



January 6, 2010

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
The Portals, TW-A325
445 12th Street, SW
Washington, DC 20554

Re: **CC Docket No. 02-33 – Notice of discontinuance of Common Carrier
Broadband Internet Access Transmission Service of New Edge
Network, Inc. in Selected Area**

Dear Secretary Dortch:

New Edge Network, Inc. (“New Edge”), by its undersigned counsel and pursuant to the *Wireline Broadband Order*,¹ notifies the Commission of its discontinuance of wireline broadband Internet access services in certain rate centers in Arizona, Arkansas, California, Colorado, Florida, Idaho, Michigan, Missouri, Nebraska, New Mexico, Oregon, Texas, Utah, Washington and Wyoming. In compliance with the *Wireline Broadband Order*, New Edge provides the following information:

1. Name and Address of Carrier:

New Edge Network, Inc.
3000 Columbia House Blvd.
Suite 106
Vancouver, WA 98661-2969

2. Date of Planned Service Discontinuance: The anticipated date for the discontinuance of service is February 5th, 2010, or thereafter.

¹ Appropriate Framework for Broadband Access to the Internet over Wireline Facilities, Report and Order and Notice of Proposed Rulemaking, 20 FCC Rcd. 14853 (2005), *appeal pending sub nom. Time Warner Telecom v. FCC*, No. 05-4769 (and consolidated cases) (3d Cir. Filed Oct. 26, 2005) (“*Wireline Broadband Order*”).

3. Geographic Areas Affected: The proposed discontinuance of service will affect approximately 362 customers in Arizona, Arkansas, California, Colorado, Florida, Idaho, Michigan, Missouri, Nebraska, New Mexico, Oregon, Texas, Utah, Washington and Wyoming as follows.

In Arizona, the proposed discontinuance will affect service within the arte centers designated by the following CLLI codes: TCSNAZRN (Tucson); and YUMAAZFT (Yuma).

In Arkansas, the proposed discontinuance will affect service within the arte centers designated by the following CLLI codes: JNBOARMA (Jonesboro).

In California, the proposed discontinuance will affect service within the arte centers designated by the following CLLI codes: ATSCCA11 (San Luis Obispo-Paso Robles); MRBACA11 (San Luis Obispo-Paso Robles); MURTCAXF (Riverside-San Bernadino-Ontario); and VISTCA12 (San Diego–Carlsbad-San Marcos).

In Colorado, the proposed discontinuance will affect service within the arte centers designated by the following CLLI codes: DURNCOMA (Grand Junction); GRELCOMA (Fort Collins-Loveland); and TEMACOMA (Pueblo).

In Florida, the proposed discontinuance will affect service within the arte centers designated by the following CLLI codes: COCOFLME (Orlando-Kissimmee); GLGCFLXA (Naples-Marco Island); LKLDFLXN (Tampa-St. Petersburg - Clearwater); STAGFLMA (Jacksonville); TLHSFLXB (Tallahassee); and TLHDFLXC (Tallahassee).

In Idaho, the proposed discontinuance will affect service within the arte centers designated by the following CLLI codes: CLWLIDMA (Boise City-Nampa); EAGLIDNM (Boise City-Nampa); and LSTNIDSH (Lewiston).

In Michigan, the proposed discontinuance will affect service within the arte centers designated by the following CLLI codes: STJSMISO (Kalamazoo-Portage).

In Missouri, the proposed discontinuance will affect service within the arte centers designated by the following CLLI codes: JFCYMOXA (St Louis).

In Nebraska, the proposed discontinuance will affect service within the arte centers designated by the following CLLI codes: OMAHNE78 (Omaha-Council Bluffs); and OMAHNEIZ (Omaha-Council Bluff).

In New Mexico, the proposed discontinuance will affect service within the arte centers designated by the following CLLI codes: ALBQNMNE (Albuquerque); ALBQNMRR (Albuquerque); ALBQNMMSM (Albuquerque); and SNFENMMA (Santa Fe).

In Oregon, the proposed discontinuance will affect service within the arte centers designated by the following CLLI codes: MMVLORXX (Portland-Vancouver-Beaverton); and SALMOR59 (Salem).

In Texas, the proposed discontinuance will affect service within the arte centers designated by the following CLLI codes: PTARTXYU (Beaumont-Port Arthur).

In Utah, the proposed discontinuance will affect service within the arte centers designated by the following CLLI codes: AMFKUTMA (Provo-Orem); OREMUTMA (Provo-Orem); and SPVLUTMA (Provo-Orem).

In Washington, the proposed discontinuance will affect service within the arte centers designated by the following CLLI codes: ANCRWAXX (Mount Vernon-Anacortes); BMTNWA01 (Bremerton-Silverdale); PLSBWAXX (Bremerton-Silverdale); PTANWA01 (Bremerton-Silverdale); and SHTNWA01 (Bremerton-Silverdale).

In Wyoming, the proposed discontinuance will affect service within the arte centers designated by the following CLLI codes: GLTTWYMA (Casper); and JCSNWYMA (Idaho Falls, ID).

4. Brief Description of Type of Service Affected: New Edge proposes to discontinue the provision of its common carrier broadband Internet access transmission services.
5. Dominance or Non-dominance with Respect to Service to be Discontinued: New Edge is non-dominant with respect to the services that it proposes to discontinue.
6. Description of the Dates and Methods of Notice to Affected Customers: New Edge provided written notice to affected customers on January 4, 2010 in accordance with the requirements of Section 63.71(a) of the

Commission's rules and the *Wireline Broadband Order*. A copy of the customer notice is attached hereto.

In accordance with Section 63.71(a) of the Commission's rules and the *Wireline Broadband Order*, New Edge is notifying the Governor and the public service commissions of the states of Arizona, Arkansas, California, Colorado, Florida, Idaho, Michigan, Missouri, Nebraska, New Mexico, Oregon, Texas, Utah, Washington and Wyoming, and the Special Assistant for Telecommunications for the Secretary of Defense.

Should you have any questions with respect to this matter, please do not hesitate to contact me directly on 360-906-9775.

Respectfully submitted,



Penny H Bewick
Vice President-External Affairs
New Edge Networks, an EarthLink
Company
3000 Columbia House Blvd., Ste 106
Vancouver, WA 98661
Phone: 360-906-9775
Cell: 503-730-4019
Fax: 360-737-0828

Enclosure

January 4, 2010

[Customer]
[Contact]
[Address]

Dear [End User]:

RE: Discontinuation of common carrier broadband Internet access transmission service for location(s) listed below

After careful analysis and in order to best serve our entire customer base, New Edge Networks will cease operating out of a select group of Central Offices. As a result, we must discontinue the current New Edge common carrier broadband Internet access transmission service offered at the location(s) listed below. We have made every attempt to offer equivalent service for our impacted customers. While not feasible for every location, we have identified a New Edge service option for your impacted location(s) as follows:

OMS #:
Company Name:
Address:
Current/Discontinued Service:
Alternate Service Available:
Price:
Price Difference:

You may opt to migrate from the Current Service to the Alternate Service listed above. We realize the Current/Discontinued Service and the Alternate Service Available may not be equivalent and we regret the inconvenience.

Please respond no later than 30 days from the date of this letter to avoid service disruption. If arrangements to migrate are not made, or if a migration option is not available, the Current New Edge service will be disconnected no sooner than 45 days from the date of this letter, pursuant to your contractual term.

To migrate your service or for more information, please call me directly at [telephone]. We value your business and we apologize for any inconvenience.

Respectfully,

[NEN Contact]
New Edge Networks
[Telephone]
[Email]

VERIFICATION

I, Penny H. Bewick, state that I am Vice President, External Affairs of New Edge Network, Inc (“New Edge”), the party in the foregoing *Notice of Discontinuance of Common Carrier Broadband Internet Access Transmission Service of New Edge Network, Inc. in Selected Areas*; that I am authorized to make Verification on behalf of New edge; that I have read the foregoing Notice and know the contents thereof; and that the same are true and correct to the best of my knowledge, information and belief and are made in good faith.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 6th day of January, 2010.

New Edge Network, Inc.



Penny H. Bewick
Vice President, External Affairs