

VIA ELECTRONIC MAIL

February 5, 2018

Braulio L. Baez
Executive Director
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399

RE: ALEC, LLC Notice of Discontinuance Application Filed with the FCC and Request to Cancel Certificate

Dear Mr. Baez:

ALEC, LLC (Certificate of Authority No. 8402) (“ALEC”), through undersigned counsel, hereby provides notice to the Commission of the Application to Discontinue Service that it filed with the Federal Communications Commission on January 30, 2018. A copy of the Application is attached. ALEC will cease providing telecommunications services on or after March 31, 2018, pending receipt of all regulatory approvals. ALEC’s only customer is its affiliate Momentum Telecom Inc. (Certificate of Authority No. 8057). Thus, a formal notice to customers of the discontinuance is unnecessary.

As a result of the discontinuance, ALEC requests cancellation or withdrawal of its Florida Certificate effective March 31, 2018 or as soon as the Commission can take appropriate administrative action.

Questions or inquiries regarding this Notice and Application may be directed to the undersigned. This letter is being submitted using the Commission’s Electronic Filing System. Please acknowledge receipt and acceptance of this letter.

Respectfully submitted,



Michael C. Sloan

Counsel to ALEC, LLC

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)
)
Section 63.71 Application of) WC Docket No. _____
)
ALEC, LLC)
) File No. _____
For Authority Pursuant to Section 214 of)
The Communications Act of 1934, As)
Amended, To Discontinue the Provision of)
Service)
)
)

SECTION 63.71 APPLICATION OF ALEC, LLC

ALEC, LLC (“ALEC”) applies for authority under Section 214(a) of the Communications Act, as amended (“the Act”)¹, and Section 63.71 of the Commission’s rules,² to discontinue ALEC’s provision of interstate access service in Alabama, Arkansas, Florida, Georgia, Idaho, Illinois, Kentucky, Louisiana, Mississippi, Nevada, North Carolina, Ohio, South Carolina, Tennessee, Texas, and Wisconsin.

ALEC provides the following information pursuant to Section 63.71 of the Commission’s rules:

1. *Name and Corporate Headquarters Address of Carrier*

ALEC, LLC
250 W. Main Street, Suite 1920
Lexington, KY 40507

¹ 47 U.S.C. § 214.

² 47 CFR § 63.71.

Correspondence concerning this Application should be sent to:

Michael C. Sloan
Davis Wright Tremaine LLP
1919 Pennsylvania Ave. NW
Suite 800
Washington, DC 20006-3401
Telephone: 202.973.4227
Fax: 202.973.4427
Email: michaelsloan@dwt.com

2. *Date of Planned Service Discontinuance:*

ALEC plans to discontinue the services that are the subject of this Application on or about March 31, 2018, pending federal and state regulatory approval.

3. *Points of Geographic Areas of Service Affected:*

ALEC proposes to discontinue providing service in the following jurisdictions: Alabama, Arkansas, Florida, Georgia, Idaho, Illinois, Kentucky, Louisiana, Mississippi, Nevada, North Carolina, Ohio, South Carolina, Tennessee, Texas, and Wisconsin. If the Application is granted, ALEC will no longer provide service anywhere in the United States.

4. *Brief Description of Types of Service Affected and Reason for Discontinuance:*

ALEC proposes to discontinue its terminating access service that it provides to its only customer, Momentum Telecom, Inc. (“Momentum”), an affiliate of ALEC, in the locations described above. To the extent necessary, Momentum will purchase services previously provided by ALEC from third-parties.

5. *Brief Description of the Dates and Methods of Notice to All Affected Customers:*

ALEC understands that Section 63.71(a) of the Commission’s rules requires that ALEC provide written customer notice of the planned discontinuance of the affected services.³

However, since ALEC’s only customer is Momentum, which is also an affiliate of ALEC, ALEC

³ 47 CFR § 63.71(a).

requests that the Commission waive the requirement to provide written customer notice of the planned discontinuance. Momentum is fully aware of the discontinuance. In fact, the actions of Momentum are the cause of ALEC's proposed discontinuance.

6. *Whether the Carrier is Considered Dominant or Non-dominant with Respect to the Service to be Discontinued.*

ALEC is considered non-dominant in all locations it serves with respect to the service that will be discontinued.

7. *Other Information.*

In accordance with Section 63.71(a) of the Commission's rules,⁴ a copy of this Application is being mailed concurrently with its filing to the entities listed on the attached certificate of service.

Conclusion

The public convenience and necessity will not be adversely affected by the discontinuance of the services described herein. ALEC's only customer, an affiliate, has advance notice of the proposed discontinuance and has access to several readily available substitute services. Therefore, ALEC respectfully requests that the Commission approve its Section 63.71 Application to discontinue the affected service.

Respectfully Submitted,

/s/ *Michael C. Sloan*

Michael C. Sloan
Davis Wright Tremaine LLP
1919 Pennsylvania Ave., NW
Washington, DC 20006

Counsel to ALEC, LLC

January 30, 2018

⁴ *See id.*

CERTIFICATE OF SERVICE

I, Christopher Cook, do hereby certify on this 30th day of January, 2018 that a true and correct copy of the foregoing "Section 63.71 Application of ALEC, LLC" has been sent via U.S. mail, postage prepaid to the following:

Secretary of Defense
Attn. Special Assistant for Telecommunications
Pentagon
Washington, DC 20301

Office of the Governor
State Capitol
600 Dexter Avenue
Montgomery, AL 36130

Alabama Public Service Commission
100 North Union Street, Suite 850
Montgomery, AL 36104

Office of the Governor
500 Woodlane Street
Little Rock, AR 72201

Arkansas Public Service Commission
1000 Center Building
Little Rock, AR 72201

Office of the Governor
The Capitol
400 South Monroe Street
Tallahassee, FL 32399

Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399

Office of the Governor
206 Washington Street
111 State Capitol
Atlanta, GA 30334

Georgia Public Service Commission
244 Washington Street, SW
Atlanta, GA 30334

Office of the Governor
State Capitol
P.O. Box 83720
Boise, ID 83720

Idaho Public Utilities Commission
472 West Washington Street
P.O. Box 83720
Boise, ID 83720

Office of the Governor
207 State House
Springfield, IL 62706

Illinois Commerce Commission
527 East Capitol Avenue
Springfield, IL 62701

Office of the Governor
700 Capital Avenue, Suite 100
Frankfort, KY 40601

Kentucky Public Service Commission
2011 Sower Boulevard
Frankfort, KY 40601

Office of the Governor
P.O. Box 94004
Baton Rouge, LA 70804

Louisiana Public Service Commission
602 North Fifth Street
P.O. Box 91154
Baton Rouge, LA 70821

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

Mississippi Public Service Commission
501 North West Street
Woolfolk State Office Bldg.
Jackson, MS 39201

Office of the Governor
State Capitol Building
101 North Carson Street
Carson City, NV 89701

Nevada Public Utilities Commission
1150 East William Street
Carson City, NV 89701

Office of the Governor
20301 Mail Service Center
Raleigh, NC 27699

North Carolina Utilities Commission
430 North Salisbury Street
Raleigh, NC 27603

Office of the Governor
Riffe Center, 30th Floor
77 South High Street
Columbus, OH 43215

Public Utilities Commission of Ohio
180 East Broad Street
Columbus, OH 43215

Office of the Governor
1205 Pendleton Street
Columbia, SC 29201

South Carolina Public Service Commission
101 Executive Center Drive
Columbia, SC 29201

Office of the Governor
1st Floor, State Capitol
Nashville, TN 37243

Tennessee Regulatory Authority
502 Deaderick Street, 4th Floor
Nashville, TN 37243

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

Public Utility Commission of Texas
1701 North Congress Avenue
P.O. Box 13326
Austin, TX 78711

Office of the Governor
115 East Capitol
Madison, WI 53702

Public Service Commission of Wisconsin
601 North Whitney Way
Madison, WI 53705

/s/ Christopher Cook
Christopher Cook