



PUBLIC NOTICE

Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

DA 20-1103

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COMMENTS INVITED ON SECTION 214 APPLICATION(S) TO DISCONTINUE DOMESTIC NON-DOMINANT CARRIER TELECOMMUNICATIONS SERVICES PROVIDED ON A COMMON CARRIAGE BASIS AND RECLASSIFY THOSE SERVICES AS PRIVATE CARRIAGE SERVICES

WC Docket No(s). 20-277

Comments Due: October 2, 2020

Unless otherwise specified, the following procedures and dates apply to the application(s) (the Section 214 Discontinuance Application(s)) listed in the Appendix.

The Wireline Competition Bureau (Bureau), upon initial review, has found the Section 214 Discontinuance Application(s) listed herein to be acceptable for filing and subject to the procedures set forth in Section 63.71 of the Commission's rules.¹ The application(s) requests authority, under section 214 of the Communications Act of 1934, as amended,² and section 63.71 of the Commission's rules,³ to discontinue, reduce, or impair certain domestic telecommunications service(s) (Affected Service(s)) in specified geographic areas (Service Area(s)) as applicable and as fully described in each application. In particular, the application(s) request(s) authority to discontinue offering the Affected Service(s) in the Service Area(s) on a common carriage basis, and request(s) authority to reclassify the Affected Service(s) as private carriage in order to offer the service(s) on a private carriage basis.⁴

In accordance with section 63.71(f) of the Commission's rules, the Section 214 Discontinuance Application(s) listed in the Appendix will be deemed granted automatically on October 18, 2020, the 31st day after the release date of this public notice, unless the Commission notifies any applicant(s) that their grant will not be automatically effective.⁵ We note that the date on which an application for Commission authorization is deemed granted may be different from the date on which applicants are authorized to

¹ 47 CFR § 63.71.

² 47 U.S.C. § 214.

³ 47 CFR § 63.71.

⁴ The Commission has stated that “[w]here a provider subject to section 214 of the Act initially offers a given interstate service on a common carriage basis, that provider first would need to obtain discontinuance approval for that common carrier offering before offering that service on a private carriage basis.” *See Business Data Services in an Internet Protocol Environment*, Report and Order, 32 FCC Rcd 3459, para. 279, n.700 (2017).

⁵ *See* 47 CFR § 63.71(f) (stating, in relevant part, that an application filed by a non-dominant carrier “shall be automatically granted on the 31st day... unless the Commission has notified the applicant that the grant will not be automatically effective.”).

discontinue, reduce, or impair service (“Authorized Date”). Any applicant whose application has been deemed granted may discontinue, reduce or impair their Affected Service(s) in their Service Area(s) on or after the authorized date(s) specified in the Appendix, in accordance with their filed representations. Accordingly, pursuant to section 63.71(f), and the terms outlined in each application, absent further Commission action, each applicant may discontinue, reduce or impair the Affected Service(s) in the Service Area(s) described in their application on or after the authorized discontinuance date(s) listed in the Appendix for that application. For purposes of computation of time when filing a petition for reconsideration, application for review, or petition for judicial review of the Commission’s decision(s), the date of “public notice” shall be the auto grant date stated above in this Public Notice, or the release date(s) of any further public notice(s) or order(s) announcing final Commission action, as applicable. Should no petitions for reconsideration, applications for review, or petitions for judicial review be timely filed, the proceeding(s) listed in this Public Notice shall be terminated, and the docket(s) will be closed.

Comments objecting to any of the applications listed in the Appendix must be filed with the Commission on or before **October 2, 2020**. Comments should refer to the specific WC Docket No. and Comp. Pol. File No. listed in the Appendix for the particular Section 214 Discontinuance Application that the commenter intends to address. Comments should include specific information about the impact of the proposed discontinuance on the commenter, including any inability to acquire reasonable substitute service. Comments may be filed using the Commission’s Electronic Comment Filing System (ECFS) or by filing paper copies.⁶ Comments may be filed electronically using the Internet by accessing the ECFS: <http://apps.fcc.gov/ecfs>. Filers should follow the instructions provided on the Web site for submitting comments. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket number.

Parties who choose to file by paper must file an original and one copy of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit one additional copy for each additional docket or rulemaking number. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail.⁷ All filings must be addressed to the Commission’s Secretary, Office of the Secretary, Federal Communications Commission. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701. U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, S.W., Washington, D.C. 20554.

Copies of the comments may also be emailed to the Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, using the contact information listed in the Appendix for the appropriate Section 214 Application. In addition, comments should be served upon the Applicant(s).

⁶ See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

⁷ In response to the COVID-19 pandemic, the FCC has closed its current hand-delivery filing location at FCC Headquarters. We encourage outside parties to take full advantage of the Commission’s electronic filing system. Any party that is unable to meet the filing deadline due to the building closure may request a waiver of the comment or reply comment deadline, to the extent permitted by law. *FCC Announces Closure of FCC Headquarters Open Window and Change in Hand-Delivery Filing*, Public Notice, DA 20-304 (rel. Mar. 19, 2020), <https://www.fcc.gov/document/fcc-closes-headquarters-open-window-and-changes-hand-delivery-policy>.

These proceedings are considered “permit but disclose” proceedings for purposes of the Commission’s *ex parte* rules.⁸ Participants should familiarize themselves with the Commission’s *ex parte* rules. Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter’s written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b).

People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (888) 835-5322 (tty).

For further information, please see the contacts for the specific discontinuance proceeding you are interested in as listed in the Appendix. The tty number is (888) 835-5322. For further information on procedures regarding section 214 please visit <https://www.fcc.gov/encyclopedia/domestic-section-214-discontinuance-service>.

– FCC –

⁸ 47 CFR § 1.1200 *et seq.*

Appendix

1) Applicant(s): CenturyLink, on behalf of its affiliates⁹

WC Docket No. 20-277, Comp. Pol. File No. 1638

Link – https://www.fcc.gov/ecfs/search/filings?proceedings_name=20-277&sort=date_disseminated,DESC

Affected Service(s) – Interstate Switched Ethernet, Dedicated Ethernet, and Wavelength Services provided on a common carrier basis

Service Area(s) – Switched Ethernet Services: *Ethernet Virtual Private Line* and *Metro Ethernet Services* are offered in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nevada, New Mexico, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, Tennessee, Texas, Utah, Virginia, Washington, Wisconsin, and Wyoming. *Metro Optical Ethernet* is offered in Arizona, Colorado, Idaho, Iowa, Minnesota, Montana, Nebraska, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington, and Wyoming. *E-*

⁹ CenturyTel of Alabama, LLC; Gulf Telephone Company, LLC; CenturyTel of Mountain Home, Inc.; CenturyTel of Arkansas, Inc.; CenturyTel of South Arkansas, Inc.; CenturyTel Redfield, Inc.; CenturyTel of Northwest Arkansas, LLC; CenturyTel of Central Arkansas, LLC; CenturyTel of Colorado, Inc.; CenturyTel of Eagle, Inc.; Coastal Utilities, Inc.; Embarq Florida, Inc.; CenturyTel Of Chester, Inc.; CenturyTel Of Postville, Inc.; CenturyTel Of Idaho, Inc.; CenturyTel Of the Gem State, Inc.; Gallatin River Communications L.L.C.; CenturyTel of Odon, Inc.; CenturyTel of Central Indiana, Inc.; United Telephone Company of Indiana, Inc.; United Telephone Company of Eastern Kansas; United Telephone Company of Southcentral Kansas; United Telephone Company of Kansas; Embarq Missouri, Inc.; CenturyLink of Louisiana, LLC; CenturyTel Midwest-Michigan, Inc.; CenturyTel of Michigan, Inc.; CenturyTel of Northern Michigan, Inc.; CenturyTel of Upper Michigan, Inc.; CenturyTel of Minnesota, Inc.; Central Telephone Company; Embarq Minnesota, Inc.; Spectra Communications Group, LLC; CenturyTel of Missouri, LLC; CenturyTel of North Mississippi, Inc.; CenturyTel of Montana, Inc.; Mebtel, Inc.; Carolina Telephone and Telegraph Company, LLC; United Telephone Company of New Jersey; CenturyTel of the Southwest, Inc.; CenturyTel of Ohio, Inc.; United Telephone Company of Ohio; CenturyTel of Eastern Oregon, Inc.; CenturyTel of Oregon, Inc.; United Telephone Company of the Northwest; United Telephone Company of Pennsylvania, LLC; United Telephone Company of the Carolinas; CenturyTel of Claiborne, Inc.; CenturyTel of Adamsville, Inc.; CenturyTel of Ooltewah-Collegedale, Inc.; United Telephone Southeast, LLC; CenturyTel of Port Aransas, Inc.; CenturyTel of San Marcos, Inc.; CenturyTel of Lake Dallas, Inc.; Central Telephone Company of Texas; United Telephone Company of Texas, Inc.; Central Telephone Company of Virginia; CenturyTel of Washington, Inc.; CenturyTel of Inter-Island, Inc.; CenturyTel of Cowiche, Inc.; CenturyTel of Wisconsin, LLC; CenturyTel of Southern Wisconsin, LLC; CenturyTel of Fairwater, Brandon-Alto, LLC; Telephone USA of Wisconsin; CenturyTel of Central Wisconsin, Inc.; CenturyTel of Forestville, Inc.; CenturyTel of Larsen-Readfield, LLC; CenturyTel of Monroe County, LLC; CenturyTel of Northwest Wisconsin, LLC; CenturyTel of Northern Wisconsin, LLC; CenturyTel of Midwest Wisconsin, Inc.; CenturyTel of Midwest-Kendall, LLC; CenturyTel of Wyoming, Inc.; United Telephone Company of the West; El Paso Telephone Company; Qwest Corporation; CenturyLink Communications, LLC, Broadwing Communications, LLC; Global Crossing Local Services, Inc.; Level 3 Communications, LLC; Level 3 Telecom of Alabama, LLC; Level 3 Telecom of Arkansas, LLC; Level 3 Telecom of Arizona, LLC; Level 3 Telecom of California, LP; Level 3 Telecom of Colorado, LP; Level 3 Telecom of D.C., LLC; Level 3 Telecom of Florida, LP; Level 3 Telecom of Georgia, LP; Level 3 Telecom of Idaho, LLC; Level 3 Telecom of Illinois, LLC; Level 3 Telecom of Indiana, LLC; Level 3 Telecom of Kansas City, LLC; Level 3 Telecom of Kentucky, LLC; Level 3 Telecom of Louisiana, LLC; Level 3 Telecom of Maryland, LLC; Level 3 Telecom of Minnesota, LLC; Level 3 Telecom of Mississippi, LLC; Level 3 Telecom of Nevada, LLC; Level 3 Telecom of New Jersey, LLC; Level 3 Telecom of New Mexico, LLC; Level 3 Telecom of New York, LP; Level 3 Telecom of North Carolina, LLC; Level 3 Telecom of Ohio, LLC; Level 3 Telecom of Oregon, LLC; Level 3 Telecom of South Carolina, LLC; Level 3 Telecom of Tennessee, LLC; Level 3 Telecom of Texas, LLC; Level 3 Telecom of Utah, LLC; Level 3 Telecom of Virginia, LLC; Level 3 Telecom of Washington, LLC; Level 3 Telecom of Wisconsin, LP; Level 3 Telecom Data Services, LLC; and TelCove Operations, LLC

Services, Extended Native Local Area Network, Elite Native Local Area Network, Enterprise Switched Extended Native Local Area Network, and Virtual Private Network Services are offered nationwide.

Dedicated Ethernet Services: *Ethernet Transport* is offered in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Jersey, Nevada, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, Washington, Wisconsin, and Wyoming. *Ethernet over SONET* is available in Arizona, Colorado, Idaho, Iowa, Minnesota, Montana, Nebraska, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington, and Wyoming. *Ethernet Private Line* is available in Alabama, Arizona, Arkansas, California, Colorado, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Montana, Nebraska, New Jersey, Nevada, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, Wisconsin, and Wyoming. *Intercity and Metro E-Line Services* are offered nationwide. *E-Line* is offered in Alabama, Arizona, Arkansas, California, Colorado, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Jersey, Nevada, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, Wisconsin, and Wyoming.

Wavelength Services: *Optical Wavelength* is offered in Alabama, Arizona, Arkansas, California, Colorado, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Jersey, Nevada, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, Wisconsin, and Wyoming. *GeoMax* is offered in Arizona, Colorado, Idaho, Iowa, Minnesota, Montana, Nebraska, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington, and Wyoming. *Wavelength* is offered nationwide.

Authorized Date(s) – on or after October 18, 2020

Contact(s) – Kimberly Jackson, (202) 418-7393 (voice), Kimberly.Jackson@fcc.gov

Note: CenturyLink emphasizes that it does not seek authority to cease offering the Affected Services, but merely to discontinue offering these services on a common carriage basis.

CenturyLink maintains that, upon receiving authority, the Affected Services will be reclassified from “common carriage” to “private carriage” and that CenturyLink will offer them on a private carriage basis while honoring all existing contracts.