

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

RECEIVED

MAR 21 2016

PUBLIC SERVICE  
COMMISSION

In the Matter of )  
 )  
Section 63.71 Notice of Discontinuance of )  
Certain Broadband Internet Access )  
Transmission Service of )  
GC Pivotal LLC d/b/a Global Capacity )

**Notice of Discontinuance of Common Carrier Broadband Internet  
Access Transmission Service**

GC Pivotal, LLC d/b/a Global Capacity (“Global Capacity”) hereby provides notice pursuant to Section 214(a) of the Communications Act of 1934, as amended (the “Act”), 47 U.S.C. § 214, Section 63.71 of the Commission’s Rules, 47 C.F.R. § 63.71, and the *Wireline Broadband Order*<sup>1</sup> of its intention to discontinue the provision of interstate high speed data and Internet access services to a *limited* portion of its customers in Alabama, Arizona, California, Colorado, Connecticut, Florida, Georgia, Illinois, Indiana Kansas, Kentucky, Louisiana, Massachusetts, Maryland, Michigan, Minnesota, Missouri, North Carolina, New Jersey, New Mexico, Nevada, New York, Ohio, Oregon, Pennsylvania, Rhode Island, Texas, Utah, Virginia, Washington, and Wisconsin.

Global Capacity, through the use of its “One Marketplace” platform, is a broadband connectivity aggregator. It efficiently provides competitive alternatives to business locations to ensure that its retail customers and partners obtain the most cost-effective connections for data connectivity. Global Capacity provides Connectivity Made Simple in all 50 states, including the

<sup>1</sup> See Report and Order and Notice of Proposed Rulemaking, ¶¶ 100-101, CC Docket No. 02-33, *et al.* (rel. Sept. 23, 2005) (“*Wireline Broadband Order*”).

twenty largest markets in the country, and owns the largest ADSL nationwide network in the country. Global Capacity's One Marketplace and provision of connectivity is technology agnostic. Global Capacity is authorized by the Federal Communications Commission to provide interstate services.

In an effort to maintain its nationwide broadband network in the most efficient manner possible, Global Capacity has identified 257 central offices in its network of 2,027 central offices that will be shut down. These 257 central offices have been stagnant in growth and revenue for some time. The identified central offices support 418 direct end user customers of Global Capacity, 152 wholesale partners, and 4,239 wholesale partner end user customers. A total of 4,657 circuits provisioned through the wholesale carriers will be affected by the proposed discontinuance. The discontinuance will not result in harm to the affected customers because the customers will have the opportunity to select either another service provider or, for some customers, alternative arrangements offered by Global Capacity for their broadband needs. In the 257 central offices where it plans to discontinue service, Global Capacity competes with both CLECs and ILEC(s) that offer high speed data and Internet access services. Global Capacity provides the following information pursuant to Section 63.71 of the Commission's Rules and the *Wireline Broadband Order*:

1. Name and Address of the Carrier: GC Pivotal LLC d/b/a Global Capacity's primary business address is 265 Winter Street, Waltham, Massachusetts 02451.
2. Date of Planned Service Discontinuance, Reduction or Impairment: Global Capacity plans to discontinue interstate special access high speed DSL service to the affected customers in a limited number of central offices listed as early as May 22, 2016 for wholesale

partners and June 3, 2016 for direct Global Capacity customers, or as soon advance contractual notice is provided to affected customers.

3. Points of Geographic Areas of Service Affected: Global Capacity proposes to discontinue interstate special access high speed DSL service to customers served by the 257 affected central offices located in the states of Alabama, Arizona, California, Colorado, Connecticut, Florida, Georgia, Illinois, Indiana Kansas, Kentucky, Louisiana, Massachusetts, Maryland, Michigan, Minnesota, Missouri, North Carolina, New Jersey, New Mexico, Nevada, New York, Ohio, Oregon, Pennsylvania, Rhode Island, Texas, Utah, Virginia, Washington, and Wisconsin.

4. Brief Description of Type of Service Affected: The services to be discontinued are interstate special access high speed broadband services (*i.e.*, broadband DSL Internet access).

5. Brief Description of the Dates and Methods of Notice to All Affected Customers: In late February and early March 2016, Global Capacity provided notification to all affected Global Capacity direct customers via written notification. The communication informed the customers that, due to changes in Global Capacity's network coverage, it would no longer be able to provide broadband Internet service to the customer's particular location as of June 3, 2016 via the central office-based services, but advised each customer to contact Global Capacity to determine if there were potential alternatives offered by Global Capacity via One Marketplace. The written notice provided a toll-free number for customers to call either to disconnect their service or to investigate other service alternatives using other Global Capacity or third party service providers. Likewise, in February 2016, Global Capacity's wholesale partners were contacted via e-mail notification and outbound calling campaign informing them that certain central offices would be shut down on May 22, 2016. Additionally, each wholesale partner

received a list of its circuits impacted by the planned closures and was encouraged to work with their respective end users to find a new provider for their Internet services. This method of communication to Global Capacity's customers (retail and wholesale) is standard and the accepted method of notice to the customers under the applicable contracts and practice, as opposed to notice via standard postal mail. In all cases, Global Capacity provided the affected customers with its name and address, the date of the planned discontinuance, the geographic areas where service will be discontinued, and a brief description of the service to be discontinued, consistent with the requirements of the *Wireline Broadband Order*.

Global Capacity's notice to the commercial and wholesale customers conforms to the requirements of Section 63.71(a) of the Commission's Rules, informing its customers again of the respective disconnect dates. Copies of the form of the direct customer and wholesale partner notices are appended hereto as Exhibit A.

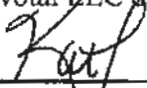
6. *Whether the Carrier is Considered Dominant or Non-dominant with Respect to the Service to be Discontinued, Reduced or Impaired:* Global Capacity is considered non-dominant with respect to the affected services.

In accordance with Section 63.71 of the Commission's Rules, a copy of this filing is being mailed to the Governors and public services commissions of the states of Alabama, Arizona, California, Colorado, Connecticut, Florida, Georgia, Illinois, Indiana, Kansas, Kentucky, Louisiana, Massachusetts, Maryland, Michigan, Minnesota, Missouri, North Carolina, New Jersey, New Mexico, Nevada, New York, Ohio, Oregon, Pennsylvania, Rhode Island, Texas, Utah, Virginia, Washington, and Wisconsin and to the Special Assistant for Telecommunications for the Secretary of Defense, concurrently with the filing of this notice.

Additional questions regarding this filing may be addressed to the undersigned.

Respectfully submitted,

GC Pivotal LLC d/b/a Global Capacity

By:  \_\_\_\_\_

Katherine K. Mudge  
Executive Vice President & General Counsel  
3415 Greystone Dr., Ste. 300  
Austin, Texas 78731  
(303) 290-7676 (telephone)  
(408) 351-4951 (efax)

Dated: March 15<sup>th</sup>, 2016

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing filing was served this 15<sup>th</sup> day of March, 2016, by mailing true and correct copies thereof, postage prepaid, to the following persons at the addresses listed below.

Secretary of Defense  
ATTN: Special Assistant for Telecommunications  
Pentagon  
Washington, DC 20301

Secretary  
Alabama Public Service Commission  
100 N. Union St., #850  
Montgomery, AL 36104

The Honorable Robert Bentley  
Governor of Alabama  
State Capitol Building  
Montgomery, AL 36103

Secretary  
Arizona Corporation Commission  
1200 W. Washington  
Phoenix, AZ 85007-2996

The Honorable Doug Ducey  
Governor of Arizona  
1700 W. Washington  
Phoenix, AZ 85007

Secretary  
California Public Utility Commission  
505 Van Ness Avenue  
San Francisco, CA 94102

The Honorable Jerry Brown  
Governor of California  
State Capitol Building, Suite 1173  
Sacramento, CA 95814

Secretary  
Colorado Public Utilities Commission  
1560 Broadway #250  
Denver, CO 80202

The Honorable John Hickenlooper  
Governor of Colorado  
136 State Capitol  
Denver, CO 80203-1792

Secretary  
State of Connecticut  
Department of Public Utility Control  
Ten Franklin Square  
New Britain, CT 06051

The Honorable Dannel P. Malloy  
Governor of Connecticut  
Executive Office of the Governor  
State Capitol  
210 Capitol Avenue  
Hartford, CT 06106

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

The Honorable Rick Scott  
Governor of Florida  
The Capitol  
Tallahassee, FL 32399-0001

Secretary  
Georgia Public Services Commission  
244 Washington St. SW  
Atlanta, GA 30334

The Honorable Nathan Deal  
Governor of Georgia  
State Capitol  
Room 111  
Atlanta, GA 30334

Chief Clerk  
Illinois Commerce Commission  
Public Utility Division  
527 East Capitol Avenue  
Springfield, IL 62701

The Honorable Bruce Rauner  
Governor of Illinois  
207 State House  
Springfield, IL 62706

Secretary  
Indiana Utility Regulatory Commission  
PNC Center  
101 West Washington St., Ste. 1500E  
Indianapolis, IN 46204

The Honorable Mike Pence  
Governor of Indiana  
State Capitol Building  
Indianapolis, IN 46204

Secretary  
Kansas Corporation Commission  
1500 SW Arrowhead Road  
Topeka, KS 66604-4027

The Honorable Sam Brownback  
Governor of Kansas  
State Capitol  
Second Floor  
Topeka, KS 66612-1590

Executive Director  
Kentucky Public Service Commission  
211 Sower Boulevard  
Frankfort, KY 40602-8294

The Honorable Matt Bevin  
Governor of Kentucky  
700 Capitol Avenue, Suite 100  
Frankfort, KY 40601

Secretary  
Louisiana Public Service Commission  
Post Office Box 91154  
Baton Rouge, Louisiana 70821-9154

The Honorable John Bel Edwards  
Governor of Louisiana  
P.O. Box 94004  
Baton Rouge, LA 70804

Secretary  
Maryland Public Service Commission  
6 St Paul St., # 1600  
Baltimore, MD 21202

The Honorable Larry Hogan  
Governor of Maryland  
State Capitol Building  
Annapolis, MD 21401

Secretary  
Massachusetts Department of  
Telecommunications and Cable  
1000 Washington Street, Suite 820  
Boston, MA 02118-6500

Honorable Charlie Backer  
Governor of Massachusetts  
Office of the Governor  
Room 360  
Boston, MA 02133

Secretary  
Michigan Public Service Commission  
P.O. Box 30221  
Lansing, MI 48909

The Honorable Rick Snyder  
Governor of Michigan  
P.O. Box 30013  
Lansing, MI 48909

Secretary  
Minnesota Public Utilities Commission  
121 7th Pl. E, Ste. 350  
St. Paul, MN 55101

The Honorable Mark Dayton  
Governor of Minnesota  
130 State Capitol  
75 Constitution Avenue  
St. Paul, MN 55155

Secretary  
Missouri Public Service Commission  
Public Information Office  
Governor Office Building  
200 Madison Street  
P.O. Box 360  
Jefferson City, MO 65102-0360

The Honorable Jeremiah Nixon  
Governor of Missouri  
Office of the Governor  
P.O. Box 720  
Jefferson City, MO 65102

The Honorable Chris Christie  
Office of the Governor  
P.O. Box 0041  
Trenton, NJ 08625

Secretary  
North Carolina Utilities Commission  
4325 Mail Service Center  
Raleigh, NC 27699-4300

The Honorable Pat McCrory  
Governor of North Carolina  
116 West Jones St.  
Raleigh, NC 27603

Secretary  
New Mexico Public Regulation Commission  
1120 Paseo De Peralta #413  
Santa Fe, NM 87501

The Honorable Susana Martinez  
Governor of New Mexico  
State Capitol Building  
Santa Fe, NM 87503

Secretary  
Nevada Public Utilities Commission  
1150 E. William Street  
Carson City, NV 89701-3109

The Honorable Brian Sandoval  
Governor of Nevada  
State Capitol Building  
101 N. Carson Street  
Carson City, NV 89701

Kristi Izzo  
Secretary of the Board  
New Jersey Board of Public Utilities  
44 S. Clinton Avenue  
Trenton, NJ 08625

Kathleen H. Burgess  
Secretary to the Commission  
New York State  
Department of Public Service  
Empire State Plaza, Agency Bldg. 3  
Albany, NY 12223-1350

The Honorable Andrew Cuomo  
Governor of New York  
NYS State Capitol Bldg.  
Albany, NY 12224

Secretary  
Public Utilities Commission of Ohio  
180 E Broad St.  
Columbus, OH 43215

The Honorable John Kasich  
Governor of Ohio  
77 South High St., 30<sup>th</sup> Floor  
Columbus, OH 43215



Secretary  
Oregon Public Utility Commission  
201 High St. SE #100  
Salem, OR 97301

The Honorable Kate Brown  
Governor of Oregon  
State Capitol Building  
Salem, OR 97310

Secretary  
Public Utility Commission  
400 North Street  
Keystone Bldg.  
Harrisburg, PA 17120

The Honorable Tom Wolf  
Governor of Pennsylvania  
225 Main Capitol  
Harrisburg, PA 17120

Secretary  
Rhode Island Public Utilities Commission  
89 Jefferson Boulevard  
Warwick, RI 02888

The Honorable Gina Raimondo  
Governor of Rhode Island  
222 State House  
Providence, RI 02903-1196

Secretary  
Public Utility Commission of Texas  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, TX 78711-3326

The Honorable Greg Abbott  
Governor of Texas  
Office of the Governor  
P.O. Box 12428  
Austin, TX 78711-2428

Secretary  
Utah Public Service Commission  
160 East 300 South  
Salt Lake City, UT 84111

The Honorable Gary Richard Herbert  
Governor of Utah  
210 State Capitol  
Salt Lake City, UT 84114

Secretary  
State Corporation Commission  
Communications Division  
P.O. Box 1197  
Richmond, VA 23218

The Honorable Terry McAuliffe  
Governor of Virginia  
State Capitol Building, 3<sup>rd</sup> Floor  
Richmond, VA 23219

Secretary  
Washington Utilities & Transportation  
Commission  
P.O. Box 47250  
Olympia, WA 98504-7250

The Honorable Jay Inslee  
Governor of Washington  
P.O. Box 40002  
Olympia, WA 98504-0002

Secretary  
Wisconsin Public Service Commission  
610 N. Whitney Way  
Madison, WI 53705

The Honorable Scott Walker  
Governor of Wisconsin  
P. O. Box 7863  
Madison, WI 53707



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Katherine K. Mudge

**EXHIBIT A**



180 North LaSalle Street, Suite 2430  
Chicago, IL 60601

**Important Notice Regarding Your Global Capacity Services**

Company Name  
Attention  
Address  
City, State, ZIP

Notification Date: March 8, 2016  
Account Number: ID  
Subject: Discontinuation of Your Internet Service

Dear Global Capacity Business Customer,

Global Capacity strives to increase its value to its customers and proactively takes steps to ensure performance, scale and an ease of doing business. Unfortunately, occasionally it is necessary for us to discontinue services due to the closing of network facilities.

Regretfully, as part of network modifications, this letter is to inform you that your internet service to the following address will be **discontinued, as of June 3, 2016.**

Service	Service Address	City	State	ZIP
Service Name and Speed	103 Address	City	MA	02126

We apologize for any inconvenience this may cause. Please be assured that your satisfaction is very important to us. Your Account Manager will work with you to determine what service alternatives you have with Global Capacity. Global Capacity is committed to providing you with a robust, reliable portfolio of Business Internet services where available. If you would like to speak with a Global Capacity representative immediately, contact your account management team at 1-844-250-3081. While the decision to discontinue this internet service is due to a difficult operational assessment, we want to do everything possible to make your transition to a new service as simple as possible.

The FCC usually will authorize a carrier's request to discontinue unless customers are unable to receive similar services or a reasonable substitute from another provider. If you wish to object

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Service is not available in all areas and is provided subject to Global Capacity's standard Terms and Conditions  
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Chicago, IL 60601

to this discontinuation of service, you have the right to file your objections or other comments with the Federal Communications Commission (FCC) in response to its Public Notice announcing the proposed discontinuance. The Public Notice will state the applicable deadline and procedures for filing such comments. You can file your complaint by writing to: Federal Communications Commission, Consumer and Governmental Affairs Bureau, Consumer Inquiries and Complaints Division, 445 12th Street, SW, Washington, DC 20554 and include in your comments a reference to the §63.71 Application of Global Capacity.

It is imperative for you to talk with a Global Capacity Service Expert no later than **April 8, 2016** in order for you to determine what service alternatives you have with Global Capacity or if you need to seek service from another provider. In the event, that we cannot provide you with a reasonable substitute service, unfortunately, this service disconnection will take place and your service to the address noted above will be **disconnected as of June 3, 2016**.

Thank you for your business and loyalty throughout the years and we apologize for any inconvenience. Your account team is available to work with you and answer question at 1-844-250-3081.

Thank you,  
Mike Doyle  
Vice President Network Planning

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180 North LaSalle Street, Suite 2430  
Chicago, IL 60601

## Important Notice Regarding Your Global Capacity Services

COMPANY  
COMPANY ADDRESS  
COMPANY CITY, COMPANY STATE COMPANY ZIP

Notification Date: February 22, 2016  
Account Number: Account ID  
Subject: Discontinuation of Services in Select Central Offices

Dear Global Capacity Wholesale Customer,

Global Capacity strives to increase its value to its customers and proactively takes steps to ensure performance, scale and an ease of doing business. Unfortunately, occasionally it is necessary for us to discontinue services due to the decommissioning of network facilities that have a low volume of business.

This letter is to inform you that we will be decommissioning a select number of Central Offices (COs) and discontinuing all access services in these COs. Orders for new services in these COs are no longer being accepted. Attached is a list of your circuits that will be affected by the decommissioning of these COs. These circuits will be disconnected **as of May 22, 2016** and will need your attention to identify alternative arrangements. Early termination fees will not apply to these circuits.

We apologize for any inconvenience this may cause. Please be assured that your satisfaction is very important to us. Global Capacity is committed to providing you with a robust, reliable nationwide portfolio of data connectivity services. Service specialists are available to discuss what service alternatives you have with Global Capacity or if you need to seek service from another provider. Contact your Sales Support Manager or Account Manager to answer any questions and for assistance you may need in the transition. It is imperative for you to talk with your account manager as soon as possible to determine what service alternatives you may or

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may not have with Global Capacity. In the event that we cannot provide you with a reasonable substitute service, unfortunately, the circuits will be disconnected as of **May 22, 2016**.

If you wish to object to Global Capacity's plan to discontinue service in the identified COs, you have the right to file your objections or other comments with the Federal Communications Commission (FCC) in response to its Public Notice announcing the proposed discontinuance. The Public Notice will state the applicable deadline and procedures for filing such comments. The FCC usually will authorize a carrier's request to discontinue unless customers are unable to receive similar services or a reasonable substitute from another provider. You can file your complaint by writing to: Federal Communications Commission, Consumer Inquiries and Complaints Division, 445 12th Street, SW, Washington, DC 20554 and include in your comments a reference to the §63.71 Application of GC Pivotal, LLC d/b/a Global Capacity.

Global Capacity will continue to invest in our network, systems and processes and appreciates the opportunity to add value to your business. We continue to research new Central Office locations to add to our network that will be of greater value to you and welcome your input on this process. If you have any questions regarding the service discontinuation, or need any assistance, please contact your Sales Support Manager or Account Manager.

Thank you,

Mike Doyle  
Vice President Network Planning

Connectivity Made Simple™ | [www.globalcapacity.com](http://www.globalcapacity.com)

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180 North LaSalle Street, Suite 2430  
Chicago, IL 60601

**Important Notice Regarding Your Global Capacity Services**

**Notification Date: February 22, 2016**

**Account Number: Account ID**

**Subject: Discontinuation of Services in Select Central Offices**

Central Office CLLI	Circuit ID	Service Company Name	Service Address	Service City	State	ZIP
[S1_CO_CLLI]	[S1_CIRCUIT_ID]	[S1_Service_Company]	[S1_SITE_ADDRESS]	[S1_SITE_CITY]	[S1_SITE_STATE]	[S1_SITE_ZIP]
[S2_CO_CLLI]	S2_CID	[S2_Service_Company]	S2_address	S2_city	S2_ST	S2_zip
[S3_CO_CLLI]	S3_CID	[S3_Service_Company]	S3_address	S3_city	S3_ST	S3_zip
[S4_CO_CLLI]	S4_CID	[S4_Service_Company]	S4_address	S4_city	S4_ST	S4_zip
[Sn_CO_CLLI]	Sn_CID	[Sn_Service_Company]	Sn_address	Sn_city	Sn_ST	Sn_zip

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