

# Eagle Valley Telephone Company

150 Second Street SW, Perham, MN 56573-1408  
218-346-5500

May 18, 2011

## VIA ELECTRONIC FILING

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

Re: CC Docket 02-33 - Notice of Permissive Detariffing of Wireline Broadband Internet Access Service by Eagle Valley Telephone Company (Study Area 361383)

Dear Ms. Dortch:

Pursuant to the Commission's *Wireline Broadband Order*, Eagle Valley Telephone Company hereby provides notice of its intent to discontinue offering wireline broadband internet access service on a tariffed basis. Effective July 1, 2011, Eagle Valley Telephone Company, plans to offer wireline broadband internet access service on a permissive detariffed, common carriage basis.

Please direct any questions to the undersigned.

Sincerely,



David Schornack  
Manager

Cc: Interstate Telcom Consulting, Inc.  
NECA Region Manager

Ms. Marlene Dortch, Secretary  
Federal Communications Commission  
May 18, 2011  
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Notice of Permissive Detariffing of Wireline Broadband Internet Access Service  
Effective July 1, 2011

Eagle Valley Telephone Company  
(Study Area 361383)  
108 Robert Street North  
P.O. Box 147  
Clarissa, MN 56440  
Telephone: (218) 756-2312

CC Docket No. 02-33

May 18, 2011

Eagle Valley Telephone Company hereby provides notice that it intends to cease offering wireline broadband internet access service on a tariffed basis. Effective July 1, 2011 Eagle Valley Telephone Company will begin offering wireline broadband internet access service on a Title II, common carriage, permissive detariffed basis pursuant to paragraph 94 of the Federal Communications Commission's Wireline Broadband Order.<sup>1</sup> The geographic areas affected are those Eagle Valley Telephone Company exchanges where DSL is technically feasible.

Today, this service is provided to Eagle Valley Telephone Company. The ISP purchases wireline broadband access service for use as a component in their broadband internet service sold to residential and business consumers. End user service provided will not be affected by discontinuance of the tariffed offering by Eagle Valley Telephone Company. As stated in the attached customer notice, Arrowhead Communications Corp. will continue to offer services to existing ISP customers under current rates, terms and conditions until the end of their current term or upon replacement with a Broadband Commercial Agreement. Broadband Commercial Agreements will be made available in a nondiscriminatory manner to any provider desiring to purchase wireline broadband access service for use as a component in its broadband internet service sold to consumers.

Effective July 1, 2011, Eagle Valley Telephone Company will make its wireline broadband internet access service on a permissive detariffed, common carriage basis through posting of rates, terms and conditions available on our company website ([www.eaglevalleytel.net](http://www.eaglevalleytel.net)) and in printed copy during normal business hours at Eagle Valley Telephone Company business office located at 108 Robert Street North, Clarissa, MN 56440.

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<sup>1</sup> 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 Red 14853 (2005). FCC 05-150 (rel. September 23, 2005), (Wireline Broadband Order)

CERTIFICATE OF SERVICE

I, David Schornack, Manager, do certify that I have, on this 18th day of May, 2011:

1. Served by first class mail a copy of the foregoing Notice of Permissive Detariffing of Wireline Broadband Internet Access Service to the following:

Governor Mark Dayton  
Office of the Governor  
130 State Capitol  
75 Rev. Dr. Martin Luther King Jr. Blvd  
St Paul, MN 55155

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

2. Served via electronic filing a copy of the foregoing Notice of Permissive Detariffing of Wireline Broadband Internet Access Service to the following:

Minnesota Public Utility Commission  
Attn: Telecommunications Division  
121 7<sup>th</sup> Place East  
Suite 350  
St Paul, MN 55101-2417

3. Served via paper a copy of the foregoing Notice of Permissive Detariffing of Wireline Broadband Internet Access Service to the following:

Eagle Valley Telephone Company  
108 Robert Street North  
Clarissa, MN 56440

# Eagle Valley Telephone Company

150 Second Street SW, Perham, MN 56573-1408  
218-346-5500

May 18, 2011

Bob Weiss  
Eagle Valley Telephone Company  
108 Robert Street North  
P.O. Box 147  
Clarissa, MN 56440

Re: CC Docket 02-33 - Notice of Permissive Detariffing of Wireline Broadband Internet Access Service by Eagle Valley Telephone Company. (Study Area 361383)

Dear Valued Customer:

Our records indicate that Eagle Valley Telephone Company is currently purchasing wholesale broadband transport services from Eagle Valley Telephone Company under NECA Tariff No. 5 ("Tariff"). This letter is to advise you that Eagle Valley Telephone Company, study area 361383 will discontinue provisioning service on July 1, 2011 pursuant to the Tariff. Services will be made available to you on a common carrier, non-tariffed basis. The existing relevant rates, terms and conditions will not change until the end of your term or until replaced by a Broadband Commercial Agreement.

The rates, terms and conditions for the Broadband Commercial Agreement will be available in printed copy during normal business hours at Eagle Valley Telephone Company business office located at 108 Robert Street North, Clarissa, MN 56440.

The actions described above are taken in accordance with the FCC's Report and Order (FCC 05-150) released September 23, 2005 in Docket No. 02-33. In this order the FCC determined that facilities-based wireline broadband internet service providers could offer their services on a common carrier, permissively detariffed basis.

No action is necessary on your part. However, if you have any questions, please feel free to contact me.

Sincerely,



David Schornack  
Manager

Cc: Interstate Telcom Consulting, Inc.  
NECA Region Manager