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**SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION**



May 2, 2017

Kris Monteith
Acting Wireline Competition Bureau Chief
Federal Communications Commission
445 Twelfth Street, SW
Washington, D.C. 20554

Re: *Protecting and Promoting the Open Internet, GN Docket No. 14-28, Connect America Fund, WC Docket No. 10-90, Developing a Unified Inter-carrier Compensation Regime, CC Docket No. 01-92*

Dear Ms. Monteith:

Pursuant to the Federal Communications Commission's ("FCC" or "Commission") Open Internet Order,¹ Clarity Telecom, LLC ("Clarity" or the "Company"), Study Area Code 391652, hereby notifies the Wireline Competition Bureau ("WCB" or "Bureau") of its intention to cease offering its DSL and Consumer Broadband-Only Loop ("CBOL") broadband Internet transmission services as separate components of its broadband Internet access service effective July 1, 2017. As such, the transmission components will not be provided as separate regulated services and will only be provided as part of the complete broadband Internet access service that the Company offers to end user customers within its South Dakota serving area through the Company.

Clarity currently provides broadband Internet transmission service as a detariffed Title II offering. The only customer for the Company's broadband Internet transmission service is the Company's nonregulated ISP division. Notice to the ISP division was provided this date by interoffice memorandum that the Company will discontinue the offering of broadband Internet transmission service as a separate component of its broadband Internet access service effective July 1, 2017.

¹ *Protecting and Promoting the Open Internet*, GN Docket No. 14-28, Report and Order on Remand, Declaratory Ruling and Order, 30 FCC Rcd 5601, ¶ 460 and n. 1378 (2015).



The Commission made clear in the *Rate-of-Return Connect America Fund Order*,² as well as the *Clarification Order*,³ that a rate-of-return carrier could make the retail offering described in the foregoing first paragraph, and thus the revenues associated with the broadband Internet access transmission would no longer be subject to the federal universal service assessment pursuant to FCC Form 499-A.

This notice is effective 60 days from the date of this letter unless withdrawn or extended prior to that time.

Please contact the undersigned if you have any questions,

Sincerely,

/s/ Dan Robinson

Dan Robinson
Controller

cc: Pamela Arluk, Chief, Wireline Competition Bureau Pricing Policy Division
Special Assistant for Telecommunications at the Department of Defense
Office of the Honorable Dennis Daugaard, Governor of South Dakota
South Dakota Public Utilities Commission

² *Connect America Fund*, WC Docket Nos. 10-90, et al., Report and Order, Order and Order on Reconsideration and Further Notice of Proposed Rulemaking, FCC 16-33, ¶ 194, n. 428 (rel. Mar. 30, 2016).

³ *Connect America Fund*, WC Docket Nos. 10-90, et al., Order DA 16-661, ¶ 25 (WCB, rel. June 15, 2016) (citing the *Open Internet Order*).



CERTIFICATE OF SERVICE

I hereby certify that the foregoing Notification of Discontinuance of broadband Internet transmission service as a separate component of its broadband Internet access service was served this 2nd Day of May, 2017 by mailing true and correct copies thereof, postage prepaid, to the following persons:

Secretary of Defense
Attn: Special Assistant for Telecommunications
1000 Defense Pentagon
Washington, D.C. 20301-1000

Office of the Honorable Dennis Daugaard
Office of the Governor
500 East Capitol Avenue
Pierre, S.D. 57501

South Dakota Public Utilities Commission
Capitol Building, 1st floor
500 E. Capitol Ave.
Pierre, SD 57501-5070

A handwritten signature in cursive script, appearing to read "John Kendall".
