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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:
Sunflower Telephone Company, Inc. – SAC 411835, 461835
Bluestem Telephone Company – SAC 411835
CC Docket No. 02-33**

Dear Ms. Dortch:

John Staurulakis, Inc. (JSI), on behalf of Sunflower Telephone Company, Inc. and Bluestem Telephone Company (Companies), issuing carriers for NECA Tariff F.C.C. No. 5, respectfully files the attached notice pursuant to the *Wireline Broadband Order* of the intent of the Companies to discontinue 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 Companies 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 notices 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: Sunflower Telephone Company, Inc./Bluestem Telephone Company
Special Assistant for Telecommunications at the Department of Defense
The Office of Governor Sam Brownback, Governor of Kansas
The Office of Governor John Hickenlooper, Governor of Colorado
Kansas Corporation Commission
Colorado Public Utilities Commission
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

SUNFLOWER TELEPHONE COMPANY, INC. – SAC 411835, 461835

BLUESTEM TELEPHONE COMPANY – SAC 411835

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

Sunflower Telephone Company, Inc. and Bluestem Telephone Company (“Companies”) hereby provide notice that the Companies plan to terminate provision of wireline broadband Internet access service (WBIAS) on a tariffed basis effective July 2, 2013 at which time they plan 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 Companies currently offer 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 Companies are issuing carriers.

The Companies have requested of NECA that it remove the Companies as carriers listed in NECA Tariff F.C.C. No. 5 as providers of ADSL and SDSL Access Services (hereinafter “WBIAS”) under the tariff effective July 2, 2013.

Impact on Customers

The only customers for the Companies’ WBIAS are the Companies’ affiliate nonregulated Internet Service Provider (“ISP”) operations. The affiliates purchase WBIAS for use as a component in their 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 affiliates.

Serving Area

The companies’ provision of WBIAS is limited to the ILEC serving areas in Kansas and Colorado.

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

The Companies will continue to make WBIAS available on a common-carriage basis through posting of rates, terms and conditions on their 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*).

SUNFLOWER TELEPHONE COMPANY, INC. – SAC 411835, 461835
BLUESTEM TELEPHONE COMPANY – SAC 411835

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 Sam Brownback, Governor of Kansas
Office of Governor John Hickenlooper, Governor of Colorado
Kansas Corporation Commission
Colorado Public Utilities Commission
National Exchange Carrier Association

May 21, 2013

Notice to customers.

As indicated above, the only customers for the Companies' wireline broadband Internet Access Service (WBIAS) are the Companies' affiliate nonregulated ISP operations. The 30-day notice to the affiliate ISPs 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 Sunflower Telephone Company, Inc. and Bluestem 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 Companies 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 Sam Brownback
Capitol, 300 SW 10th Ave., Ste. 241S
Topeka, KS 66612-1590

Office of Governor John Hickenlooper
136 State Capitol
Denver, CO 80203-1792

Ms. Patti Petersen-Klein, Executive Director
Kansas Corporation Commission
1500 SW Arrowhead Road
Topeka, KS 66604-4027

Doug Dean, Director
Colorado Public Utilities Commission
1560 Broadway, Suite 250
Denver CO, 80202

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



John Kuykendall