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IOWA -- Aventure to discontinue services due to nonpayment of access fees by IXCs

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Aventure Communication Technology LLC has notified the Utilities Board of its intent to discontinue all regulated telecommunications services. The company said it can no longer provide telecommunications services in the state "due to the failure of certain large interexchange carriers to pay intercarrier compensation billed by and owed to Aventure for access service provided by Aventure to those carriers over the past eight years."

"Without revenues from those services, Aventure cannot continue to financially support its local exchange network, which over the past several years has provided a competitive alternative via state-of-the-art fixed wireless network to customers in rural low communities who would not otherwise have had a choice in their local service provider," the company said in its notice of discontinuance filed with the IUB yesterday.

The company said that its planned discontinuance of service "will negatively impact the public...by eliminating a competitive option available to rural customers who have traditionally not had such options."

Aventure is the subject of a complaint currently pending before the IUB filed by a group of interexchange carriers that want the IUB to revoke the company's operating authority in the state. The case was initiated by Aventure in an attempt to collect access charges from CenturyLink, **Sprint** Communications Company, AT&T Communications of the Midwest, and Level 3 Communications, Inc., and to establish "just and reasonable rates for intrastate high-volume access services." (Docket FCU-2011-0002)

New rules requiring telcos to engage in good faith negotiations for intrastate access rates and final IUB approval of HVAS tariff provisions became effective in 2011. Aventure filed a complaint last year alleging that it had engaged in a "good faith effort" to establish a rate for HVAS as required by the IUB's rule. CenturyLink, **Sprint**, AT&T, and Level 3, allege that it was Aventure that acted in "bad faith" during the negotiations for a HVAS rate. They want Aventure to be required to show cause as to why it should be allowed to keep its certificate when "most of its traffic is not legitimate CLEC traffic." They also contend that the board already determined that Aventure had engaged in illegal "traffic pumping" schemes, and that Aventure has "shown no sign that it plans to change its behavior," CenturyLink said.

Sprint had said that Aventure is essentially asking the IUB to ignore its "malfeasance" and "let it now only start with a clean slate but do so with a favorable rate for high-volume traffic as a reward."

"The Board must crack down on Aventure, not only to protect and preserve the law and the force of Board orders, but to protect that small handful of unwitting customers who may find themselves suddenly without a service provider when Aventure's financial house of cards inevitably tumbles," **Sprint** said.

Aventure, meanwhile, this week said it will voluntarily relinquish its certificate of public convenience and necessity and will no longer operate as an eligible telecommunications carrier once its telecom services are discontinued. The company said it will no longer provide local and long distance telephone service, as well as exchange access services. The discontinuance will impact 14 business customers and 169 residential customers currently receiving telephone service from Aventure, the company said.

The company said it intends to discontinue service to all customers on Aug. 10. Aventure, however, said it plans to continue providing non-regulated services in the state, including Internet service. (Docket SPU-2013-0012) -Carrie DeLeon, carrie.deleon@wolterskluwer.com