

May 30,2007

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 Twelfth Street, S.W.  
Washington, D.C. 20554

**Re: CC Docket 02-33 –Notice of Detariffing of Common Carrier Wireline  
Broadband Internet Access Transmission Service**

Dear Ms. Dortch

By this letter and in accordance with the requirements of paragraph 101 of the Federal Communications Commission’s ***Report and Order and Notice of Proposed Rulemaking*** in CC Docket Numbers 02-33 and 01-337 released September 23,2005, FCC 05-150 (***“BroadbandInternet Order”***), West River Telecommunications Cooperative– Mobridge study area hereby notify the Commission of its intent to discontinue offering Common Carrier Digital Subscriber Line service on a tariffed basis and has notified the National Exchange Carrier Exchange (“NCA”) requesting the Mobridge study area be removed from the list of carriers providing Digital Subscriber Line service under NECA Tariff F.C.C. No. 5, effective June 30,2007. West River Telecommunications Cooperative– Mobridge study area will continue to offer this service on a permissive detariffed basis.

On May 30,2007, West River Telecommunications Cooperative – Mobridge study area provided notice to all affected customers. A copy of the customer notice is attached.

Pursuant to the requirements of paragraph 101 of the **Wireline Broadband Order**, a copy of this notice is being provided to the affected state public utility commission, the state governor, and the Special Assistant for Telecommunications at the Department of Defense. A copy of this notice is also being sent to NECA.

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

Sincerely,

***Bonnie Krause***

Bonnie Krause  
Chief Operations Officer  
(701) 748-2211

**Notice of Permissive De-tariffing of Wireline Broadband Internet Access Service  
Effective June 30,2007 for:**

West River Telecommunications Cooperative – Mobridge Study Area

**CC Docket No. 02-33**

May 30,2007

Pursuant to Federal Communications Commission's (FCC) Report and Order and Notice of Proposed Rulemaking in CC Docket Numbers 02-33 and 01-337 adopted August 5, 2005 and released September 23,2005, FCC 05-150 ("Broadband Internet Order"), facilities-based wireline carriers are permitted to offer broadband Internet access transmission common carrier service pursuant to tariff, or on a de-tariffed basis. Effective June 30,2007, West River Telecommunications Cooperative (West River) will begin offering its customers in the Mohridge study area broadband Internet access transmission service (normally referred to Digital Subscriber Line or DSL service) on a de-tariffed basis. Those terms and conditions will be available for review at West River's business address of 101 W. Main Street, Hazen, North Dakota.

The reasons the company has elected to make this change in its offering of WBIATS are cost and competition related. Currently, the company is required to offer WBIATS under the rates, terms and conditions of the National Exchange Carrier Association (NECA) Tariff F.C.C.No. 5. The rates per NECA's tariff are nationwide average rates that are higher than what West River costs are to provide the service. By de-tariffing its broadband Internet access transmission service, the company will gain greater flexibility which will enable West River – Mohridge to respond to changing customer demands more quickly. By electing this option, the company will be able to not only offer more competitive prices but also offer new and innovative service arrangements that respond to the customer needs.

While the de-tariffing of this service does not constitute a discontinuance of service, the FCC has asked carriers that implement de-tariffing to follow procedures similar to those required for the discontinuance of service. Consistent with those requirements, you are hereby informed that the business office address for West River is 101 W. Main Street, Hazen, North Dakota. Please also be informed that the geographic areas affected by this change are the certified telecommunications territories served by West River – Mohridge study area. The FCC will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive the discontinued 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 may file your comments within 30 days after receipt of this notification. Address them to the Federal Communications Commission, Washington, DC 20554. Comments should include specific information about the impact of this

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Notice by West River Telecommunications Cooperative, to provide WBIATS

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proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

This notice is an informational notice only, required by the FCC. No action is required on your part. If you have any questions, please call Bonnie Krause, Chief Operations Officer for West River Telecommunications Cooperative, at (701) 748-2211.

Sincerely

***Bonnie Krause***

Bonnie Krause  
Chief Operations Officer  
West River Telecommunications Cooperative

## CERTIFICATE OF SERVICE

I hereby certify that the foregoing Notification of Discontinuance of Common Carrier Wireline Broadband Internet Access Service was served this 30<sup>th</sup> day of May, 2007, by mailing true and correct copies thereof, postage prepaid to the following:

Secretary of Defense  
Attn: Special Assistant for Telecommunications  
The Pentagon  
Washington, DC 20301

National Exchange Carrier Association  
80 South Jefferson Road  
Whippany, NJ 07981

Office of the Governor – Mike Rounds  
500 E. Capitol Avenue  
Pierre, SD 57501  
605.773.3212

South Dakota Public Utilities Commission  
Capitol Building, 1<sup>st</sup> Floor  
500 East Capitol Avenue  
Pierre, SD 57501-5070

*Bonnie Krause*

Bonnie Krause  
Chief Operations Officer  
(701) 748-2211