



The North-Eastern Pennsylvania Telephone Company

720 Main Street, PO Box D, Forest City, PA 18421 • Phone: 570-785-3131 • Fax: 570-785-9299 • Email: www.nep.net

April 13, 2010

Received & Forwarded

APR 16 2010
FCC Mail Room

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street S.W.
Washington, DC 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:**

The North-Eastern Pennsylvania Telephone Company – SAC 170191

CC Docket No. 02-33

Dear Ms. Dortch:

The North-Eastern Pennsylvania Telephone Company (Company) respectfully files the attached notice pursuant to *Wireline Broadband Order* of the intent of the Company to discontinue its Wireline Broadband Internet Access Service (WBIAS) offerings under NECA's Tariff F.C.C No. 5 effective July 1, 2010. Upon discontinuance of the tariffed offerings, the Company will provide WBIAS on a common-carriage non-tariff 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 720 Main Street, Forest City, PA 18421 or phone at 570-785-2210 or by email at tommendo@nep.net

Sincerely,

Thomas A. Mendicino, Vice President
The North-Eastern Pennsylvania Telephone Company

Attachement cc: Special Assistant for Telecommunications at the Department of Defense
The Office of Edward G. Rendell, Governor of Pennsylvania
Public Utility Commission of Pennsylvania
National Exchange Carrier Association

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**Notice of Permissive Detariffing of Wireline Broadband Internet Access Service
Effective July 1, 2010
CC Docket No. 02-33
April 13, 2010**

The North-Eastern Pennsylvania Telephone Company (“Company”) hereby provides notice that it plans to terminate provision of wireline broadband Internet access service (WBIAS) on a tariff basis effective July 1, 2010 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*. The Company currently offers WBIAS through Asymmetric Digital Subscriber Line (“ADSL”) Access Service under NECA’s Tariff F.C.C No. 5.

In order to effect the permissive detariffing, NECA will make a tariff filing with the Federal Communications Commission on June 16, 2010 on 15 days notice to remove the Company from its Tariff F.C.C No. 5 ADSL Access Services (hereinafter “WBIAS”) under the tariff effective July 1, 2010.

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 tariff 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 northeast Pennsylvania, the North-Eastern PA exchange. Its Study Area Code is 170191.

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

The Company will continue to make WBIAS available on a common-carriage basis. Rates, terms and conditions of service will be available at the Company’s business office located at 720 Main Street, Forest City, PA 18421 and by telephone at (570) 785-3131. The Company will also display the appropriate information on their website at nep.net. 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 pursuant to the aforementioned Federal Commission’s *Wireline Broadband Order*.

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Notification of Discontinuance of Common Carrier Wireline Broadband Internet Access Service was serviced this 13th day of April, 2010, by sending via certified first class mail return receipt requested true and direct copies of, postage prepaid, to the following persons:

Secretary of Defense
Attn: Special Assistant for Telecommunications
1000 Defense Pentagon
Washington, DC 20301-1000

Governor Edward G. Rendell's Office
225 Main Capitol Building
Harrisburg, PA 17120

James J. McNulty, Secretary
Public Utility Commission
State of Pennsylvania
PO Box 3265
Harrisburg, PA 17105-3265

Val Kostenko, Manager Member Service
Eastern Region
National Exchange Carrier Association (NECA)
80 South Jefferson Road
Whippany, NJ 07981