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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:
FairPoint Communications Missouri, Inc. - SAC 421472
CC Docket No. 02-33

Dear Ms. Dortch:

John Staurulakis, Inc. (JSI), on behalf of FairPoint Communications Missouri, Inc. (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: FairPoint Communications Missouri, Inc.
Special Assistant for Telecommunications at the Department of Defense
The Office of Governor Jay Nixon, Governor of Missouri
Missouri Public Service Commission
National Exchange Carrier Association

Notice of Permissive Detariffing of Wireline Broadband Internet Access Service
Effective July 2, 2013 by
FAIRPOINT COMMUNICATIONS MISSOURI, INC. – SAC 421472

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

FairPoint Communications Missouri, Inc. ("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 Missouri.

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).

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[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*).

FAIRPOINT COMMUNICATIONS MISSOURI, INC.
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 Jay Nixon, Governor of Missouri

Missouri Public Service Commission

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 FairPoint Communications Missouri, Inc. 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 Jay Nixon
P.O. Box 720
Jefferson City, MO 65102

Secretary of the Commission
Missouri Public Service Commission
200 Madison Street, PO Box 360
Jefferson City, MO 65102-0360

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

John Kuykendall