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PUBLIC SERVICE
COMMISSION

April 18, 2019

VIA ECFS

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:**

**Foothills Rural Telephone Coop. Corp., Inc.
FCC Registration Number 0003739380
Study Area Code 260406**

CC Docket No. 02-33

Dear Ms. Dortch:

John Staurulakis, Inc. (JSI), on behalf of Foothills Rural Telephone Coop. Corp., Inc. (Company), an issuing carrier for NECA Tariff F.C.C. No. 5, respectfully files the attached notice pursuant to the *Wireline Broadband Order* of the intent of the Company to discontinue its Wireline Broadband Internet Access Service (WBIAS) offerings under NECA Tariff F.C.C. No. 5 effective July 2, 2019. Upon discontinuance of the tariffed offerings, the Company 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*).

Echelon Building II, Suite 200
9430 Research Blvd., Austin, TX 78759
phone: 512-338-0473, fax: 512-346-0822

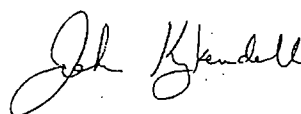
Eagandale Corporate Center, Suite 310
1380 Corporate Center Curve, Eagan, MN 55121
phone: 651-452-2660, fax: 651-452-1909

3440 Blue Springs Road, NW, Suite 503
Kennesaw, GA 30144
phone: 770-569-2105, fax: 770-410-1608

547 South Oakview Lane
Bountiful, UT 84010
phone: 801-294-4576, fax: 801-294-5124

Any questions regarding the notice 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: Foothills Rural Telephone Coop. Corp., Inc.
Special Assistant for Telecommunications at the Department of Defense
The Office of the Honorable Matthew Bevin, Governor of Kentucky
Kentucky Public Service Commission
National Exchange Carrier Association

**Notice of Permissive Detariffing of Wireline Broadband Internet Access Service
Effective July 2, 2019 by
FOOTHILLS RURAL TELEPHONE COOP. CORP., INC. – SAC 260406
1621 KY Rt 40W, PO Box 240
Staffordsville, KY 41256
(606) 297-3501
CC Docket No. 02-33**

Foothills Rural Telephone Coop. Corp., Inc. (“Company”) hereby provides notice that it plans to terminate provision of wireline broadband Internet access service (WBIAS) on a tariffed basis effective July 2, 2019 at which time it plans 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 Company currently offers 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 Company is an issuing carrier.

The Company has requested of NECA that it remove the Company as a carrier listed in NECA Tariff F.C.C. No. 5 as a provider of ADSL and SDSL Access Services (hereinafter “WBIAS”) under the tariff effective July 2, 2019.

Impact on Customers

The only customer for the Company’s WBIAS is the Company’s affiliate nonregulated Internet Service Provider (“ISP”) operation. The affiliate purchases WBIAS for use as a component in its 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 affiliate.

Serving Area

The company’s provision of WBIAS is limited to its ILEC serving area in Kentucky.

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

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

FOOTHILLS RURAL TELEPHONE COOP. CORP., INC.

1621 KY Rt 40W, PO Box 240

Staffordsville, KY 41256

(606) 297-3501

WBIAS DETARIFFING TIMELINE

April 18, 2019

30-Day Notice filed with following:

Federal Communications Commission (under CC Docket No. 02-33)
Special Assistant for Telecommunications at the Department of Defense
The Office of the Honorable Matthew Bevin, Governor of Kentucky
Kentucky Public Service Commission
National Exchange Carrier Association

April 18, 2019

Notice to customers.

As indicated above, the only customer for the Company's wireline broadband Internet Access Service (WBIAS) is the Company's affiliate nonregulated ISP operation. The 30-day notice to the affiliate ISP will be provided by interoffice memorandum cover with this notice attached.

June 17, 2019

Expected filing by NECA on 15-day notice of a tariff transmittal that will include, *inter alia*, removal of Foothills Rural Telephone Coop. Corp., Inc. from the list of issuing carriers offering ADSL and SDSL Access Service.

July 2, 2019

Planned NECA tariff filing to become effective. Beginning on this date the Company no longer offers WBIAS under NECA Tariff F.C.C. No. 5.

July 2, 2019 Forward

WBIAS available on common-carriage non-tariffed basis under rates, terms and conditions posted at www.foothills.net.

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Notification of Discontinuance of Common Carrier Tariffed Wireline Broadband Internet Access Service was served this 18th day of April, 2019, 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

The Honorable Matthew Bevin
Office of the Governor
Kentucky State Capitol
700 Capital Avenue, Suite 100
Frankfort, Kentucky 40601

Gwen R. Pinson
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, Kentucky 40602-0615

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

