



State of Utah
Department of Commerce
Division of Public Utilities

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MEMORANDUM

To: Public Service Commission

From: Division of Public Utilities
Chris Parker, Director
Bill Duncan, Telecommunications / Water Manager
Casey J. Coleman, Utility Technical Consultant

Date: December 20, 2016

Re: In the Matter of the Application of McLeodUSA Telecommunications Services, LLC, Paetec Communications, LLC; and Windstream Nuvox, LLC to Discontinue the Provision of Local Exchange Service and Digital Subscriber Line services in Specific Areas. Per Docket No. 16-2249-01, 16-2441-01, and 16-2538-02.

RECOMMENDATION:

Acknowledge the discontinuance request **by** McLeodUSA Telecommunications Services, LLC, Paetec Communications, LLC; and Windstream Nuvox, LLC collectively (“Windstream”).

BACKGROUND:

On November 18, 2016 Windstream filed an application in accordance with Utah Admin. Code R746-350, requesting to discontinue the provision of local exchange service and digital subscriber line service (“DSL”) in the communities of Layton, Ogden, and Spanish Fork.

The request to discontinue service in those specific communities in Utah is a result of Windstream being unable to provide reliable services to its customers. With improving technology, Windstream is faced with end of life equipment that it cannot continue to use to satisfy the needs of their customers. Their request asks the discontinuance to be effective January 19, 2017.

The Division supports the discontinuance request of Windstream. Windstream has followed the administrative rules necessary when exiting a market. Additionally, the number of customers impacted by Windstream’s exiting the market will be five (5) business customers and one (1) reseller customer. The Division is aware of other telecommunication companies who offer local exchange service and DSL service in Layton, Ogden, and Spanish Fork. Therefore, those impacted customers will have other competitive choices for their telecommunication needs.

Finally, Windstream has done what is required to notify customers of their decision to discontinue service.

Because of the competitive choices available to consumers in the State of Utah and Windstream following the rules as required for exiting the market, the Division recommends granting the discontinuance application.

cc: Justin Jetter, Assistant Attorney General
Cesar Caballero, Windstream Services, LLC