

## **FOREIGN CARRIER AFFILIATION NOTIFICATION ATTACHMENT**

### Question 5 – Country of affiliation

By this filing, Windstream Services, LLC (“Windstream Services”) notifies the Commission of its affiliation with foreign carriers in Canada (the “Notified Route”).

### Question 7 – Date of filing of Transfer of Control

This notification corresponds to the Transfer of Control Applications that created Windstream Services’ affiliation with the foreign carriers, filed in three transactions:

- (1) for the transfer of Broadview Networks Holdings, Inc.’s subsidiary, BridgeCom International, Inc., to Windstream Holdings, Inc., ITC-T/C-20170427-00087, filed April 27, 2017;
- (2) for the transfer of EarthLink Holdings Corp.’s subsidiary, EarthLink Business, LLC, to Windstream Holdings, Inc., ITC-T/C-20161117-00331, filed November 17, 2016; and
- (3) for the transfer of PAETEC Holding Corporation’s subsidiaries, including McLeodUSA Telecommunications Services, LLC, to Windstream Corporation, ITC-T/C-20110819-00270, filed August 19, 2011.

### Question 10 – Late notification

This notification is timely filed with respect to Windstream Services’ affiliation with BridgeCom International, Inc. (ITC-T/C-20170427-00087). This notification is being filed more than 30 days after consummation of the transactions resulting in affiliations with foreign carriers EarthLink Business, LLC and McLeodUSA Telecommunications Services, LLC. Windstream Services’ failure to file within the specified timeframe was inadvertent, and Windstream Services apologizes for any inconvenience caused by its failure to file this notification in a timely manner. Windstream Services notes that the affiliations reported herein are not affiliations required to be reported prior to consummation under 47 C.F.R. § 63.11(a). Furthermore, because Windstream Services qualifies for continued non-dominant treatment on the Notified Route, this notification should not change the Commission’s regulatory treatment of Windstream Services.

### Question 12 – Carrier and destination market certification

Windstream Services is entitled to retain non-dominant status on its newly affiliated routes pursuant to 47 C.F.R. §§ 63.10(a)(3) and 63.11(f). None of the newly-affiliated foreign carriers (as listed more fully in response to Question 17, below) own facilities in Canada. Windstream Services’ new foreign carrier affiliates lack market power in their respective markets. Windstream Services’ newly-affiliated foreign carriers have negligible market share, and lack 50-percent market share in either the international transport market or local access market of their respective geographic markets. These newly-affiliated foreign carriers do not appear on the Commission’s list of foreign telecommunications carriers presumed to possess

market power in foreign telecommunications markets.<sup>1</sup> These foreign carriers therefore qualify for presumptions of non-dominance pursuant to 47 C.F.R. § 63.10(a)(3) and exemptions from the dominant carrier safeguards in 47 C.F.R. § 63.10(c)-(e).

Question 16 – Continued qualification for non-dominant status

Windstream Services requests continued regulation as a non-dominant international carrier pursuant to 47 C.F.R. § 63.10. As stated above, Windstream Services' new foreign carrier affiliates lack market power in their respective markets. Windstream Services' newly-affiliated foreign carriers have negligible market share, and lack 50-percent market share in either the international transport market or local access market of their respective geographic markets. These newly-affiliated foreign carriers do not appear on the Commission's list of foreign telecommunications carriers presumed to possess market power in foreign telecommunications markets. These foreign carriers therefore qualify for presumptions of non-dominance pursuant to 47 C.F.R. § 63.10(a)(3) and exemptions from the dominant carrier safeguards in 47 C.F.R. §63.10(c)-(e).

Question 17 – Newly affiliated foreign carriers

Windstream Services' newly-affiliated foreign carriers are authorized to provide telecommunications services in Canada:

<b>Affiliated Carrier:</b>	<b>Country:</b>	<b>Date of Affiliation:</b>
EarthLink Business, LLC	Canada	February 27, 2017
McLeodUSA Telecommunications Services, LLC	Canada	December 1, 2011
BridgeCom International, Inc.	Canada	July 28, 2017

Canada is a member of the World Trade Organization.<sup>2</sup>

Question 18 – Services that Windstream Services is authorized to provide in the above countries

As required by 47 C.F.R. § 63.11(e)(3), Windstream Services certifies that it is authorized to provide global facilities-based and global resale services to Canada pursuant to FCC File No. ITC-214-19980925-00658.

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<sup>1</sup> See *International Bureau Revises and Reissues the Commission's List of Foreign Telecommunications Carriers that Are Presumed to Possess Market Power in Foreign Telecommunications Markets*, Public Notice, 22 FCC Rcd. 945 (Int'l Bur. 2007).

<sup>2</sup> See World Trade Organization, Members and Observers as of July 29, 2016, [https://www.wto.org/english/thewto\\_e/whatis\\_e/tif\\_e/org6\\_e.htm](https://www.wto.org/english/thewto_e/whatis_e/tif_e/org6_e.htm).

Question 19 – Countries served solely through resale of services

As required by 47 C.F.R. § 63.11(e)(4), Windstream Services certifies that it does not serve Canada solely through the resale of international switched services of unaffiliated U.S. facilities-based carriers.

Question 20 – Ownership information

As required by 47 C.F.R. § 63.11(e)(5), Windstream certifies that it has the following 10-percent-or-greater direct or indirect owners:

**Windstream Holdings, Inc.**

*Address:* 4001 Rodney Parham Road, Little Rock, Arkansas 72212

*Citizenship:* Delaware

*Principal Business:* holding company

*Relationship:* owns 100 percent of Windstream Services, LLC

Windstream Holdings, Inc. is a publicly traded company. To its knowledge, Windstream has one 10 percent or greater interest holder, The Vanguard Group, Inc., a U.S.-based investment management company:

**The Vanguard Group**

*Address:* P.O. Box 2600, Valley Forge, PA 19482

*Citizenship:* Pennsylvania

*Principal business:* Investment management

*Relationship:* owns 13.7 percent of Windstream Holdings, LLC

Question 21 – Interlocking directorates

Windstream Services has two interlocking directorates with the foreign affiliates identified in this notification. Tony Thomas is President and Chief Executive Officer of Windstream Services, McLeodUSA Telecommunications Services, LLC, EarthLink Business, LLC, and BridgeCom International, Inc. John Fletcher is Executive Vice President and Chief Human Resources and Legal Officer for Windstream Services, McLeodUSA Telecommunications Services, LLC, EarthLink Business, LLC, and BridgeCom International, Inc.