

September 13, 2007



**PRIVILEGED AND CONFIDENTIAL**

**By U.S. Mail**

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

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COMMISSION  
CLERK

**Re: CC Docket No. 02-33 - Notice of Discontinuance of Common Carrier Broadband Internet Access Transmission Service of New Edge Network, Inc. in Selected Areas**

Dear Commission:

New Edge Network, Inc. ("NewEdge"), pursuant to the *Wireline Broadband Order*,<sup>1</sup> notifies the Commission of its discontinuance of wireline broadband Internet access services in certain rate centers in Florida. In compliance with the *Wireline Broadband Order*, New Edge provides the following information:

1. Name and Address of Carrier:

New Edge Network, Inc.  
3000 Columbia House Blvd.  
Suite 106  
Vancouver, WA 98661-2969

2. Date of Planned Service Discontinuance: The anticipated date for the discontinuance of service is October 15, 2007, or thereafter.

3. Geographic Areas Affected: The proposed discontinuance of service will affect approximately 196 customers in Florida as follows:

In Florida, the proposed discontinuance will affect service within the rate centers designated by the following CLLI codes: ABDLFLXA (Aberndale rate center); CPCRFLXA (Cape Coral rate center); CYGRFLXA (Cypress Gardens rate center); FTMFLX (Fort Myers rate center); FTMFLXA (Fort Myers rate center); FTMBFLXA (Fort Myers Beach rate center); FTWBFLXB (Fort Walton Beach rate center); HGLDFLXA

<sup>1</sup> *Appropriate Framework for Broadband Access to the Internet over Wireline Facilities, Report and Order and Notice of Proposed Rulemaking*, 20 FCC Rcd. 14853 (2005), appeal pending sub nom. *Time Warner Telecom v. FCC*, No. 05-4769 (and consolidated cases) (3d Cir. filed Oct. 26, 2005) ("*Wireline Broadband Order*").

3000 Columbia House Blvd, Suite 106  
Vancouver, WA 98661-2969  
Phone: 360.693.9009  
Fax: 360.693.9997  
www.newedgenetworks.com

DOCUMENT NUMBER-DATE

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COMMISSION CLERK

(Highland rate center); HBSDFLMA (Hobe Sound rate center); HDSNFLXA (Hudson rate center); HTISFLMA (Hutchinson Island rate center); LKLDLFXE (Lakeland rate center); LHACFLXA (Lehigh Acres rate center); LYHNFLOH (Lynn Haven rate center); MOISFLXA (Marco Island rate center); MLTNFLRA (Milton rate center); NFMYFLXB (North Fort Myers rate center); PACEFLPV (Pace rate center); PNCYFLCA (Panama City rate center); PNSCFLHC (Pensacola rate center); STAGFLSH (Saint Augustine Shores rate center); SBSTFLMA (Sebastian rate center); SNSPFLXA (Seven Springs rate center); TLHSFLXH (Tallahassee rate center); and TRSPFLXA (Tarpon Springs rate center).

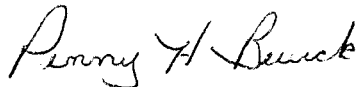
4. Brief Description of Type of Service Affected: New Edge proposes to discontinue the provision of its common carrier broadband Internet access transmission services.
5. Dominance or Non-dominance with Respect to Service to be Discontinued: New Edge is non-dominant with respect to the services that it proposes to discontinue.
6. Description of the Dates and Methods of Notice to Affected Customers: New Edge provided written notice to affected customers on September 10, 2007, in accordance with the requirements of section 63.71(a) of the Commission's rules and the *Wireline Broadband Order*.

In accordance with Section 63.71(a) of the Commission's rules and the *Wireline Broadband Order*, New Edge is notifying the Governor and the public service commission of the state of Florida.

Attached is the 214 Application filed with the FCC on September 12, 2007.


Should you have any questions with respect to this matter, please do not hesitate to contact me directly.

Respectfully submitted,



Penny H. Bewick  
Vice President – External Affairs  
New Edge Networks

Attachment

 **Lampert & O'Connor, P.C.**  
1776 K Street NW  
Suite 700  
Washington, DC 20006

07 SEP 18 AM 7:18  
DISTRICT COURT CENTER

Joanna I. Georgatsos  
georgatsos@l-olaw.com

Tel 202/887-6230  
Fax 202/887-6231

September 12, 2007

**By ECFS**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
The Portals, TW-A325  
445 12th Street, SW  
Washington, DC 20554

**Re: CC Docket No. 02-33 - Notice of Discontinuance of Common Carrier  
Broadband Internet Access Transmission Service of New Edge  
Network, Inc. in Selected Areas**

Dear Secretary Dortch:

New Edge Network, Inc. ("New Edge"), by its undersigned counsel and pursuant to the *Wireline Broadband Order*,<sup>1</sup> notifies the Commission of its discontinuance of wireline broadband Internet access services in certain rate centers in Arizona, Arkansas, California, Florida, Idaho, Indiana, Iowa, Kansas, Michigan, Missouri, Nevada, New Mexico, Oklahoma, Texas, Utah, Washington, and Wisconsin. In compliance with the *Wireline Broadband Order*, New Edge provides the following information:

1. Name and Address of Carrier:

New Edge Network, Inc.  
3000 Columbia House Blvd.  
Suite 106  
Vancouver, WA 98661-2969

2. Date of Planned Service Discontinuance: The anticipated date for the discontinuance of service is October 15, 2007, or thereafter.

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<sup>1</sup> Appropriate Framework for Broadband Access to the Internet over Wireline Facilities, Report and Order and Notice of Proposed Rulemaking, 20 FCC Rcd. 14853 (2005), *appeal pending sub nom. Time Warner Telecom v. FCC*, No. 05-4769 (and consolidated cases) (3d Cir. filed Oct. 26, 2005) ("*Wireline Broadband Order*").

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3. Geographic Areas Affected: The proposed discontinuance of service will affect approximately 840 customers in Arizona, Arkansas, California, Florida, Idaho, Indiana, Iowa, Kansas, Michigan, Missouri, Nevada, New Mexico, Oklahoma, Texas, Utah, Washington, and Wisconsin as follows:

In Arizona, the proposed discontinuance will affect service within the rate centers designated by the following CLLI codes: GNVYAZMA (Green Valley rate center); and TCSNAZTV (Tanque Verde rate center).

In Arkansas, the proposed discontinuance will affect service within the rate center designated by the following CLLI code: CABTARXA (Cabot rate center).

In California, the proposed discontinuance will affect service within the rate centers designated by the following CLLI codes: BKFDCA11 (Bakersfield rate center); BKFDCA13 (Bakersfield rate center); BKFDCA19 (Bakersfield rate center); BUMTCAXF (Beaumont rate center); CLMSCAXF (Calimesa rate center); OKLYCA11 (Oakley rate center); and SNCYCAXF (Sun City rate center).

In Florida, the proposed discontinuance will affect service within the rate centers designated by the following CLLI codes: ABDLFLXA (Aberndale rate center); CPCRFLLXA (Cape Coral rate center); CYGRFLXA (Cypress Gardens rate center); FTMYFLXB (Fort Myers rate center); FTMYFLXA (Fort Myers rate center); FTMBFLXA (Fort Myers Beach rate center); FTWBFLXB (Fort Walton Beach rate center); HGLDFLXA (Highland rate center); HBSDFLMA (Hobe Sound rate center); HDSNFLXA (Hudson rate center); HTISFLMA (Hutchinson Island rate center); LKLDFLXE (Lakeland rate center); LHACFLXA (Lehigh Acres rate center); LYHNFLOH (Lynn Haven rate center); MOISFLXA (Marco Island rate center); MLTNFLRA (Milton rate center); NFMYFLXB (North Fort Myers rate center); PACEFLPV (Pace rate center); PNCYFLCA (Panama City rate center); PNSCFLLHC (Pensacola rate center); STAGFLSH (Saint Augustine Shores rate center); SBSTFLMA (Sebastian rate center); SNSPFLXA (Seven Springs rate center); TLHSFLXH (Tallahassee rate center); and TRSPFLXA (Tarpon Springs rate center).

In Idaho, the proposed discontinuance will affect service within the rate center designated by the following CLLI code: HYLKIDXX (Hayden Lake rate center).

In Indiana, the proposed discontinuance will affect service within the rate centers designated by the following CLLI codes: ARSNIN01 (Anderson rate center); KOKMIN02 (Kokomo rate center); NWBRIN01 (Newburgh rate center);

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NWCSIN01 (New Castle rate center); PERUIN01 (Peru rate center); and SBNDIN03 (South Bend rate center).

In Iowa, the proposed discontinuance will affect service within the rate center designated by the following CLLI code: DESMIAWS (Des Moines rate center).

In Kansas, the proposed discontinuance will affect service within the rate centers designated by the following CLLI codes: ELDOKSST (El Dorado rate center); WCHTKSDE (Wichita rate center); and WCHTKSTE (Wichita Temple).

In Michigan, the proposed discontinuance will affect service within the rate centers designated by the following CLLI codes: BYCYMIMN (Bay City rate center); CHRLMIMN (Charlotte rate center); HLLDMINR (Holland rate center); HOLTMIHE (Holt rate center); HDVLMIMN (Hudsonville rate center); and OSHTMIWS (Oshtemo rate center).

In Missouri, the proposed discontinuance will affect service within the rate center designated by the following CLLI code: CRTHMOFL (Carthage rate center).

In Nevada, the proposed discontinuance will affect service within the rate center designated by the following CLLI code: SNVYNV11 (Sun Valley rate center).

In New Mexico, the proposed discontinuance will affect service within the rate center designated by the following CLLI code: LSCRNMTS (Las Cruces rate center).

In Oklahoma, the proposed discontinuance will affect service within the rate centers designated by the following CLLI codes: BRAROKXC (Broken Arrow South rate center); SPLPOKMA (Sapulpa rate center); TULSOKSA (Sand Springs rate center); TULSOKFI (Tulsa rate center); and TULSOKHI (Tulsa rate center).

In Texas, the proposed discontinuance will affect service within the rate centers designated by the following CLLI codes: BRYNTXXA (Bryan rate center); BUMTTXUN (Beaumont rate center); CLSTTXXA (College Station rate center); CPCVTXXA (Copperas Cove rate center); ELPSTXEA (El Paso rate center); KLLNTXXA (Killeen rate center); LBCKTXFR (Lubbock rate center); and WACOTXSW (Waco Swift rate center).

In Utah, the proposed discontinuance will affect service within the rate centers designated by the following CLLI codes: BGCYUTMA (Brigham City rate center); OGDNUTWE (Ogden rate center); OGDNUTSO (Ogden rate center); and PLGVUTMA (Pleasant Grove rate center).

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In Washington, the proposed discontinuance will affect service within the rate centers designated by the following CLLI codes: GRHMWAGR (Graham rate center); KNWCWAXB (Kennewick Main rate center); TACMWALO (Tacoma rate center); and YAKMWAVE (Yakima West rate center).

In Wisconsin, the proposed discontinuance will affect service within the rate centers designated by the following CLLI codes: DEPRWI11 (De Pere rate center); GNBWYI01 (Green Bay rate center); GNBWYI12 (Green Bay rate center); LCHTWI11 (Little Chute rate center); MDSNWI13 (Madison rate center); NENHWI11 (Neenah rate center); and SGTNWI11 (Stoughton rate center).

4. Brief Description of Type of Service Affected: New Edge proposes to discontinue the provision of its common carrier broadband Internet access transmission services.
5. Dominance or Non-dominance with Respect to Service to be Discontinued: New Edge is non-dominant with respect to the services that it proposes to discontinue.
6. Description of the Dates and Methods of Notice to Affected Customers: New Edge provided written notice to affected customers on September 11, 2007, and September 12, 2007, in accordance with the requirements of Section 63.71(a) of the Commission's rules and the *Wireline Broadband Order*. Copies of the customer notices are attached hereto.

In accordance with Section 63.71(a) of the Commission's rules and the *Wireline Broadband Order*, New Edge is notifying the Governor and the public service commissions of the states of Arizona, Arkansas, California, Florida, Idaho, Indiana, Iowa, Kansas, Michigan, Missouri, Nevada, New Mexico, Oklahoma, Texas, Utah, Washington, and Wisconsin, and the Special Assistant for Telecommunications for the Secretary of Defense.

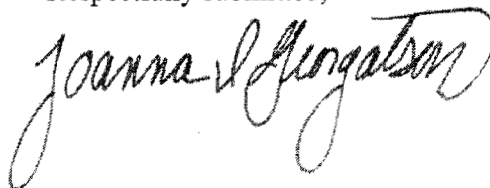
Lampert & O'Connor, P.C.

September 12, 2007

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Should you have any questions with respect to this matter, please do not hesitate to contact me directly.

Respectfully submitted,

A handwritten signature in black ink, reading "Joanna I. Georgatsos". The signature is written in a cursive style with a large, looping initial "J".

Joanna I. Georgatsos  
*Counsel to New Edge Network, Inc.*

Enclosure



September 11, 2007

«Channel\_Partner\_Name»  
«Contact\_Name»  
«Contact\_Address»  
«Contact\_City\_State\_Zip»

Dear «Contact\_Name»,

**RE: Discontinuation of common carrier broadband Internet access transmission service for location(s) listed below**

After careful analysis and in order to best serve our entire customer base, New Edge Networks will cease operating out of a select group of Central Offices. We have made every attempt to locate equivalent services for your impacted customers. Unfortunately, we were unable to do so for some location(s) and, as a result, we must discontinue broadband service at the following location(s):

**OMS #:** «OMS»  
**End User:** «Customer»  
**Address:** «Physical\_Address», «Physical\_City\_State\_Zip»  
**Current/Discontinued Service:** «Product»

The current New Edge service will be disconnected no sooner than 30 days from the date of this letter, pursuant to your contractual term. We regret that we do not have a migration option at this time.

Please call us at 1-866-508-0493 with any questions.

We value your business and we apologize for any inconvenience.

Respectfully,

New Edge Networks  
1-866-508-0493

3000 Columbia House Blvd, Suite 106  
Vancouver, WA 98661-2969  
Phone: 360.693.9009  
Fax: 360.693.9997  
[www.newedgenetworks.com](http://www.newedgenetworks.com)





September 12, 2007

«Customer»  
«ContactName»  
«Address1»  
«City1», «State1» «ZIP1»

Dear «ContactName»,

**RE: Discontinuation of common carrier broadband Internet access transmission service for location(s) listed below**

After careful analysis and in order to best serve our entire customer base, New Edge Networks will cease operating out of a select group of Central Offices. As a result, we must discontinue the current New Edge common carrier broadband Internet access transmission service offered at the location(s) listed below. We have made every attempt to offer equivalent service for our impacted customers. While not feasible for every location, we have identified a New Edge service option for your impacted location(s) as follows:

**OMS #:** «OMS»  
**Company Name:** «Customer»  
**Address:** «Physical Address» «Phys\_CitySTzip»  
**Current/Discontinued Service:** «Product»  
**Alternate Service Available:** «ToProduct»  
**Price:** «ToPrice»  
**Price Difference:** «PriceDiff»

You may opt to migrate from the Current Service to the Alternate Service listed above. We realize the Current/Discontinued Service and the Alternate Service Available may not be equivalent and we regret the inconvenience.

To avoid disconnection, please respond no later than 30 days from the date of this letter. **If arrangements to migrate are not made, or if a migration option is not available, the Current New Edge service will be disconnected no sooner than 30 days from the date of this letter, pursuant to your contractual term.**

To migrate your service or for more information, please call us at 1-866-508-0493.

We value your business and we apologize for any inconvenience.

Respectfully,

New Edge Networks  
1-866-508-0493

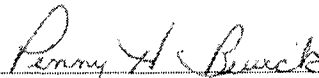
3000 Columbia House Blvd, Suite 106  
Vancouver, WA 98661-2969  
Phone: 360.693.9009  
Fax: 360.693.9997  
[www.newedgenetworks.com](http://www.newedgenetworks.com)

## VERIFICATION

I Penny H. Bewick, state that I am Vice President, External Affairs of New Edge Network, Inc ("New Edge"), the party in the foregoing *Notice of Discontinuance of Common Carrier Broadband Internet Access Transmission Service of New Edge Network, Inc. in Selected Areas*; that I am authorized to make this Verification on behalf of New Edge; that I have read the foregoing Notice and know the contents thereof; and that the same are true and correct to the best of my knowledge, information and belief and are made in good faith.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 6th day of September, 2007.

**New Edge Network, Inc.**



\_\_\_\_\_  
Penny H. Bewick  
Vice President, External Affairs



**The FCC Acknowledges Receipt of Comments From ...  
 New Edge Network, Inc.  
 ...and Thank You for Your Comments**

|  |                    |
|--|--------------------|
| <b>Your Confirmation Number is: '2007912970519 '</b> |                    |
| <b>Date Received:</b>                                | <b>Sep 12 2007</b> |
| <b>Docket:</b>                                       | <b>02-33</b>       |
| <b>Number of Files Transmitted:</b>                  | <b>1</b>           |

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*updated 12/11/03*