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

May 21, 2013

VIA ELECTRONIC COMMENT FILING SYSTEM

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:
Orwell Telephone Company - SAC 300649
CC Docket No. 02-33**

Dear Ms. Dortch:

John Staurulakis, Inc. (JSI), on behalf of Orwell 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 July 2, 2013. 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 jkuykendall@jsitel.com.

Sincerely,

John Kuykendall
Vice President

Attachment

cc: Orwell Telephone Company
Special Assistant for Telecommunications at the Department of Defense
The Office of Governor John Kasich, Governor of Ohio
Public Utilities Commission of Ohio
National Exchange Carrier Association

Echelon Building II,
Suite 200
9430 Research Blvd.,
Austin, TX 78759
phone: 512-338-0473,
fax: 512-346-0822

Eagandale Corporate
Center, Suite 310
1380 Corporate Center
Curve, Eagan, MN 55121
phone: 651-452-2660, fax:
651-452-1909

6849 Peachtree
Dunwoody Road
Bldg. B-3, Suite 200,
Atlanta, GA 30328
phone: 770-569-2105,
fax: 770-410-1608

547 South Oakview
Lane
Bountiful, UT 84010
phone: 801-294-4576,
fax: 801-294-5124

**Notice of Permissive Detariffing of Wireline Broadband Internet Access
Service**

Effective July 2, 2013 by

ORWELL TELEPHONE COMPANY – SAC 300649

c/o FairPoint Communications, Inc.

908 West Frontview

P.O. Box 199

Dodge City, KS 67801

(620) 227-0999

CC Docket No. 02-33

July 2, 2013

Orwell Telephone Company (“Company”) hereby provides notice that it plans to terminate provision of wireline broadband Internet access service (WBIAS) on a tariffed basis effective July 2, 2013 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 July 2, 2013.

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 Ohio.

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).

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*).

ORWELL TELEPHONE COMPANY

c/o FairPoint Communications, Inc.
908 West Frontview
P.O. Box 199
Dodge City, KS 67801
(620) 227-0999

WBIAS DETARIFFING TIMELINE

May 21, 2013

30-Day Notice filed with following:

Federal Communications Commission (under CC Docket No. 02-33).
Special Assistant for Telecommunications at the Department of Defense
Office of Governor John Kasich, Governor of Ohio
Public Utilities Commission of Ohio
National Exchange Carrier Association

May 21, 2013

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.

June 17, 2013

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

July 2, 2013

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.

July 2, 2013 Forward

WBIAS available on common-carriage non-tariffed basis under rates, terms and conditions posted at www.fairpoint.com.

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Notification of Discontinuance of Common Carrier Wireline Broadband Internet Access Service was served this May 21, 2013, 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

Office of Governor John Kasich
Riffe Center, 30th Floor
77 South High Street
Columbus, Ohio 43215-6117

Public Utilities Commission of Ohio
Docketing Division
180 East Broad Street
Columbus, Ohio 43215

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



John Kuykendall