Windstream Services, LLC 4001 Rodney Parham Road 1170 – B1F03-53A Little Rock, AR 72212 Edward J. Cadieux Regulatory Counsel 314-249-0216



November 20, 2018

Gary Widerburg, Commission Administrator Public Utility Commission of Utah 160 East 300 South, 4th Floor Salt Lake City, UT 84111

RE: Informational copy of Section 63.71 Application of Windstream Services, LLC as filed at Federal Communications Commission (FCC) pursuant to of the Communications Act of 1934, as amended, 47 U.S.C. §214, and Section 63.71 of the FCC's rules, 47 C.F.R. §63.71.

Dear Mr. Widerburg:

Windstream Services, LLC, on behalf of Windstream NuVox, LLC ("Windstream"), respectfully provides this informational copy of the attached Application as filed at the FCC regarding the discontinuation of certain services. This informational copy is provided in compliance with Section 63.71(a) of the FCC's Rules (47 C.F.R. § 63.71).

Any questions regarding this matter should be directed to my attention at 314-249-0216 or via email to Edward.Cadieux@windstream.com.

Sincerely

Edward J. Cadiery

Edward J. Cadieux

#### Before the

Federal Communications Commission

Washington D.C. 20554

In the Matter Of Section 63.71 Application of Windstream Services, LLC

WC Docket No.

#### SECTION 63.71 APPLICATION OF WINDSTREAM SERVICES, LLC

Windstream Services, LLC ("Windstream"), on behalf of its competitive local exchange carrier affiliates Broadview Networks, Inc., Broadview Networks of Virginia, Inc., DeltaCom LLC d/b/a EarthLink Business, EarthLink Business, LLC, Windstream Communications, LLC, Windstream NuVox of Arkansas, LLC, Windstream NuVox Illinois,, LLC, Windstream NuVox Indiana,, LLC, Windstream NuVox Kansas, LLC, Windstream NuVox Missouri,, LLC, Windstream NuVox Ohio, LLC and Windstream NuVox, LLC (collectively "Windstream"), through its undersigned counsel and pursuant to Section 214 of the Communications Act of 1934, as amended, 47 U.S.C. §214, and Section 63.71 of the Federal Communications Commission's ("Commission") rules, 47 C.F.R. §63.71, hereby files this Application to discontinue the provision of Integrated T-1 voice and data service via TDM (the "Affected Service") in the areas of: Vinemont, AL; Nogales, Scottsdale, AZ; Ashley County, Jacksonville, Jonesboro, Little Rock, Russellville, AR; Fresno, Grover Beach, Los Angeles, Monterey, Oakland, San Jose, CA; Dayville, CT; Boca Raton, Calahan Hernando, Jacksonville, Orlando, FL; Alpharetta, Canton, Commerce, Madison, GA; Benton, Chicago, IL; Richmond, South Bend, IN; Arkansas City, Lawrence, KS; Carrolton, Pikeville, Louisville, Madisonville, KY; Alexandria, Covington, LA; Gathersburg, MD; Dundee, MI; Tupelo, MS; Columbia, Farmington, Kansas City, MO; Columbus, NE; Clinton, Sandyston Township, NJ;

Wappinger Falls, Rensselaer, NY; Bryan, Chilicothe, Cincinnati, Circleville, Monroeville,

Southpoint, OH; Tulsa, OK; Franklin, Marion, NC; Sparks, NV; Claysburg, Erie, Manchester

Township, Milford, Philadelphia, Upper Merion, PA; Landrum, Rock Hill, SC; Camden,

Johnson City, Memphis, TN; Carrolton, Dallas, Fort Bliss, Fort Worth, La Porte, Leon Valley,

Lubbock, Round Rock, San Antonio, San Angelo TX; Salt Lake City, UT; Colchester,

Shaftsbury, VT; Alexandria, Dulles, Fredericksburg, Hampton, Virginia Beach, VA; Spokane

Valley, WA; Huntington, Nitro, WV.

In support of this Application, Windstream submits the following information:

## 1. Information listed in 47 C.F.R. § 63.71(a)(1)-(4) (47 C.F.R. § 63.71(b)(2)):

- a. Name and Address of Carrier (47 C.F.R. § 63.71(a)(1)-(4), (b)(2)):
- 1. Information listed in 47 C.F.R. § 63.71(a)(1)-(4) (47 C.F.R. § 63.71(b)(2)):
  - a. Name and Address of Carrier (47 C.F.R. § 63.71(a)(1)-(4), (b)(2)):

Broadview Networks, Inc. Broadview Networks of Virginia, Inc. DeltaCom LLC d/b/a EarthLink Business EarthLink Business, LLC Windstream Communications, LLC Windstream NuVox of Arkansas, LLC Windstream NuVox of Arkansas, LLC Windstream NuVox Illinois, LLC Windstream NuVox Indiana, LLC Windstream NuVox Kansas, LLC Windstream NuVox Missouri, LLC Windstream NuVox Ohio, LLC Windstream NuVox, LLC

4001 North Rodney Parham Rd. Little Rock, AR 72212

## b. Date of Planned Discontinuance (47 C.F.R. § 63.71(a)(2), (b)(2)):

Windstream plans to discontinue the Affected Services on or about December 31, 2018

## c. Point of Geographic Areas of Service Affected (47 C.F.R. § 63.71(a)(3), (b)(2)):

The Affected Service will be discontinued to customers located in the areas noted above

# d. Brief Description of the Type of Service to be Affected (47 C.F.R. § 63.71(a)(4), (b)(2)):

The service to be affected Integrated T-1 voice/data service (via TDM).

### Brief Description of the Dates and Methods of Notice to All Affected Customers (47 C.F.R. § 63.71 (b)(3)):

On November 20, 2018 Windstream sent by First Class U.S. Mail notice to the affected customers of the planned discontinuance. A copy of such notice as sent is attached hereto as Attachment 1, the notice being compliant with, among other things, Section 63.71(a)(5) of the Commission's rules, 47 C.F.R. § 63.71(a)(5).

## 3. Regulatory Classification of Carrier (47 C.F.R. § 63.71 (a)(4)):

Windstream is nondominant with respect to the service that it proposes to discontinue.

### 4. Service:

In accordance with Section 63.71(a)(1) of the Commission's rules, 47 C.F.R. § 63.71(a)(1), Windstream is submitting a copy of this Application by First Class U.S. Mail to the following state public utility commissions: Alabama Public Service Commission, Arizona Corporation Commission, Arkansas Public Service Commission, California Public Utilities Commission, Connecticut Public Utility Regulatory Authority, Florida Public Service Commission, Georgia Public Service Commission, Illinois Commerce Commission, Indiana Utility Regulatory Commission, Kansas Corporation Commission, Kentucky Public Service Commission, Louisiana Public Service Commission, Maryland Public Service Commission, Michigan Public Service Commission, Mississippi Public Service Commission, Missouri Public Service Commission, Nebraska Public Service Commission, North Carolina Utilities Commission, New Jersey Board of Public Utilities, Nevada Public Service Commission, New York State Public Service Commission, Public Utilities Commission of Ohio, Oklahoma Corporation Commission, Pennsylvania Utility Commission, South Carolina Public Service Commission, Tennessee Public Utility Commission, Public Utility Commission of Texas, Public Utility Commission of Utah, Virginia State Corporation Commission, Vermont State Public Utility Commission, Washington Utilities and Transportation Commission, and the Public Service Commission of West Virginia; and to each of the Governor's of those respective states; and, also to the Secretary of Defense (at the address given in 47 C.F.R. § 63.71(a)).

# 5. Additional Questions Regarding This Application May be Addressed to the Undersigned.

#### 6. Circumstances of Discontinuance.

The Affected Services are provided to the customer' locations via TDM facilities obtained from Sprint that are being decommissioned. The discontinuance will affect one-hundred and eight (108) business customers located across the areas listed above. Windstream will assist the affected customers in migrating their services to Windstream's supported platform or by upgrading to one of our more robust unified communications products. Alternatively, the affected customers can obtain service from an alternative service provider. Windstream is affirmatively contacting all of the affected customers in addition to the notice letter (Attachment 1).

#### 7. Conclusion

Windstream believes that the proposed discontinuance is reasonable and necessary. As outlined herein, Windstream will take reasonable steps, to the extent that it is able, to assure that the discontinuance of this service is not unduly disruptive to the present or future public convenience and necessity. The affected customers will not be unduly harmed because they are being offered alternative services to the those being discontinued, and/or have the option to move service to an alternative provider serving these locations.

Accordingly, Windstream respectfully requests that the Commission permit it to discontinue the provision of the Affected Services as outlined herein, pursuant to Section 63.71.

Respectfully Submitted,

Edward J. Caliery

Edward J. Cadieux Regulatory Counsel Windstream Services, LLC 4001 N. Rodney Parham Rd. MS: 1170-B1F03-53A Little Rock, AR 72112 (314) 249-0216 Edward.Cadieux@windstream.com

November 20, 2018

#### CERTIFICATE OF SERVICE

I hereby certify that the foregoing Section 63.71 Application was served this 20<sup>th</sup> day of November 2018, by mailing true and correct copies thereof, postage prepaid, to the following persons to the addresses listed below.

Secretary of Defense Attn: Special Assistance for Telecommunications Pentagon Washington, DC 20301

Steve Olea, Director Utilities Division Arizona Corporation Commission 1200 W. Washington St. Phoenix, Arizona 85007

Ms. Mary Loos 1000 Center Street Little Rock, AR 72201

Carlotta Stauffer Director, Division of the Commission Clerk Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850

Ms. Elizabeth Rolando, Chief Clerk Illinois Commerce Commission 527 East Capitol Avenue Springfield, IL 62794-9280

Ms. Lynn Retz Secretary to the Commission Kansas Corporation Commission 1500 SW Arrowhead Road Topeka, KS 66604-4027

Eve Kahao Gonzalez Executive Secretary PO Box 91154 602 North Fifth Street Baton Rouge, LA 70821-9154 Mr. Walter L. Thomas, Jr. Secretary Alabama Public Service Commission RSA Union Building 100 N. Union Street Montgomery, AL 36104

Cynthia Walker Communications Division Director California Public Utilities Commission 505 Van Ness Avenue San Francisco, CA 94102

Peter A. Pescosolido Chief of Utility Regulation 10 Franklin Square New Britain, CT 06051

Mr. Reece McAlister Executive Secretary Georgia Public Service Commission 244 Washington St., S.W. Atlanta, GA 30334-5701

Brenda Howe Secretary to the Commission Indiana Utility Regulatory Commission PNC Center 101 West Washington Street, Suite 1500 East Indianapolis, IN 46204

Gwen Pinson Executive Director Kentucky Public Service Commission 211 Sower Boulevard Frankfort, KY 40601

Terry J. Romine, Executive Secretary Maryland Public Service Commission 16th Floor, 6 St. Paul Street Baltimore, MD 21202-6806 Michael Byrne Chief Operating Officer 7109 West Saginaw Highway Lansing, MI 48909

Brian Ray Executive Secretary Mississippi Public Service Commission 501 North West Street, Woolfolk State Office Bldg. Jackson, MS 39201-1174

Mike Hybl Executive Director Nebraska Public Service Commission PO Box 94927 Lincoln, NE 68509-4927

Stephanie Mullen, Executive Director Public Utilities Commission of Nevada 1150 East William Street Carson City, NV 89701-3109

Peggy Mitchell, Commission Secretary Oklahoma Corporation Commission Jim Thorpe Office Building 2101 North Lincoln Boulevard Oklahoma City, OK 73105-2000

Gary Widerburg, Commission Administrator Public Utility Commission of Utah 160 East 300 South, 4th Floor Salt Lake City, UT 84111

John Paul Urban, Executive Director Public Utility Commission of Texas 1701 North Congress Avenue Austin, TX 78701-3326

Earl Taylor, Executive Director Tennessee Public Utility Commission 502 Deaderick Street, 4th Floor Nashville, TN 37243 Lloyd Wilson Director, Administration Missouri Public Service Commission 200 Madison Street, Governor Office Building Jefferson City, MO 65101

M. Lynn Jarvis, Chief Clerk North Carolina Utilities Commission 4325 Mail Service Center Raleigh, NC 27699-4300

Paul Flanagan, Executive Director New Jersey Board of Public Utilities 44 South Clinton Avenue Post Office Box 350 Trenton, NJ 08625-0350

Kathleen H. Burgess, Secretary to the Commission New York State Public Service Commission Three Empire State Plaza Albany, NY 12223-1350

Jan H. Freeman Executive Director Pennsylvania Public Utility Commission PO Box 3265 Harrisburg, PA 17105

Joseph Buckley Chief Clerk/Administrator Public Utilities Commission of Ohio 180 East Broad Street Columbus, OH 43215-3793

Jocelyn G. Boyd, Chief Clerk/Administrator South Carolina Public Service Commission 101 Executive Center Drive, Suite 100 Columbia, SC 29210-8411

Samuel A. (Sam) Nixon, Jr., Chief Administrative Officer Virginia State Corporation Commission 1300 East Main Street Richmond, VA 23219 Judith Whitney, Clerk of the Commission Vermont State Public Utility Commission 112 State Street, 4th Floor Montpelier, VT 05620-2701

Cheryl Ranson, Executive Director Public Service Commission of West Virginia 201 Brooks Street Charleston, WV 2530

Governor, Asa Hutchinson 500 Woodlane St Little Rock, AR 72201

Office of Governor, Jerry Brown 1315 10th Street Sacramento, CA, 95814

Office of Governor, Rick Scott 400 S Monroe St Tallahassee, FL 32399

Office of Governor, Bruce Rauner 207 State House Springfield, IL 62706

Office of Governor, Jeff Colyer Capitol 300 SW 10th Avenue, Suite 212S Topeka, KS 66612-1590

Office of Governor, John Bel Edwards P. O. Box 94004 Baton Rouge, LA 70804-9004

Office of Governor Rick Snyder P.O. Box 30013 Lansing, MI 48909

Office of Governor Phil Bryant P.O. Box 139 Jackson, MS 39205

Office of Governor, Pete Ricketts P.O. Box 94848 Lincoln, NE 68509-4848 Mark Johnson, Executive Director Washington Utilities and Transportation Commission 1300 S. Evergreen Park Drive PO Box 47250 Olympia, WA 98504-7250

Office of Governor, Kay Ivey 600 Dexter Ave Montgomery, AL 36130

Office of Governor, Doug Ducey 1700 West Washington Street Phoenix, Arizona 85007

Governor, Dannel Malloy State Capitol 210 Capitol Avenue Hartford, CT 06106

Office of Governor, Nathan Deal State Government Office 203 Capitol PI SW Atlanta, GA 30334

Office of Governor, Eric J. Holcomb Statehouse Indianapolis, Indiana 46204-2797

Office of Governor, Matt Bevin 700 Capitol Ave., Suite 100 Frankfort, KY 40601

Office of Governor, Larry Hogan State House 100 State Circle Annapolis, MD 21401

Office of Governor, Mike Parson Capitol Building Room 216, P.O. Box 720 Jefferson City, MO 65102

Office of Governor Roy Cooper Office of the Governor 20301 Mail Service Center Raleigh, NC 27699-0301

Office of Governor, Phil Murphy The State House P.O. Box 001 Trenton, NJ 08625

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Office of Governor Brian Sandoval Capitol Building 101 N. Carson St. Carson City, NV 89701

Office of Governor John Kasich 30th Floor 77 South High Street Columbus, OH 43215

Office of Governor Tom Wolf Room 225 Main Capitol Building Harrisburg, PA 17120

Office of Governor Bill Haslam Tennessee State Capitol Nashville, TN 37243-0001

Office of Governor Gary R. Herbert Utah State Capitol Suite 200 Salt Lake City, UT 84114

Office of Governor Ralph Northam State Capitol Third Floor Richmond, VA 23219

Office of Governor Jim Justice 1900 Kanawha Street Charleston, WV 25305

Edward J. Caliery

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Office of Governor, Andrew Cuomo State Capitol Albany, NY 12224

Office of Governor, Mary Fallin Capitol Building 2300 Lincoln Blvd., Rm. 212 Oklahoma City, OK 73105

Office of Governor Henry McMaster 1205 Pendleton Street Columbia, SC 29201

Office of Governor, Greg Abbott P.O. Box 12428 Austin, TX 78711

Office of Governor, Phil Scott 109 State Street Pavilion Office Building Montpelier, VT 05609

Office of Governor, Jay Inslee P.O. Box 40002 Olympia, WA 98504-0002 Attachment 1 Customer Notice



Windstream Services, LLC 4001 N. Rodney Parham Rd. Little Rock, AR 72212



November 20, 2018

«Contact» «Customer\_Name» «Addr\_Line\_2» «Addr\_Line\_3» «City\_Name», «State\_Code» «Zip\_Code»

If you are not the site contact or administrator, please kindly pass this important notification on to the appropriate party.

IMPORTANT: Service Discontinuance Notification for Account # «Acct #», Service Location «Serv Loc» This Change in Service Requires Action on Your Part

Dear Valued Customer,

Because your business matters to us, we wanted to provide advance notification of an important change we are making for services in your area.

The platform that currently supports TDM services has reached the end of its useful life and will soon be decommissioned. As a result, customers in the following areas will have these services retired on or about December 31, 2018: Vinemont, AL; Nogales, Scottsdale, AZ; Ashley County, Jacksonville, Jonesboro, Little Rock, Russellville, AR; Fresno, Grover Beach ,Los Angeles, Monterey, Oakland, San Jose, CA; Dayville, CT; Boca Raton, Calahan Hernando, Jacksonville, Orlando, FL; Alpharetta, Canton, Commerce, Madison, GA; Benton, Chicago, IL; Richmond, South Bend, IN; Arkansas City, Lawrence, KS; Carrolton, Pikeville, Louisville, Madisonville, KY; Alexandria, Covington, LA; Gathersburg, MD; Dundee, MI; Tupelo, Columbia, Farmington, Kansas City, MO; Columbus, NE; Clinton, Sandyston Township, NJ; Wappinger Falls, Rensselaer, NY; Bryan, Chilicothe, Cincinnati, Circleville, Monroeville, Southpoint, OH; Tulsa, OK; Franklin, Marion, NC; Sparks, NV; Claysburg, Erie, Manchester Township, Milford, Philadelphia, Upper Merion, PA; Landrum, Rock Hill, SC; Camden, Johnson City, Memphis, TN; Carrolton, Dallas, Fort Bliss, Fort Worth, La Porte, Leon Valley, Lubbock, Round Rock, San Antonio, San Angelo TX; Salt Lake City, UT; Colchester, Shaftsbury, VT; Alexandria, Dulles, Fredericksburg, Hampton, Virginia Beach, VA; Spokane Valley, WA; Huntington, Nitro, WV. Please note, this notification does not affect other services you may have with Windstream.

The change requires action on your part. An Account Representative will be contacting you shortly to make you aware of your options and assist you in any way possible to ensure a smooth transition prior to the service retirement. Failure to make arrangements for an alternative service by December 31, 2018 may result in permanent service termination or insufficient time to transition your customer to a replacement service, with no immediate restoral options.

The FCC will normally authorize this proposed discontinuance of service (or reduction or impairment) unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 15 days after the Commission releases public notice of the proposed discontinuance. You may file your comments electronically through the FCC's Electronic Comment Filing System using the docket number established in the Commission's public notice for this proceeding, or you may address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20554, and include in your comments a reference to the § 63.71 Application of Windstream Services, LLC. Comments should include specific information about the impact of this proposed discontinuance (or reduction or impairment) upon you or your company, including any inability to acquire reasonable substitute service.

Thank you for your time and attention to this important matter. If you have any questions, please contact us at <Care>.

Sincerely, Customer Care