatory Affairs

Attachment

cc: Amherst Telephone Company
Special Assistant for Telecommunications at the Department of Defense
The Office of the Honorable Jim Doyle, Governor of Wisconsin
Public Service Commission of Wisconsin
National Exchange Carrier Association

9430 Research Boulevard, Austin, Texas 78759
Phone: 512-338-0473
Fax: 512-346-0822

Eagandale Corporate Center, Suite 310
1380 Corporate Center Curve
Eagan, Minnesota 55121
Phone: 651-452-2660
Fax: 651-452-1909

547 South Oakview Lane
Bountiful, UT 84010
Phone: 801-294-4576
Fax: 801-294-5124

4625 Alexander Drive, Suite 135
Alpharetta, Georgia 30022
Phone: 770-569-2105
Fax: 770-410-1608

**Notice of Permissive Detariffing of Wireline Broadband Internet Access Service
Effective September 1, 2006 by**

AMHERST TELEPHONE COMPANY – SAC 330843
120 Mill Street P.O. Box 279 Amherst, WI 54406-0279

(715) 824-5529

CC Docket No. 02-33

August 1, 2006

Amherst Telephone Company (“Company”) hereby provides notice that it plans to terminate provision of wireline broadband Internet access service (WBIAS) on a tariffed basis effective September 1, 2006 at which time it plans to offer permissive detariffed WBIAS on a Title II common-carriage basis pursuant to paragraph 94 of the Federal Communications Commission’s *Wireline Broadband Order*.¹ The Company currently offers WBIAS through Asymmetric Digital Subscriber Line (“ADSL”) Access Service and Symmetric Digital Subscriber Line (“SDSL”) Access Service under National Exchange Carrier Association (“NECA”) Tariff F.C.C. No. 5, for which the Company is an issuing carrier.

The Company has requested of NECA that it remove the Company as a carrier listed in NECA Tariff F.C.C. No. 5 as a provider of ADSL and SDSL Access Services (hereinafter “WBIAS”) under the tariff effective September 1, 2006.

Impact on Customers

The only customer for the Company’s WBIAS is the Company’s affiliate nonregulated Internet Service Provider (“ISP”) operation. The affiliate purchases WBIAS for use as a component in its broadband Internet service sold to consumers and business customers. The discontinuance of the tariffed offering of WBIAS will have no effect on the end user service provided by the affiliate.

Serving Area

The company’s provision of WBIAS is limited to its ILEC serving area in rural southwest Wisconsin comprising the Amherst, Rosholt and Polonia exchanges.

Future Availability of WBIAS on a Permissive-Detariffed Common Carriage Basis

The Company will continue to make WBIAS available on a common-carriage basis through posting of rates, terms and conditions on its Internet web-site in a manner similar to that required for interstate and international interexchange services under Section 42.10 of the FCC’s rules (47 C.F.R. § 42.10). As required by the Federal Communications Commission (“FCC”), the Company will continue to make available to its existing customer rates, terms and conditions consistent with the current tariffed rates on a grandfathered basis through November 15, 2006 or until such time as the customer orders WBIAS under the Company’s detariffed offering(s).

¹ See *Appropriate Framework for Broadband Access to the Internet over Wireline Facilities, Universal Service Obligations of Broadband Providers*, CC Docket No. 02-33, WC Docket No. 05-271, Report and Order and Notice of Proposed Rulemaking, 20 FCC Rcd 14853 (2005), FCC 05-150 (Rel. Sept. 23, 2005), (*Wireline Broadband Order*).

AMHERST TELEPHONE COMPANY
120 Mill Street P.O. Box 279
Amherst, WI 54406-0279

(715) 824-5529

WBIAS DETARIFFING TIMELINE

August 1, 2006

30-Day Notice filed with following:

Federal Communications Commission (under CC Docket No. 02-33).
Special Assistant for Telecommunications at the Department of Defense
The Office of the Honorable Jim Doyle, Governor of Wisconsin
Public Service Commission of Wisconsin
National Exchange Carrier Association

August 1, 2006

Notice to customers.

As indicated above, the only customer for the Company's wireline broadband Internet Access Service ("WBIAS") is the Company's affiliate nonregulated ISP operation. The 30-day notice to the affiliate ISP will be provided by interoffice memorandum cover with this notice attached.

August 17, 2006

Expected filing by NECA on 15-day notice of a tariff transmittal that will include, *inter alia*, removal of Amherst Telephone Company from the list of issuing carriers offering ADSL and SDSL Access Service.

September 1, 2006

Planned NECA tariff filing to become effective. Beginning on this date the Company no longer offers WBIAS under NECA Tariff F.C.C. No. 5.

September 1, 2006 through November 15, 2006

WBIAS available to customers with service in place prior to September 1, 2006 under rates, terms and conditions specified in National Exchange Carrier Association, Inc. Tariff F.C.C. No. 5 on a grandfathered basis through November 15, 2006.

September 1, 2006 Forward

WBIAS available on common-carriage non-tariffed basis under rates, terms and conditions posted at www.wi-net.com or available during business hours at the above address.

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Notification of Discontinuance of Common Carrier Wireline Broadband Internet Access Service was served this 1st day of August, 2006, by mailing true and correct copies thereof, postage prepaid, to the following persons:

Secretary of Defense
Attn: Special Assistant for Telecommunications
1000 Defense Pentagon
Washington, D.C. 20301-1000

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

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

National Exchange Carrier Association
80 South Jefferson Road
Whippany, New Jersey 07981



Scott Duncan