

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

REQUEST OF TVD BROADBAND SERVICES,)
LLC, TO RELINQUISH ELIGIBLE) CASE NO.
TELECOMMUNICATIONS CARRIER) 2016-00340
DESIGNATION)

ORDER

On January 29, 2008, the Commission granted the request of TVD Broadband Services, LLC ("TVD") for designation as an Eligible Telecommunications Carrier ("ETC")¹ in the service areas of Bellsouth Telecommunications, LLC d/b/a AT&T Kentucky ("AT&T Kentucky"), Windstream Kentucky East, LLC ("Windstream Kentucky East"), and Gearheart Communications d/b/a in Coalfields Telephone ("Coalfields"). TVD was authorized to receive federal Universal Support for wireline customers. On September 16, 2016, TVD petitioned the Commission pursuant to 47 U.S.C. § 214(e)(4) for relinquishment of its ETC status in Kentucky.

TVD is a Competitive Local Exchange Carrier and has requested to withdraw its tariff and cancel its certification because it has not provided any services in the past and it does not intend to provide service in the future.²

Under 47 U.S.C. § 214(e)(4), a State commission shall permit a carrier to relinquish its ETC designation in any area served by more than one ETC. Following

¹ Case No. 2007-00388, (*TVD Broadband Services, LLC's Petition for Designation as an Eligible Telecommunications Carrier in the Commonwealth of Kentucky*) (Ky. PSC Jan. 29, 2008).

² Petition at 1. TVD Broadband Services, LLC's Request to Withdraw Tariff at 1. (Filed Sept. 16, 2016).

relinquishment of TVD's ETC designation, there will continue to be several ETCs in the study area that provide service.³ The Incumbent Local Exchange Carriers, Coalfields, AT&T Kentucky, and Windstream Kentucky East, are designated as ETCs in the area served by TVD, and the Commission is aware that other utilities are designated as ETCs in the area. Because other ETCs currently serve the entire area in which TVD is designated as an ETC in Kentucky, notice need not be provided to those carriers to permit them to purchase or construct facilities to ensure that customers will continue to receive service. TVD currently has no customers; therefore it is not necessary for TVD to provide any customer notice.

47 USC § 214 (e)(4) states in part:

A state commission . . . shall permit an eligible telecommunications carrier to relinquish its designation as such a carrier in any area served by more than one eligible telecommunications carrier. An eligible telecommunications carrier that seeks to relinquish its eligible telecommunications carrier designation for an area served by more than one eligible telecommunications carrier shall give advance notice to the State commission . . . of such relinquishment. Prior to permitting a telecommunications carrier designated as an eligible telecommunications carrier to cease providing universal service in an area served by more than one eligible telecommunications carrier, the State commission . . . shall require the remaining eligible telecommunications carrier or carriers to ensure that all customers served by the relinquishing carrier will continue to be served, and shall require sufficient notice to permit the purchase or construction of adequate facilities by any remaining eligible telecommunications carrier. The State commission . . . shall establish a time, not to exceed one year after the State commission . . . approves such relinquishment under this paragraph, within which such purchase or construction shall be completed.

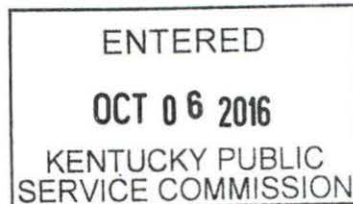
³ *Id.*

Based on the evidence and having been sufficiently advised, the Commission finds that, pursuant to 47 U.S.C. § 214(e)(4), there is more than one ETC in the area of relinquishment and those carriers have sufficient facilities for the provision of service. The Commission also finds that TVD need not provide notice to its customers because it does not provide any service.

IT IS THEREFORE ORDERED that:

1. TVD's request to withdraw as an ETC is granted.
2. This case is closed and removed from the Commission's docket.

By the Commission



ATTEST:



Executive Director

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