

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of)
)
Section 63.71 Application of)
)
CenturyLink of Florida, Inc.)
)
For Authority Pursuant to Section 214 of the)
Communications Act of 1934, As Amended,)
to Discontinue a Telecommunications)
Service)

REDACTED

WC Docket No. 23-_____

RECEIVED-FPSC
2023 MAY 11 AM 10:09
COMMISSION
CLERK

SECTION 63.71 APPLICATION

CenturyLink of Florida, Inc. (FRN: 0001-8252-98) (CenturyLink)¹ seeks authority pursuant to Section 63.71 of the Federal Communications Commission’s (Commission) rules, 47 C.F.R. § 63.71, and Section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, to discontinue legacy voice service (Affected Service) in three small portions of its Florida service area impacted by Hurricane Ian, as reflected in the maps in Attachment A (Affected Service Areas).

On September 28, 2022, Hurricane Ian struck southwestern Florida, causing at least 148 deaths and widespread destruction. One of the most powerful storms to ever hit the United States, Hurricane Ian also significantly damaged CenturyLink’s network, initially leaving tens of thousands of CenturyLink’s voice customers out-of-service. On December 1, 2022, CenturyLink filed an application for authority for the emergency impairment of service in those areas

¹ CenturyLink of Florida, Inc. is a subsidiary of Lumen Technologies, Inc. (FRN: 0018-6268-53).

(“Impairment Application”),² which it has subsequently renewed, as required by Commission rules.

Through the hard work of its dedicated employees, CenturyLink has substantially completed its network restoration in most areas affected by the hurricane. CenturyLink is still finalizing its restoration plans, especially for areas where its existing outside plant and electronics are not salvageable. In some of those areas, CenturyLink is rebuilding its outside plant with fiber optic cable capable of providing state-of-the-art broadband and voice services. But, in others, CenturyLink has decided to cease providing voice service.

That is the case in the Affected Service Areas, due to the very small number of CenturyLink customers in these areas. While these areas contain approximately 1,500 living units, CenturyLink had only about 50 subscribers to its legacy voice service in these areas at the time of the hurricane.³ In this Application, CenturyLink seeks authority to discontinue legacy voice service as of June 30, 2023, or as soon thereafter as CenturyLink obtains Commission approval, in the three limited areas in or near Cape Coral, Cypress Lake, and North Naples, Florida shown in Attachment A. The public convenience and necessity will not be adversely affected by this discontinuance, as the affected customers can seek alternative service arrangements from other providers that offer equivalent substitute services. Most notably, Comcast Xfinity (hereinafter, Xfinity) offers Xfinity Voice in the affected service areas, available on a standalone basis or bundled with high-speed broadband and/or TV service, and the

² Application of Embarq Florida, Inc. d/b/a CenturyLink Pursuant to 47 C.F.R. § 63.63 for the Emergency Impairment of Service, WC Docket Nos. 22-428, 21-391 (filed Dec. 1, 2022). Effective January 1, 2023, Embarq Florida, Inc. d/b/a CenturyLink changed its name to CenturyLink of Florida, Inc.

³ Prior to the hurricane, CenturyLink had only 10 broadband subscribers in these areas.

three largest mobile wireless providers (AT&T, T-Mobile, and Verizon) offer standalone and bundled voice services in these areas as well.

This Application is eligible for automatic grant under 47 C.F.R. § 63.71(f)(2)(i), because Xfinity Voice (“Replacement Service”) is an adequate replacement for CenturyLink’s legacy voice service and will remain available to these customers in the event the Application is granted. Also, this Application is similar to a previous CenturyLink Section 214 application that was automatically granted under the Adequate Replacement Test. In 2020, the Wireline Competition Bureau (“Bureau”) applied streamlined treatment to CenturyLink’s application to discontinue legacy voice services in Ozello, Florida, based on the availability of Charter’s Spectrum Voice service.⁴ This prior action by the Bureau provides an additional basis for making this Application eligible for automatic grant pursuant to the Adequate Replacement Test.⁵

CenturyLink submits the following information required by Sections 63.505, 63.71(c), and Section 63.602 of the Commission’s rules:

⁴ *See Comments Invited on Section 214 Applications(s) to Discontinue Domestic Non-Dominant Carrier Telecommunications Services as Part of a Technology Transition, WC Docket No. 20-328, Public Notice, 35 FCC Rcd 11342 (2020) DA 20-1183 (Oct. 8, 2020).*

⁵ *See Technology Transitions; USTelecom Petition for Declaratory Ruling That Incumbent Local Exchange Carriers Are Non-Dominant in the Provision of Switched Access Services; Policies and Rules Governing Retirement of Copper Loops by Incumbent Local Exchange Carriers, Declaratory Ruling, GN Docket No. 13-5, et al., Second Report and Order, and Order on Reconsideration, 31 FCC Rcd 8283, 8311 ¶ 83 (2016), subsequent history omitted (“2016 Technology Transition Order”)* (finding “that an application should be eligible for an automatic grant where a substantially similar showing made by the same applicant has satisfied our public interest obligations”).

1. **Information Required by 47 C.F.R. § 63.505 and § 63.71(c).**

a. Name and address of carrier.

CenturyLink of Florida, Inc
100 CenturyLink Drive
Monroe, Louisiana 71203

b. Date of planned service discontinuance, reduction or impairment.

As of June 30, 2023, or as soon thereafter as the necessary regulatory approvals can be obtained, CenturyLink will no longer offer the Affected Service in the Affected Service Areas. CenturyLink has committed to working with its remaining customers in this area to enable them to transition to an alternative voice provider, if they choose to do so.

c. Points of geographic areas of service affected.

CenturyLink seeks authority to discontinue the Affected Service in small portions of its service areas in or near Cape Coral, Cypress Lake, and North Naples, Florida. Specifically, CenturyLink plans to discontinue legacy voice service to the locations served or potentially served by its network facilities in the areas shown in Attachment A.⁶

d. Brief description of the types of services affected.

The Affected Service is a TDM-based voice service that provides voice-grade telephonic communications channels that can be used to place or receive one call at a time.

CenturyLink's network facilities used to serve the Affected Service Areas were damaged beyond repair by Hurricane Ian. Those facilities pass roughly 1,500 known living units, with

⁶ See Attachment A. Attachment B provides a list of the affected Census Blocks in the Affected Service Areas. The service locations in the Affected Service Areas are or potentially could be served by the CenturyLink switches in Cape Coral, Cypress Lake, and North Naples, Florida.

about 50 of them subscribing to CenturyLink's legacy voice service at the time of the hurricane.⁷ To restore its legacy voice service offering in these areas, CenturyLink would have to rebuild its hurricane-damaged network with modern copper and/or fiber architecture. This network investment would present substantial cost that is unlikely to be recoverable (except in the unlikely event these legacy facilities remained viable and in use for decades), given the small number of remaining CenturyLink customers and the abundance of alternative providers in this area. CenturyLink therefore believes it prudent to discontinue service now, to allow its remaining customers to transition to alternative providers should they elect to replace their CenturyLink legacy voice service. CenturyLink therefore seeks Commission authority to discontinue legacy voice service in the Affected Service Areas on June 30, 2023.

e. Brief description of the dates and methods of notice to all affected customers.

CenturyLink notified its customers in the Affected Service Areas of the planned discontinuance of the Affected Service in a letter sent via United Parcel Service or U.S. Mail on April 27, 2023. A copy of the form of customer notification letter CenturyLink used is appended hereto. (*See* Attachment C.) That letter includes the information required by 47 C.F.R. § 63.71(a)(6) for the Application to be eligible for automatic grant under 47 C.F.R. § 63.71(f).

f. Whether the carrier is considered dominant or non-dominant with respect to the services to be discontinued, reduced or impaired.

CenturyLink is a non-dominant carrier with regard to the service to be discontinued.

⁷ There may be additional potential service locations in the Affected Service Areas that are not known to CenturyLink and, thus, are not in its network and operating systems. CenturyLink is aware only of locations at which it has provided service, or which are included in various system updates obtained from third-party sources in the ordinary course of business.

g. Service.

In accordance with 47 C.F.R. § 63.71(a), CenturyLink has mailed a copy of this application to the Governor of Florida and the Florida Public Service Commission, as well as to the Special Assistant for Telecommunications under the Secretary of Defense.⁸ There are no federally-recognized Tribal Nations with Tribal lands in the geographic areas identified in Paragraph 1.c above.

h. Applicable Tariff Listing (47 C.F.R. § 63.505(e)).

Xfinity Voice is not tariffed, but its rates are available on Xfinity's website, as noted below.

i. Number of Toll Messages (47 C.F.R. § 63.505(l)).

CenturyLink's toll traffic to and from the Affected Service Areas has steadily fallen with the dwindling number of legacy voice customers in that and surrounding areas and the common use of mobile wireless phones for long distance calling. CenturyLink does not track the monthly number of toll messages or toll revenues in this area.

2. Additional Information Required by 47 C.F.R. § 63.602

a. Statement Identifying the Application as a Technology Transition (47 C.F.R. § 63.602(a)(2)).

The proposed discontinuance constitutes a "technology transition,"⁹ because CenturyLink's remaining legacy voice customers in the Affected Service Areas will be required

⁸ Section 63.71(a) directs applicants to submit a copy of the application to the Secretary of Defense, Special Assistant for Telecommunications. However, due to restructuring within the Department of Defense, that position no longer exists. Commission staff has advised that a copy of the application be sent instead to the Department of Defense Chief Information Officer.

⁹ See 47 C.F.R. § 63.60(i) (defining a technology transition as "any change in service that would result in the replacement of a wireline TDM-based voice service with a service using a

to replace their TDM-based voice service with a different technology or transmission medium when CenturyLink discontinues legacy voice service in this area, as there is no other TDM-based voice service available in the Affected Service Areas.

b. Information Regarding the Price of the Service to be Discontinued and the Price of the Proposed Replacement Service (47 C.F.R. § 63.602(a)(3)).

CenturyLink’s residential single-line voice service is \$30.50 per month, plus taxes, surcharges, and fees. Business single-line voice service is \$43.50 per month, plus taxes, surcharges, and fees. Long distance and calling features are available for an additional monthly charge.

When purchased on a standalone basis, Xfinity Voice, which includes unlimited nationwide calling, is available for \$20 per month, plus taxes, surcharges, and fees. When purchased with Internet and/or TV service, Xfinity Voice is priced at \$10 per month, plus taxes, surcharges, and fees.¹⁰

c. Certification that the Information Submitted in this Application Pursuant to Section 63.602 Is True and Accurate (47 C.F.R. § 63.602(a)(4)).

See the attached certification of Alexis Goodrich, Vice President, Mass Markets Field Operations.¹¹

different technology or medium for transmission to the end user, whether Internet Protocol (IP), wireless, or another type” except in certain copper retirement situations).

¹⁰ Xfinity website, *Build your plan*, <https://www.xfinity.com/digital/offers/plan-builder> (last visited Apr. 20, 2023).

¹¹ See Attachment D, Section 63.602(a)(4) Certification.

d. Showing that the Proposed Replacement Service Is an Adequate Replacement for the Service to Be Discontinued (47 C.F.R. § 63.602(b)).

In 2016, the Commission established a streamlined process for addressing Section 214 discontinuance applications that relate to “technology transitions,” where the applicant is seeking to discontinue a legacy TDM-based voice service as part of a transition to a new technology, whether IP, wireless or another type, and there will no longer be TDM-based voice service available in the affected service area.¹² Under the Adequate Replacement Test adopted in that order, such discontinuance applications will be eligible for automatic grant if the applicant demonstrates that there are one or more adequate replacements for the legacy voice service being discontinued in the service area in question.¹³ An applicant may do so “by certifying or showing that one or more replacement service(s) offers all of the following: (i) substantially similar levels of network infrastructure and service quality as the applicant service; (ii) compliance with existing federal and/or industry standards required to ensure that critical applications such as 911, network security, and applications for individuals with disabilities remain available; and (iii) interoperability and compatibility with an enumerated list of applications and functionalities determined to be key to consumers and competitors.”¹⁴ As discussed below, this application meets those three criteria and is therefore eligible for automatic grant under the streamlined process set forth in Section 63.71(f).

¹² *2016 Technology Transition Order*, 31 FCC Rcd 8283 (2016).

¹³ *Id.*, 31 FCC Rcd at 8304-05 ¶ 64.

¹⁴ *Id.*, 31 FCC Rcd at 8305 ¶ 65. *See also* 47 C.F.R. § 63.602 (specifying additional contents required in applications to discontinue service as part of a technology transition, including those required for applications relying on the Adequate Replacement Test).

Under the framework adopted in the 2016 order, technology transition applicants can either demonstrate compliance with the enumerated criteria or make a demonstration that, “despite not being able to meet the criteria, the totality of the circumstances demonstrates that an adequate replacement nonetheless exists.”¹⁵ The Commission also explicitly found that both first and third party services are eligible as potential adequate replacement services, given that third party services have always been eligible for consideration under the 214 discontinuance process as potential adequate replacements.¹⁶ As the Commission noted, “[t]he question is whether an adequate replacement exists in the service area, not who provides the service that provides that adequate replacement.”¹⁷

The Commission recognized, however, that applicants will not be able to certify on behalf of a third party that the third party’s voice service meets the Adequate Replacement Test’s three-part criteria.¹⁸ Instead, such applicants must “rely on the option of providing enough information to make an adequate showing to demonstrate that the third party service is an adequate replacement.”¹⁹ Specifically, applicants relying on a third party service must make a *prima facie* showing based on publicly available information as to whether the third party service meets the Commission’s Adequate Replacement Test.²⁰

¹⁵ *2016 Technology Transition Order*, 31 FCC Rcd at 8306 ¶ 67.

¹⁶ *Id.*, 31 FCC Rcd 8311-12 ¶ 84.

¹⁷ *Id.*, 31 FCC Rcd at 8312 ¶ 84.

¹⁸ *Id.*, 31 FCC Rcd at 8312 ¶ 85.

¹⁹ *Id.*

²⁰ *Id.*, 31 FCC Rcd at 8312 ¶ 86. Any commenter opposing grant of such a Section 214 application must rebut the *prima facie* showing made by the applicant. *Id.*

CenturyLink hereby makes the *prima facie* showing required under the Adequate Replacement Test:

i. The Replacement Service Provides Substantially Similar Levels of Network Infrastructure and Service Quality as CenturyLink’s Legacy Voice Service (47 C.F.R. § 63.602(b)(1)).

To satisfy the first prong of the Adequate Replacement Test, the applicant must show that one or more replacement service(s) provides substantially similar network performance as the service being discontinued; substantially similar service availability as the service being discontinued; and coverage to the entire affected geographic service area.²¹

A. Network Performance.

In the *2016 Technology Transition Order*, the Commission identified two metrics for evaluating whether a replacement service provides substantially similar network performance to the legacy voice service being discontinued: latency and data loss.²² Consistent with the Commission’s expectation in the *2016 Technology Transition Order*, CenturyLink is unable to test these aspects of Xfinity Voice. Nevertheless, the totality of the circumstances demonstrates that this service provides substantially similar network performance to CenturyLink’s legacy voice service. While the Affected Service Areas include approximately 1,500 known households, only about 50 of those households are currently served by CenturyLink’s legacy voice service. If the remaining households in this area have subscribed to voice service, they are served by another provider, such as Xfinity, that they view to be an adequate replacement.

The migration prior to the hurricane of 97% of CenturyLink’s legacy voice customers in the Affected Service Areas to alternative services strongly suggests that these services provide

²¹ *Id.*, 31 FCC Rcd at 8313 ¶ 89.

²² *Id.*, 31 FCC Rcd at 8316 ¶ 94.

network performance that is equivalent to, or better than, CenturyLink’s legacy voice service. Such a precipitous loss of customers is exactly the opposite of what would be expected if the alternative services available to the customers in these areas provided inferior network performance, in the form of dropped calls or poor call quality, for example. Ultimately, such customer experience is of key importance, as the Commission recognized in 2016: “Our mission here is to ensure a customer experience with the replacement service that is substantially similar to the customer experience with the service being discontinued[.]”²³

B. Service Availability.

Under the *2016 Technology Transition Order*, an applicant relying on its own replacement service must demonstrate a service availability of 99.99 percent for the replacement service.²⁴ Consistent with the Commission’s expectations, CenturyLink lacks the ability to obtain testing data demonstrating the service availability of Xfinity Voice. Once again, however, the totality of the circumstances shows that Xfinity Voice’s service availability is substantially similar to that of CenturyLink’s legacy voice service. If Xfinity Voice experienced noticeably more downtime than the CenturyLink service, one naturally would expect that consumers in this area would have returned to CenturyLink’s legacy voice service. That has not occurred.

C. Network Coverage.

In order to meet this aspect of the network performance prong, and to be eligible for automatic grant, the applicant must show that either: (i) a single replacement service reaches the entire geographic footprint of the service area subject to discontinuance; or (ii) there are multiple

²³ *Id.*, 31 FCC Rcd at 8314 ¶ 92 (footnotes omitted).

²⁴ *Id.*, 31 FCC Rcd at 8323 ¶ 112.

providers who collectively cover the entirety of the affected service area.²⁵ Here, the Affected Service Areas are limited to small geographic areas, which contain only about 50 customers that were subscribing to CenturyLink's legacy voice service prior to the hurricane. One can reasonably presume that the other customer locations in these areas subscribe to voice and broadband service from other providers.

To the best of CenturyLink's knowledge, Xfinity Voice reaches the entirety of the Affected Service Areas. Xfinity is listed in the Commission's Form 477 data as providing service in the relevant Census blocks. Additionally, the addresses in the Affected Service Areas qualify for Xfinity Voice service according to the online ordering tools for new Xfinity service.

ii. The Replacement Service Provides Access to Critical Applications and Functionalities (47 C.F.R. § 63.602(b)(2)).

The second prong of the Adequate Replacement Test requires applicants to show that one or more replacement service(s) offers access to the following critical applications and functionalities: 911 and emergency services; communications security; and services for individuals with disabilities.²⁶

A. 911 and Emergency Services.

To be eligible for automatic grant, applicants must certify or show that one or more replacement service(s) complies with the Commission's requirements pertaining to accessible, accurate, and reliable 911 service.²⁷ These requirements include rules governing 911 call delivery, service, and location; the capabilities and routing necessary for consumers' continued access to 911 emergency service; and 911 calls to PSAPs or other appropriate local emergency

²⁵ *2016 Technology Transition Order*, 31 FCC Rcd at 8328 ¶ 123.

²⁶ *2016 Technology Transition Order*, 31 FCC Rcd at 8329 ¶ 126.

²⁷ *Id.*, 31 FCC Rcd at 8329 ¶ 127.

authorities.²⁸ To the best of CenturyLink’s knowledge, Xfinity Voice complies with these requirements.

911 Accessibility and Location Accuracy Requirements. To the best of CenturyLink’s knowledge, Xfinity is a provider of interconnected VoIP service subject to the Commission’s 911 and E911 requirements for providers of that type.²⁹ Also, to the best of CenturyLink’s knowledge, Xfinity offers a dispatchable address capability, as required by the Commission’s rules.³⁰ Xfinity’s website states that, for customers with E911, “when you dial 911 your telephone number and location are automatically sent to the 911 operator during the call.”³¹ Xfinity also is subject to the Commission’s enforcement authority in the event it fails to comply with any applicable 911 requirements.

Residential Backup Power Requirements. To be eligible for automatic grant, an applicant must show that at least one replacement service in the area complies with the Commission’s residential backup power requirements.

To the best of CenturyLink’s knowledge, Xfinity Voice complies with the Commission’s residential backup power requirements in Section 9.20 of the Commission’s rules.³² Xfinity

²⁸ *Id.*, 31 FCC Rcd at 8329 ¶ 128.

²⁹ *See, e.g.*, 47 C.F.R. § 9.11.

³⁰ *See* 47 C.F.R. §§ 9.11 (currently requiring interconnected VoIP providers to transmit the caller’s Registered Location for each call to the PSAP, designated statewide default answering point, or appropriate local emergency authority that serves the caller’s Registered Location).

³¹ Xfinity website, *What is Enhanced 911 and How Does It Work?*, <https://www.xfinity.com/support/articles/about-e911> (last visited Apr. 20, 2023).

³² 47 C.F.R. § 9.20. After the issuance of the *2016 Technology Transition Order*, the backup power requirements for facilities-based, fixed residential service were moved from Section 12.5 to Section 9.20. *See Implementing Kari’s Law and Section 506 of RAY BAUM’s Act; Inquiry Concerning 911 Access, Routing, and Location in Enterprise Communications*

offers battery-powered backup to its phone modems, which enables its voice service to remain active in the event of an electrical power outage. Those batteries provide 24 hours of standby power.³³

Protecting PSAP Operations. To successfully meet this second prong, an applicant also must certify or show compliance with 911 network reliability requirements.³⁴ CenturyLink will continue to serve PSAPs in this area, despite the proposed discontinuance of its legacy voice service in the Affected Service Areas. CenturyLink certifies that it complies with 911 network reliability requirements.³⁵

B. Network Security.

To remain eligible for automatic grant, an applicant must certify or show that one or more replacement service(s) offers comparably effective protection from network security risks.³⁶ If relying on a third party service, an applicant “must exercise reasonable diligence to identify the security profile . . . of the replacement service, based on the replacement technology’s ability to provide availability, integrity, and confidentiality.”³⁷

To the best of CenturyLink’s knowledge, Xfinity Voice offers comparably effective protection from network security risks as the legacy voice service CenturyLink seeks to

Systems; Amending the Definition of Interconnected VoIP Service in Section 9.3 of the Commission’s Rules, Report and Order, 34 FCC Rcd 6607 (2019).

³³ Xfinity website, *How To Buy a Phone Modem Battery Case for Your Xfinity Voice Service*, <https://www.xfinity.com/support/articles/getting-a-new-battery> (last visited Apr. 20, 2023).

³⁴ *2016 Technology Transition Order*, 31 FCC Rcd at 8332 ¶ 134.

³⁵ See 47 C.F.R. § 9.19.

³⁶ *2016 Technology Transition Order*, 31 FCC Rcd at 8333 ¶ 136.

³⁷ *Id.*, 31 FCC Rcd at 8335 ¶ 141.

discontinue. Given the prevalence of VoIP services today, security practices for those services are mature and well developed. In 2005, the National Institute of Standards and Technology (NIST) developed recommendations for ensuring the security of VoIP services.³⁸ Among other things, the NIST publication identifies potential risks, threats, and vulnerabilities in a VoIP environment and the best practices available to counter those issues.³⁹ Various publicly available white papers identify similar countermeasures.⁴⁰ Of course, Xfinity has distinct market-based incentives to protect their networks from attacks, given the harm and adverse publicity that would undoubtedly follow a successful significant attack.

Accessibility, Usability, and Compatibility. To the best of CenturyLink’s knowledge Xfinity Voice complies with the Commission’s applicable accessibility, usability, and compatibility requirements governing services benefiting individuals with disabilities, thus ensuring that they offer accessibility levels at least as effective as those offered by CenturyLink’s legacy voice service.⁴¹ The Commission recognized in the *2016 Technology Transition Order* that the “rules of the road” for accessibility already have been established in the Commission’s rules.⁴² Indeed, the same accessibility rules governing legacy voice services apply to

³⁸ D. Richard Kuhn, Thomas J. Walsh, Steffen Fries, NIST, *Security Considerations for Voice Over IP Systems*, Special Publication 800-58 (2005), available at <https://nvlpubs.nist.gov/nistpubs/Legacy/SP/nistspecialpublication800-58.pdf>.

³⁹ *Id.* at 81-87.

⁴⁰ See, e.g., Joel Chapman, SANS Institute, *Security Considerations for Voice over Wi-Fi (VoWiFi) Systems* (2019), available at <https://www.sans.org/reading-room/whitepapers/voip/security-considerations-voice-wi-fi-vowifi-systems-38945>.

⁴¹ See *2016 Technology Transition Order*, 31 FCC Rcd at 8338 ¶ 146.

⁴² *Id.*, 31 FCC Rcd at 8339 ¶ 149. The Commission also reminded carriers and interconnected VoIP service providers “of their obligation under the existing telecommunications relay service rules to provide access to TRS, including 711 dialing access.” *Id.*, 31 FCC Rcd at 8339 ¶ 151; See, e.g., *Transition from TTY to Real-Time Text Technology; Petition for Rulemaking to Update the Commission's Rules for Access to Support the Transition from TTY to*

interconnected VoIP services, such as that offered by Xfinity, including Telecommunications Relay Service (TRS) requirements.⁴³ In addition, as the Commission recognized, these newer technologies offer the potential for more accessibility features and functionalities not available via legacy voice service.⁴⁴

iii. The Replacement Service Is Interoperable with Applications and Functionalities That Are Key to Consumers and Competitors (47 C.F.R. § 63.602(b)(3)).

Under the third prong of the Adequate Replacement Test, an applicant must show that one or more replacement service(s) offers compatibility with an enumerated set of applications and functionalities, including the following low-speed modem services: fax machines, home security alarms, medical monitoring devices, analog-only caption telephone sets, and point-of-sale terminals.⁴⁵ To the best of CenturyLink’s knowledge, Xfinity Voice fulfills this requirement.

CenturyLink now serves only 3% of the homes passed by its legacy network in the Affected Service Areas. Such low subscription levels to legacy voice service are not uncommon. As a result, manufacturers now sell various types of customer premises equipment that are compatible with VoIP including home security systems.⁴⁶ With regard to faxing capability,

Real-Time Text Technology, and Petition for Waiver of Rules Requiring Support of TTY Technology, CG Docket No. 16-145; GN Docket No. 15-178, Report and Order and Further Notice of Proposed Rulemaking, 31 FCC Rcd 13568 (2016).

⁴³ Xfinity’s website confirms that TRS is available to Xfinity Voice customers with a hearing impairment. Xfinity Website, *What is Telecommunications Relay Service, and how does it work?*, <https://www.xfinity.com/support/articles/trs> (last visited Apr. 20, 2023).

⁴⁴ See *2016 Technology Transition Order*, 31 FCC Rcd at 8339 ¶ 150.

⁴⁵ See *2016 Technology Transition Order*, 31 FCC Rcd at 8341-45 ¶¶ 157-170.

⁴⁶ See, e.g., ADT website, *Security Services & Features FAQs*, <https://www.adt.com/help/faq/security-services-features> (“ADT home security systems work with approved VoIP phone services”) (last visited Apr. 20, 2023).

Xfinity provides troubleshooting tips on its website about using fax machines and those that are not compatible with Xfinity Voice service.⁴⁷ Xfinity also states on its website that most home alarm systems are supported by Xfinity Voice service.⁴⁸ CenturyLink was unable to find information specifically addressing compatibility of Xfinity Voice with analog-only caption telephones, but it appears that VoIP is compatible with many of these devices.⁴⁹ Similarly, manufacturers of point-of-sale terminals now focus on transmission technologies other than landline voice lines.⁵⁰

In any case, subsequent to the *2016 Technology Transition Order*, the Commission found it unnecessary to include in the Alternative Options Test a requirement that services meeting that test, including the standalone interconnected VoIP service offered by the applicant, be interoperable with third-party devices and services such as alarm monitoring services. The Commission noted the existence of significant intermodal competition in the provision of those services and that “the marketplace has already recognized the value of such interoperability, and

⁴⁷ Xfinity website, *Troubleshooting Your Xfinity Voice and Fax Machines*, <https://www.xfinity.com/support/articles/troubleshooting-xfinity-voice> (last visited Apr. 20, 2023).

⁴⁸ Xfinity website, *Home Alarm Systems and Xfinity Voice*, <https://www.xfinity.com/support/articles/home-alarm-systems-phone> (last visited Apr. 20, 2023).

⁴⁹ See, e.g., CapTel website, *Captioned Phones for Hearing Loss FAQs*, <https://www.captel.com/2019/11/captioned-phones-for-hearing-loss-faqs/> (last visited Apr. 20, 2023).

⁵⁰ See, e.g., PC Magazine website, *The Best Point-of-Sale (POS) Systems*, <https://www.pcmag.com/picks/the-best-point-of-sale-pos-systems> (Sept. 30, 2019); Business.Org website, *The 5 Best Wireless POS Systems for Retailers*, <https://www.business.org/software/point-of-sale/best-wireless-pos-systems/> (last visited Apr. 20, 2023).

carrier have largely designed their networks and services accordingly.”⁵¹ For all these reasons, the Commission should find that Xfinity Voice satisfies the third prong of the Adequate Replacement Test.

3. Conclusion.

As demonstrated above, CenturyLink meets each of the Commission’s criteria for discontinuing service under Section 63.71 of the Commission’s rules and qualifies for automatic grant under Section 63.71(f)(2)(i) of those rules. As a result, the public convenience and necessity will not be adversely affected by the discontinuance of CenturyLink’s legacy voice service in the Affected Service Areas. Advance notice has been provided to all affected customers, giving them ample time to arrange replacement services, which are readily available from at least two other providers. CenturyLink therefore respectfully requests that the Commission approve this Section 63.71 application.

Respectfully submitted,

CENTURYLINK OF FLORIDA, INC.

By: 
Craig J. Brown
Lumen Technologies, Inc.
660 North Capitol Street, NW
Suite 240
Washington, DC 20001
(303) 992-2503
Craig.J.Brown@lumen.com

Its Attorney

DATE: May 4, 2023

⁵¹ *Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment*, WC Docket No. 17-84, Order, 33 FCC Rcd 5660, 5676 ¶ 34 (2018), *subsequent history omitted (Wireline Infrastructure Order)*.

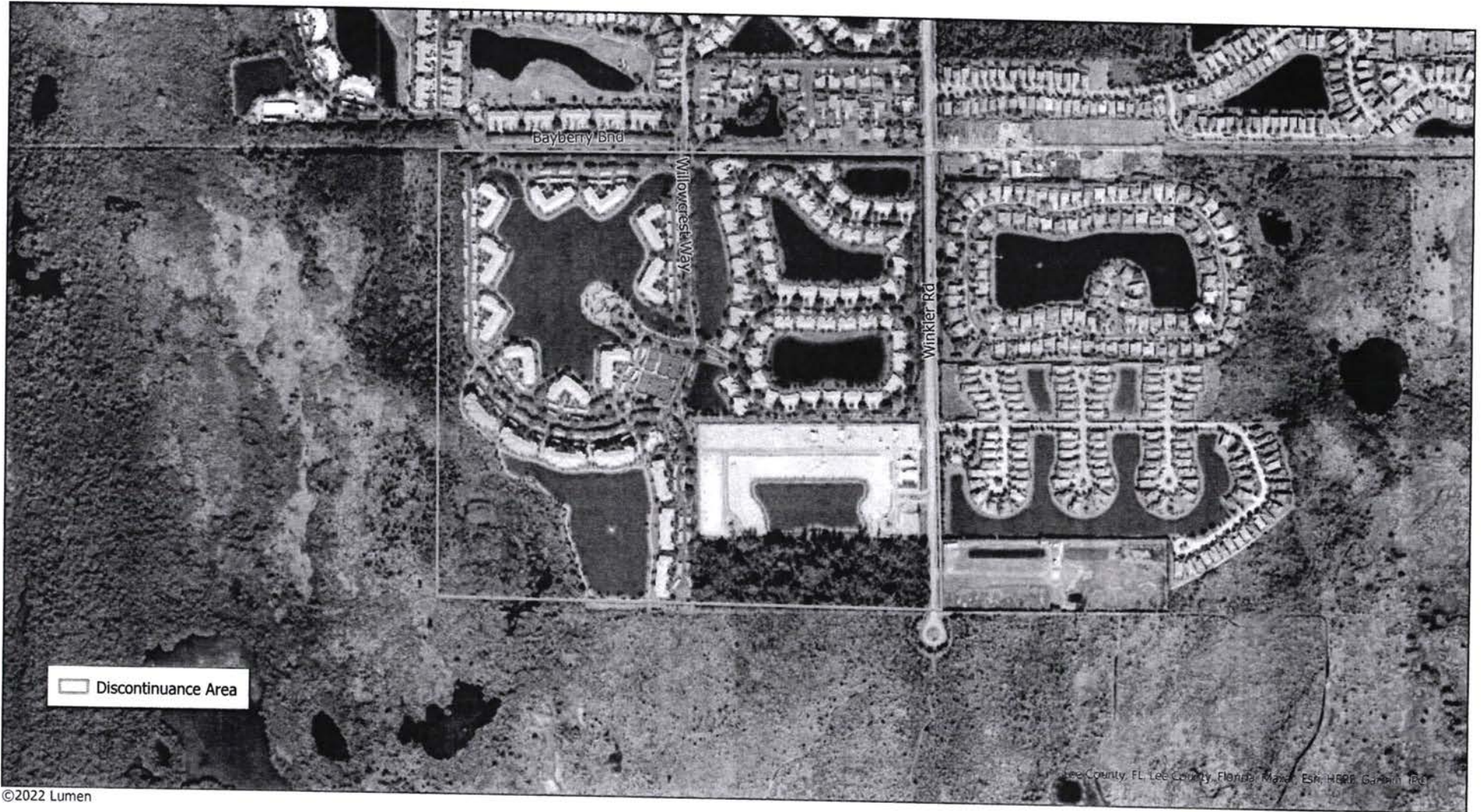
LUMEN® Cape Coral, FL (CPCRFLXA) Discontinuance

ATTACHMENT A



LUMEN® Cypress Lake, FL (CYLKFLXA) Discontinuance

ATTACHMENT A



©2022 Lumen

jgbarlo
3/15/2023

LUMEN® North Naples, FL (NNPLFLXA) Discontinuance

ATTACHMENT A



ATTACHMENT B

Naples

120210101111005 Partial
120210101111006
120210101111007
120210101111008
120210101111009 Partial

Cape Coral

120710104151001 Partial
120710104151002
120710104151010
120710104151011
120710104151014
120710104151036 Partial
120710104151038
120710104151039

Cypress Lake

120710019212003
120710019212004
120710019212005
120710019212006
120710019212007 Partial
120710019212008



April 27, 2023

Billing Account Number: [REDACTED]

Important Notice Regarding the Plan of CenturyLink of Florida, Inc. formerly Embarq Florida, Inc. d/b/a CenturyLink to Discontinue a Telecommunications Service

Dear [REDACTED],

At CenturyLink, our goal is to provide our customers with great quality and value in our world of changing technologies and market conditions. To do so, we continually evaluate our prices, product offerings and infrastructure. Occasionally our evaluation directs us to make changes to some products, or to cease providing them.

We are writing to inform you that we plan to cease offering legacy voice service in three small areas in or near Cape Coral, Cypress Lake, and North Naples, Florida, due to hurricane damage to the network facilities that are necessary to provide that service. High-Speed Internet service will also be discontinued in these areas. See the attached maps of the affected geographic areas.

This service, to which you currently subscribe, provides voice-grade telephonic communications channels that can be used to place or receive one call at a time.

We plan to discontinue this service on June 30, 2023, subject to any necessary regulatory approvals, including from the Federal Communications Commission. There are other voice services available in your area as a replacement for our legacy voice service, including from Xfinity.

Attachment A provides important information regarding Xfinity Voice service, including the need for Xfinity Voice customers to contact Xfinity if they move to a different address. This ensures that 911 calls are properly routed and the option of purchasing a battery backup to keep the service operational during an electric power outage.

Other providers in this area offer mobile wireless services, which provide additional alternatives to CenturyLink's legacy voice service.

You are receiving this notice because you currently subscribe to CenturyLink legacy voice service in one of the affected areas. If you have not made arrangements with another service provider to replace your CenturyLink legacy voice service prior to June 30, 2023, your service will be disconnected at that time, assuming CenturyLink has obtained necessary regulatory approvals. We therefore urge you to promptly seek service from another provider.

ATTACHMENT C

We appreciate your business and hope that we have an opportunity to serve you in the future.

Please contact [REDACTED] at [REDACTED] if you have any questions or concerns about these changes.

Sincerely,

Alexis Goodrich
Vice President, Mass Markets Field Operations
CenturyLink

The following statement is required by the FCC:

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 CenturyLink of Florida, Inc. f/k/a Embarq Florida, Inc. d/b/a CenturyLink to Discontinue a Telecommunications Service. 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.

Attachment A: Important Information Regarding Xfinity Voice Service

- *Lack of Line Power.* The Xfinity Voice phone service may not provide line power to keep it operational during an electrical power outage. To maintain phone service during these times, you will have to arrange for an alternative source of electrical power for your phone modem.
- *Optional Backup Power*

- *Capability to Accept Backup Power.* If there is an electrical power outage that affects your home, your Xfinity Voice service will remain active if your phone modem has battery-powered backup, the backup stays charged, and the network remains available. You will also need to use a corded telephone or other device that does not rely on commercial power.
- *Purchase and Replacement Information, Including Cost.* An Xfinity Voice Backup Battery Case for certain Comcast-provided modems can be purchased from Comcast at any time for \$65, plus tax and shipping. New Xfinity customers can purchase an Xfinity Voice Backup Battery Case when they order Xfinity Voice service. If you already have Xfinity Voice service and would like to order an Xfinity Voice Backup Battery Case, call (888) 972-1261. The case will be shipped to your home within five to seven business days.

The Xfinity Voice Backup Battery Case also requires six 6-volt lantern batteries, which are not included, but are available for purchase from retailers. Batteries cannot be installed or replaced during a power failure. Comcast has tested specific battery brands to ensure battery life. Recommended brands are Rayovac and Energizer.

If you are a Comcast Business Voice customer, you can call (800) 391-3000 for details about the Comcast Business Voice battery replacement program.

Check Xfinity's website for detailed instructions on installing a new battery in an Xfinity modem or Wireless Gateway. (<https://www.xfinity.com/support/articles/installing-battery-into-voice-modem>).

Alternatively, you may be able to purchase and arrange for installation of an Uninterruptible Power Supply or other backup battery from a retail electronics store to maintain your phone service in the event of an electrical power outage.

- *Service Limitations with and without Backup Power.* Backup power for your phone modem (whether purchased from Comcast or a third party) will power Xfinity Voice equipment to work with a corded telephone or other device that does not rely on commercial power but will not power other equipment not provided by Comcast, like cordless phones or medical and security-monitoring systems.
- *Expected Backup Power Duration.* The Xfinity Voice Backup Battery Case will provide 24 hours of backup power for Xfinity Voice service, provided that the network remains available. The duration of backup power provided by a backup battery purchased online or from a retail store will vary depending on the number of devices attached to the backup battery and the capacity of the battery.
- *Proper Usage and Storage Conditions, Including the Impact on Duration of Failing to Adhere to Proper Usage and Storage.* Ideally, backup batteries should be stored at room temperature, between 60°F and 80°F. Storage of a backup battery at much lower or higher temperatures may prevent you from using the battery to maintain phone service in the event of a power outage.
- *Subscriber Backup Power Self-Testing and -Monitoring Instructions.* You will be responsible for monitoring the status of the backup battery and making sure the battery is charging normally. You should check the condition of your backup battery at least twice a year. The Xfinity Voice Backup Battery Case includes self-monitoring features (indicator light and audible alerts) to help you determine when to replace your

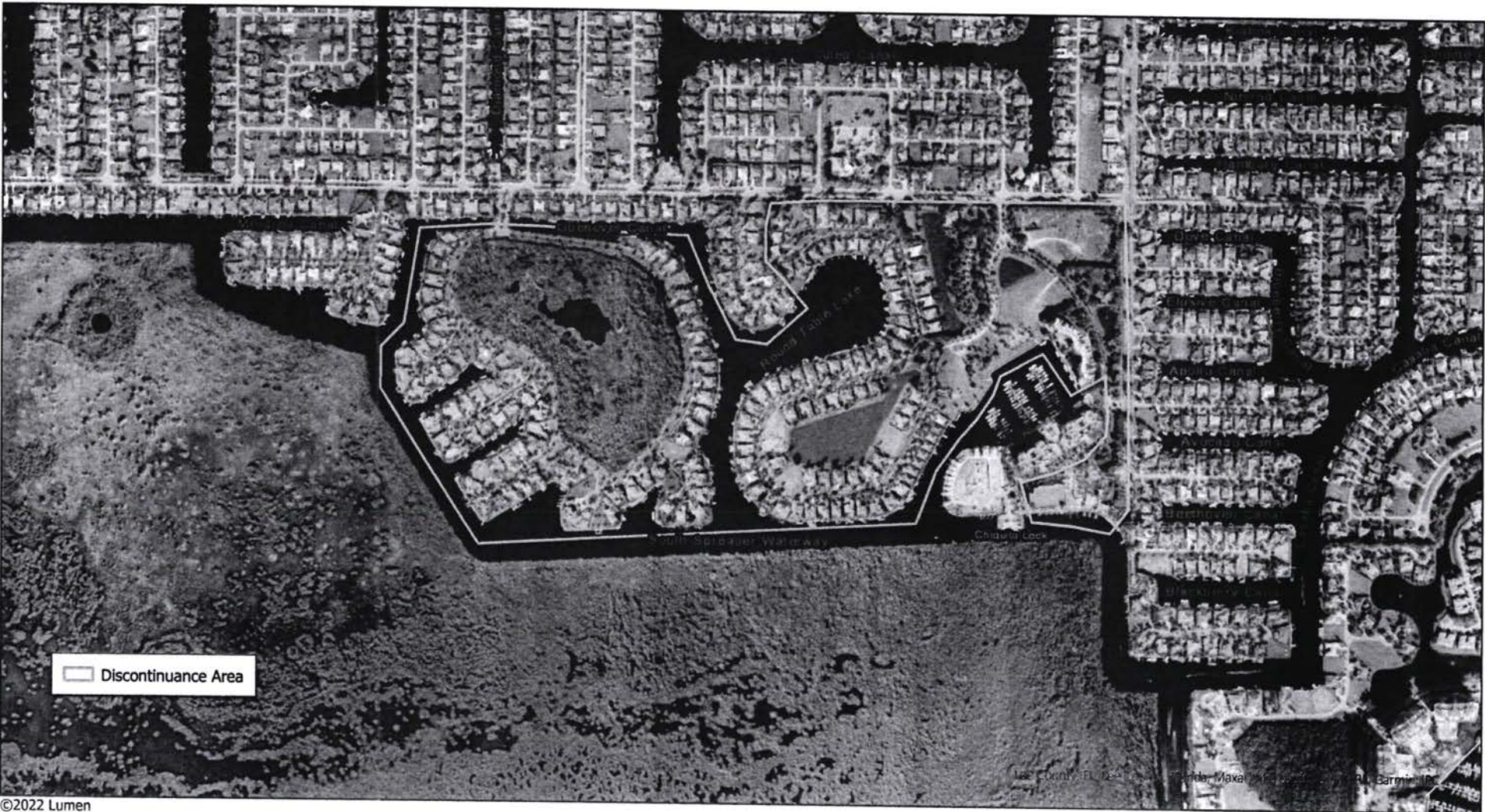
ATTACHMENT C

batteries. Additional information is available on Xfinity's website.
(<https://www.xfinity.com/support/articles/getting-a-new-battery>)

- *Backup Power Warranty Details.* The Xfinity Voice Backup Battery Case comes with a limited one-year warranty. Additional information is available on Xfinity's website.
(<https://www.xfinity.com/support/articles/xfinity-voice-backup-battery-warranty>)
- *Security Responsibilities and Other Steps You May Take to Ensure Safe Use of Xfinity Voice Service.* As noted, Xfinity Voice phone equipment will not operate without backup power in the event of a power outage. In that situation, you won't be able to make or receive calls, including emergency 911 calls, unless you previously purchased a backup power source from Comcast or a third party.

If you plan to move, and need to change your service address, you will need to contact Xfinity to move your service to ensure that 911 calls are properly routed. Do not move the phone modem installed in your home to another location without contacting Xfinity.

LUMEN® Cape Coral, FL (CPCRFLXA) Discontinuance



©2022 Lumen

LUMEN[®] Cypress Lake, FL (CYLKFLXA) Discontinuance

ATTACHMENT C



©2022 Lumen

Lee County, FL, Lee County, Florida, Map, ESRI, HERE, Garmin, IGO

jgbarlo
3/15/2023

LUMEN® North Naples, FL (NNPLFLXA) Discontinuance



©2022 Lumen

Section 63.602(a)(4) Certification

I, Alexis Goodrich, certify under penalty of perjury that, to the best of my knowledge, information, and belief, the information required by 47 C.F.R. § 63.602 that is submitted in the Section 63.71 Application of CenturyLink of Florida, Inc. for Authority Pursuant to Section 214 of the Communications Act of 1934, As Amended, to Discontinue a Telecommunications Service is true and correct.



Alexis Goodrich
Vice President, Mass Markets Field Operations



Date

CERTIFICATE OF SERVICE

I, Marjorie Herlth, do hereby certify that I have caused the foregoing **SECTION 63.71**

APPLICATION to be:

- 1) Filed with the Secretary of the FCC via ECFS (Inbox-Section 214 Domestic Discontinuance Application);
- 2) Served via first-class U.S. Mail, postage prepaid, on the Governor of the State listed on the attached service list;
- 3) Served via first-class U.S. Mail, postage prepaid, on the Public Utility Commission listed on the attached service list; and
- (4) Served via first-class U.S. Mail, postage prepaid, on the Special Assistant for Telecommunications under the Secretary of Defense¹.



Marjorie Herlth

May 4, 2023

¹ Section 63.71(a) directs applicants to submit a copy of the application to the Secretary of Defense, Special Assistant for Telecommunications. However, due to restructuring within the Department of Defense, that position no longer exists. Commission staff has advised that a copy of the application be sent instead to the Department of Defense Chief Information Officer.

Ron DeSantis
Office of Governor
The Capitol, PL05
400 S. Monroe St.
Tallahassee, FL 32399

Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Department of Defense
Chief Information Officer
Pentagon
Washington, DC 20301