



Received & Inspected

MAY 31 2013

FCC Mail Room

May 24, 2013

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

Re: CC Docket No. 02-33 - Notice of Discontinuance of Common Carrier Broadband Internet Access Transmission Service of EarthLink Business, LLC in Selected Areas

Dear Ms. Dortch:

EarthLink Business, LLC ("ELink Biz"), by undersigned counsel and pursuant to the Wireline Broadband Order, notifies the Commission of its discontinuance of wireline broadband Internet access services in certain wire centers in 22 states. In compliance with the Wireline Broadband Order, ELink Biz provides the following information:

1. Name and Address of Carrier:

EarthLink Business, LLC
1375 Peachtree Street
Atlanta, Georgia 30309
Tel: 404-815-0770

2. Date of Planned Service Discontinuance: The anticipated date for the discontinuance of service is July 1, 2013.

3. Geographic Areas Affected: The proposed discontinuance of of wireline broadband Internet access services (ADSL, SDSL, IDSL and T1 service) will affect service in the following wire centers, designated by the following CLLI codes and locations:

Table with 2 columns: CLLI, Location/Metropolitan Area. Rows include JNBOARMA (JONESBORO AR), JCVLARXA (JACKSONVILLE AR), RLVLARXA (RUSSELLVILLE AR), LTRKARSK (LITTLE ROCK - SKYLINE AR), and FLGSAZEA (FLAGSTAFF AZ).

1 Appropriate Framework for Broadband Access to the Internet over Wireline facilities, CC Docket No. 02-33, Report and Order and Notice of Proposed Rulemaking, 20 FCC Rcd. 14853 (2005) ("Wireline Broadband Order").

| | |
|-----------|-----------------------------------|
| | EAST |
| PRSCAZEA | PRESCOTT EAST AZ |
| SRVSAZMA | SIERRA VISTA MAIN AZ |
| FLBKCA12 | FALLBROOK CA |
| VISTCA12 | VISTA CA |
| LMPCCAXF | LOMPOC CA |
| CRLSCA12 | CARLSBAD CA |
| PLVLCA11 | PLACERVILLE CA |
| SNMCCA11 | SAN MARCOS CA |
| GOLTCAXF | GOLETA CA |
| PERSCAXF | PERRIS CA |
| SNBBCAXG | LAS POSITAS CA |
| HLSTCA11 | HOLLISTER CA |
| SGSPCA11 | SHINGLE SPRINGS CA |
| STAHCA01 | SOUTH TAHOE CA |
| MDSTCA03 | MODESTO CA |
| MYVICA01 | MARYSVILLE CA |
| PSRBCA01 | PASO ROBLES CA |
| PTVLCA11 | PORTERVILLE CA |
| SESDCA11 | SEASIDE CA |
| SLNSCA11 | SALINAS CA |
| VLCTCA11 | VALLEY CENTER- OCEANSIDE CA |
| YBCYCA01 | YUBA CITY CA |
| GLSPCOMA | GLENWOOD SPRINGS CO |
| LVLDCOMA | LOVELAND CO |
| PUBLICOSU | SUNSET (PUEBLO) CO |
| ASPECOMA | ASPEN CO |
| SCPFLXA | SAN FL |

| | |
|----------|-------------------------------------|
| | CARLOS PARK |
| PTSFLSO | PORT SAINT LUCIE SOUTH FL |
| FTMYFLXC | FORT MYERS- SOUTH FL |
| DELDFLMA | DELAND FL |
| EGLFLBG | EGLL- BOWE GARDENS FL |
| NSBHFLMA | NEW SMYRNA FL |
| BNSPFLXA | BONITA SPRINGS FL |
| CYLKFLXA | FT. MYERS- CYPRESS LAKE FL |
| NFMYFLXA | NORTH FORT MYERS FL |
| NNPLFLXA | NAPLES- NORTH FL |
| NPLSFLXD | NAPLES MOORING FL |
| OCALFLXA | OCALA FL |
| OCALFLXB | OCALA- SHADY RD FL |
| TLHSFLXD | TALLAHASSEE FL |
| CCBHFLMA | COCOA BEACH FL |
| DYBHFLPO | DAYTONA BEACH FL |
| MLBRFLMA | MELBOURNE FL |
| PNSCFLBL | PENSACOLA BELMONT FL |
| STRFLMA | STUART FL |
| TTVLFLMA | TITUSVILLE FL |

| | |
|----------|-------------------------------|
| AGSTGAMT | AUGUSTA MAIN GA |
| CDFLIACO | CEDAR FALLS IA |
| CDRRIAWS | CEDAR RAPIDS- WEST IA |
| DESMIASO | DES MOINES- SOUTH IA |
| ANKNIACO | ANKENY IA |
| SXCYIAMS | SIOUX CITY- MORNINGSIDE IA |
| DCTRILDC | DECATUR DC IL |
| QNCYILQY | QUINCY IL |
| MSHWIN02 | MISHAWAKA IN |
| NILSMIMN | NILES MI |
| BYCYMIWS | BAY CITY MI |
| PTHRMIMN | PORT HURON MI |
| AUSTMNAB | Austin MN |
| WINOMNWI | WINONA MN |
| GRFLMTMA | GREAT FALLS MT |
| OMAHNEFO | OMAHA- FORT ST NE |
| CLMBNEXG | COLUMBUS NE |
| KRNYNEXG | KEARNEY NE |
| OMAHNEHA | OMAHA- 156 TH NE |
| OMAHNEOS | OMAHA- O ST NE |
| ALBQNMCR | ALBQ CORRALES NM |
| ALBQNMSW | ALBQ SOUTHWEST NM |
| SNFENMSW | SANTA FE SW NM |
| STEDNV11 | STEAD NV |
| MAUMOH11 | MAUMEE OH |
| PRBGOH66 | TOLEDO OH |

| | |
|----------|----------------------------------|
| TOLDOH40 | TOLEDO OH |
| CLRMOKMA | CLAREMORE OK |
| MSKGOKMA | MUSKOGEE OK |
| TULSOKTB | TU ELGIN OK |
| BRAROKXA | BROKEN ARROW MAIN OK |
| BRAROKXB | BROKEN ARROW- WEST OK |
| CRVSOR65 | CORVALLIS OR |
| GRPSOR29 | GRANTS PASS OR |
| ALBYOR63 | ALBANY OR |
| BENDOR24 | BEND OR |
| LGVWTXGR | LONGVIEW GREGTON TX |
| ODSSTXEM | ODESSA EMERSON TX |
| LBCKTXPS | LUBBOCK PORTER SHERWOOD TX |
| VCTATXVI | VICTORIA TX |
| TXRKTTXA | TEXARKANA MAIN TX |
| TXRKTTXB | TEXARKANA WEST TX |
| LOGNUTMA | LOGAN UT |
| STGRUTMA | ST. GEORGE UT |
| SPKNWAWH | SPOKANE WHITWORTH WA |
| CAMSWAXX | CAMAS WA |
| LGVWWA02 | LONGVIEW WA |
| PTTWWA01 | PORT TOWNSEND WA |
| WNTCWAXX | WENATCHEE WA |
| LARMWYNM | LARAMIE WY |

In these rate centers, the discontinuance will affect approximately 700 business and enterprise, and ISP customers that receive Internet access services over ADSL, SDSL, IDSL and T1 facilities.

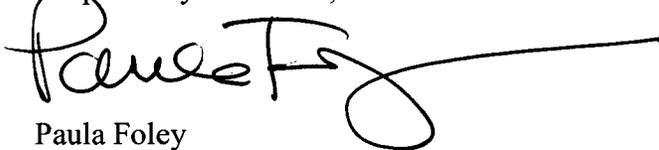
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4. Brief Description of Type of Service Affected: ELink Biz proposes to discontinue the provision of its interstate ADSL, SDSL, IDSL and T1 services in the above rate centers, which are used for broadband Internet access.
5. Dominance or Non-dominance with Respect to Service to be Discontinued: ELink Biz is non-dominant with respect to the interstate ADSL, SDSL, IDSL and T1 services that it proposes to discontinue.
6. Description of the Dates and Methods of Notice to Affected Customers: ELink Biz sent written notice to affected customers on May 20, 2013 in accordance with the requirements of Section 63.71(a) and the *Wireline Broadband Order*. A sample of the customer notice is attached hereto as Exhibit A.

ELink Biz has not sought approval for the proposed discontinuation of service from any state public utility commission (or similar agency) because the service it proposes to discontinue is interstate in nature pursuant to *GTE Telephone Operating Cos., GTOC Tariff No. 1, Trans. No. 1148*, 13 FCC Rcd. 22,466 (1998). Nevertheless, in accordance with Section 63.71(a) of the Commission's rules and the *Wireline Broadband Order*, ELink Biz has notified the Governors and the public service commissions (or similar agency) in the states where the affected wire centers are located as described above. ELink Biz also notified the Special Assistant for Telecommunications for the Secretary of Defense.

Should you have any questions with respect to this matter, please do not hesitate to contact me.

Respectfully submitted,



Paula Foley
Senior Counsel

cc: See attached Certificate of Service

Enclosure

EXHIBIT A

Sample Customer Notice Letter

<Month, Day Year>

<Business Name Contact>
<Business Address>

Dear <First Name Last Name>:

RE: Discontinuation of common carrier broadband Internet access transmission service.

I'm writing to inform you, regretfully, that we need to decommission the common carrier broadband Internet service you use at the following business location(s).

OMS #: <TBD>
End User: <TBD>
Address: <TBD>
Current/Discontinued Service: <TBD>

You will have <45 days> to obtain a new broadband Internet common carrier before your EarthLink Business service is disconnected. We sincerely apologize for the inconvenience.

<single site closing statement>
Feel free to speak with an EarthLink Business Customer Care representative at <insert phone number> to discuss the service change.

<Carrier customer closing statement>
Feel free to speak with your account manager to discuss the service change.

Respectfully,

<name>
<Wholesale Account Manager>
<address>
<phone>
<email>

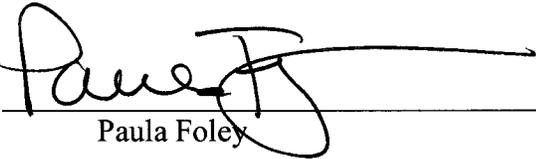
CERTIFICATE OF SERVICE

I hereby certify that the foregoing Notice of Discontinuance of Common Carrier Broadband Internet Access Transmission Service of EarthLink Business, LLC in Selected Areas as filed in CC Docket No. 02-33 was sent this 24th day of May, 2013, by mailing true and correct copies thereof, postage prepaid, to the following persons at the addresses listed below.

| | | | | | | |
|---|------------------------------|-------------------------------|-----------------------|------------------|------|----------------|
| Secretary of Defense Attn: Special Assistant for Telecommunications | The Pentagon | | | Washington | D.C. | 20301 |
| Arkansas Public Service Commission | 1000 Center Building | | | Little Rock | AK | 72201- 4314 |
| Arizona Public Utilities Commission | Utilities Division | 1200 W. Washington St. | | Phoenix | AZ | 85007- 2927 |
| California Public Utilities Commission | California State Building | 505 Van Ness Ave | | San Francisco | CA | 94102- 3298 |
| Colorado Public Utilities Commission | 1560 Broadway | Ste. 250 | | Denver | CO | 80202- 6000 |
| Florida Public Service Commission | Gerald Gunter Building | 2540 Shumard Oak Boulevard | | Tallahassee | FL | 32399 |
| Georgia Public Service Commission | 244 Washington Street | | | Atlanta | GA | 30334- 9052 |
| Iowa Utilities Board | 1375 E. Court Avenue | Room 69 | | Des Moines | IA | 50319- 0069 |
| Illinois Commerce Commission | 527 East Capitol Avenue | | | Springfield | IL | 62701- 1827 |
| Indiana Utility Regulatory Commission | PNC Center | 101 West Washington Street | Suite 1500 East | Indianapolis | IN | 46204- 3407 |
| Michigan Public Service | PO Box 30221 | | | Lansing | MI | 48909- 7721 |
| Minnesota Department of Commerce | 85 7th Place East | | | St. Paul | MN | 55101- 2192 |
| Montana Public Service Commission | 1701 Prospect Avenue | PO Box 202601 | | Helena | MT | 59620- 2601 |
| Nebraska Public Service Commission | 300 The Atrium | 1200 N Street | | Lincoln | NE | 68508- 2020 |
| New Mexico Public Regulation Commission | 1120 Paseo de Peralta | | | Santa Fe | NM | 87501- 1269 |
| Nevada Public Utilities Commission | 1150 East William Street | Suite 250 | | Carson City | NV | 89701- 3109 |
| The Public Utilities Commission | 180 East Broad | | | Columbus | OH | 43215- |

| | | | | | | |
|--|-------------------------------------|--|----------------|----------------|----|------------|
| of Ohio | Street | | | | | 3707 |
| Oklahoma Corporation Commission | Jim Thorpe Office Building | 2101 North Lincoln Boulevard | | Oklahoma City | OK | 73105-2000 |
| Oregon Public Utility Commission | 550 Capitol Street NE Ste 215 | PO Box 2148 | | Salem | OR | 97308-2148 |
| Public Utility Commission of Texas | 1701 North Congress Avenue | | | Austin | TX | 78701-3326 |
| Public Service Commission of Utah | 160 East 300 South | 4th Floor | | Salt Lake City | UT | 84111-2305 |
| Washington Utilities and Transportation Commission | 1300 S. Evergreen Park Drive | PO Box 47250 | | Olympia | WA | 98504-7250 |
| Wyoming Public Service Commission | 2515 Warren Avenue | Suite 300 | | Cheyenne | WY | 82002 |
| Office of Governor Mike Beebe | State Capitol Room 250 | | | Little Rock | AK | 72201 |
| Office of Governor Janice K. Brewer | 1700 W. Washington St. | | | Phoenix | AZ | 85007 |
| Office of Governor Edmund G. Brown Jr. | State Capitol Building - Suite 1173 | | | Sacramento | CA | 95814 |
| Office of Governor John W Hickenlooper | 136 State Capitol | | | Denver | CO | 80203-1792 |
| Office of Governor Rick Scott | State of Florida | The Capitol | | Tallahassee | FL | 32399-0001 |
| Office of Governor Sonny Perdue | State Capitol - Room 111 | | | Atlanta | GA | 30334 |
| Office of Governor Terry Branstad | State Capitol Building | 1007 East Grand Ave. | | Des Moines | IA | 50319 |
| Office of Governor Pat Quinn | 207 State House | | | Springfield | IL | 62706 |
| Office of Governor Mitchell Daniels | State Capitol Building | 206 State House | | Indianapolis | IN | 46204 |
| Office of Governor Rick Snyder | P.O. Box 30013 | | | Lansing | MI | 48909 |
| Office of Governor Mark Dayton | 130 State Capitol | 75 Rev. Dr. Martin Luther King Jr. Blvd. | | St. Paul | MN | 55155 |
| Office of Governor Brian Schweitzer | State Capitol Building | | | Helena | MT | 59620-0801 |
| Office of Governor Dave Heineman | Lincoln Office/State Capitol | Office of the Governor | P.O. Box 94848 | Lincoln | NE | 68509-4848 |
| Office of Governor Susana Martinez | 490 Old Santa Fe Trail | Room 400 | | Santa Fe | NM | 87501 |
| Office of Governor Brian Sandoval | Carson City State Capitol Building | 101 N. Carson Street – Suite 2 | | Carson City | NV | 89701 |

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|--------------------------------------|-----------------------------|------------------------------------|--|-------------------|----|----------------|
| Office of Governor John Kasich | Riffe Center, 30th Floor | 77 South High Street | | Columbus | OH | 43215- 6117 |
| Office of Governor Mary Fallin | Oklahoma State Capitol | 2300 N. Lincoln Blvd., Room 212 | | Oklahoma City | OK | 73105 |
| Office of Governor John Kitzhaber | State Capitol Building | 900 Court St. NE - Suite 254 | | Salem | OR | 97308- 2148 |
| Office of Governor Rick Perry | PO Box 12428 | | | Austin | TX | 78711- 2428 |
| Office of Governor Gary Herbert | 210 State Capitol | | | Salt Lake City | UT | 84114 |
| Office of Governor Jay Inslee | PO Box 40002 | | | Olympia | WA | 98504- 0002 |
| Office of Governor Matt Mead | Wyoming State Capitol | 200 West 24th Street | | Cheyenne | WY | 82002 |



 Paula Foley