

UT-151834

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.

In the Matter of)
)
Section 63.71 Application of) WC Docket No. 15-_____
Clearwire Corporation)

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STATE OF WASH.
UTIL. AND TRANS.
COMMISSION

SECTION 63.71 APPLICATION

Clearwire Corporation (“Clearwire”) hereby seeks authorization, pursuant to Section 214(a) of the Communications Act of 1934, as amended (the “Act”), 47 U.S.C. § 214(a), and Section 63.71 of the rules of the Federal Communications Commission (“FCC” or “Commission”), 47 C.F.R. § 63.71, to discontinue its provision of “digital voice (VoIP)” service (“digital voice”) and associated features. Digital voice is being discontinued because Clearwire’s parent company, Sprint Corporation (“Sprint”), is implementing major enhancements to its 4G LTE Network. As a part of the deployment process, Sprint is shutting down the towers that support digital voice so that the spectrum can be repurposed for LTE technologies.

Clearwire plans to discontinue offering and providing digital voice effective November 6, 2015. The proposed discontinuance will not result in material harm to the affected customers, because they may obtain alternative voice calling capabilities from a variety of other service providers, including traditional wireline, facilities-based voice over Internet protocol (“VoIP”), non-facilities-based VoIP, and wireless service providers.

Clearwire provides the following information pursuant to Section 63.71 of the Commission's rules:

1. Name and Address of Carrier:

Clearwire Corporation
6200 Sprint Parkway
Overland Park, KS 66251

2. Date of Planned Service Discontinuance, Reduction, or Impairment: Clearwire plans to discontinue its provision of digital voice effective November 6, 2015. Clearwire understands that this Application will be granted automatically on the 31st day after public notice of its filing, unless the Commission notifies Clearwire to the contrary.

3. Points of Geographic Areas of Service Affected: Clearwire proposes to discontinue its provision of digital voice in Alaska, Arizona, California, Colorado, Connecticut, Delaware, the District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Ohio, Oregon, Pennsylvania, Rhode Island, Tennessee, Texas, Utah, Virginia, Washington, and Wisconsin.

4. Brief Description of Type of Service Affected: Digital voice is a fixed VoIP service that enables customers to place and receive voice telephone calls over the wireless Internet connection provided by their Clearwire Expedience or CLEAR WiMAX service. The 2.5 GHz band spectrum that currently supports Clearwire Expedience and CLEAR WiMAX will be repurposed for major enhancements to Sprint's 4G LTE

network, requiring Clearwire Expedience and CLEAR WiMAX to be discontinued.¹

Because Clearwire's provision of digital voice is tied to Clearwire Expedience and CLEAR WiMAX, digital voice will be discontinued as well. Features associated with digital voice also will be discontinued, such as directory assistance ("411").

5. Brief Description of the Dates and Methods of Notice to All Affected Customers: In accordance with Section 63.71(a), on September 1, 2015, Clearwire provided written notice, by first class mail, to all affected digital voice subscribers. Clearwire also provided notice to its customers via email on September 3, 2015. Sample copies of the notices provided to customers are attached hereto as Attachment A.
6. Whether the Carrier is Considered Dominant or Non-Dominant with Respect to the Service to be Discontinued, Reduced, or Impaired: Clearwire is considered non-dominant with respect to the affected service.

In accordance with Section 63.71 of the Commission's Rules, a copy of this Application is being mailed to the Special Assistant for Telecommunications for the Secretary of Defense and to the public utility commission and the Governor of each state in which the discontinuance of service is proposed.

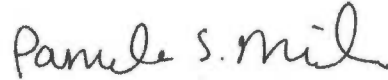
The public convenience and necessity will not be adversely affected by the discontinuance of digital voice. All customers that will be affected by the discontinuance have been given notice affording them ample time to acquire one of the many substitute services that are readily available to them. Clearwire, therefore, respectfully requests Commission approval

¹ As broadband Internet access services, Clearwire Expedience and CLEAR WiMAX are not subject to the Act's discontinuance procedures. *Protecting and Promoting the Open Internet*, Report and Order on Remand, Declaratory Ruling, and Order, 30 FCC Rcd 5601, ¶¶ 509-12 (2015).

of this Section 63.71 Application. Please direct any questions regarding this Application to the undersigned.

Respectfully submitted,

Clearwire Corporation



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Tel: (202) 777-7732
E-Mail: PMiranda@lawlermetzger.com
Counsel to Clearwire Corporation

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Senior Counsel, Government Affairs
Sprint Corporation
12502 Sunrise Valley Drive
Mail Stop: VARESA0202 -2D193
Reston, VA 20196
Tel: (703) 433-4212
E-Mail: James.Goldstein@sprint.com

Dated: September 10, 2015

ATTACHMENT A



IMPORTANT NOTICE REGARDING YOUR CLEARWIRE DIGITAL VOICE (VOIP) SERVICE

We sincerely thank you for being a loyal customer and for choosing Clearwire as your provider!

We don't like goodbyes, but unfortunately we need to remind you that your Clearwire digital voice (VoIP) service will end as of November 6, 2015 (12:01 AM EST). It's not just you - we are discontinuing Clearwire digital voice service in all states where we provide service.¹ Digital voice allows you to place and receive voice telephone calls over the Internet connection provided by your Clearwire WiMAX service. Features associated with digital voice, like directory assistance (411), will also end.

Your Clearwire service will be ending but you can get a comparable voice calling service from a variety of other providers operating in your area, including landline, VoIP, and wireless service providers. A quick Internet search for "voice service providers" in your city should give you some good options. If you plan to replace your digital voice service, please do so by November 6, 2015, so that your service is not interrupted. If you are planning to transfer your phone number, please be sure to contact your intended provider to find out how much time it will take to process your transfer. If you choose not to migrate your service by November 6, 2015, your digital voice account will be cancelled so that you will no longer be billed, and you may lose your digital voice phone number after that date. You can contact us anytime if you would like to cancel your account earlier.

The good news is that you don't have to switch just yet! We'll continue to keep you updated in the coming months. We love having you as a customer while we still can. In the meantime, if you have any questions, please call us at 1-888-888-3113 and press any option to speak to one of our Care representatives.

Sincerely,

Clearwire Corporation
6200 Sprint Parkway
Overland Park, KS 66251

Clearwire has notified the Federal Communications Commission ("FCC") about this end of service. The FCC will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 15 days after the FCC releases public notice of the proposed discontinuance. You may file your comments electronically through the FCC's Electronic Comment Filing System using the docket number established in the FCC's public notice for this proceeding, or you may address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, 445 12th Street, SW, Washington, DC 20554, and include in your comments a reference to the § 63.71 Application of Clearwire Corporation. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

¹ Service will be discontinued in Alaska, California, Florida, Hawaii, Idaho, Minnesota, Mississippi, Nevada, New York, North Carolina, Ohio, Oregon, Tennessee, Texas, Virginia, Washington, and Wisconsin.



IMPORTANT NOTICE REGARDING YOUR CLEAR DIGITAL VOICE (VOIP) SERVICE

We sincerely thank you for being a loyal customer and for choosing CLEAR as your provider!

We don't like goodbyes, but unfortunately we need to remind you that your CLEAR digital voice (VoIP) service will end as of November 6, 2015 (12:01 AM EST). It's not just you - we are discontinuing CLEAR digital voice service in all states where we provide service.¹ Digital voice allows you to place and receive voice telephone calls over the Internet connection provided by your CLEAR WiMAX service. Features associated with digital voice, like directory assistance (411), will also end.

Your CLEAR service will be ending but you can get a comparable voice calling service from a variety of other providers operating in your area, including landline, VoIP, and wireless service providers. A quick Internet search for "voice service providers" in your city should give you some good options. If you plan to replace your digital voice service, please do so by November 6, 2015, so that your service is not interrupted. If you are planning to transfer your phone number, please be sure to contact your intended provider to find out how much time it will take to process your transfer. If you choose not to migrate your service by November 6, 2015, your digital voice account will be cancelled so that you will no longer be billed, and you may lose your digital voice phone number after that date. You can contact us anytime if you would like to cancel your account earlier.

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Your Clearwire service will be ending but you can get a comparable voice calling service from a variety of other providers operating in your area, including landline, VoIP, and wireless service providers. A quick Internet search for "voice service providers" in your city should give you some good options. If you plan to replace your digital voice service, please do so by November 6, 2015, so that your service is not interrupted. If you are planning to transfer your phone number, please be sure to contact your intended provider to find out how much time it will take to process your transfer. If you choose not to migrate your service by November 6, 2015, your digital voice account will be cancelled so that you will no longer be billed, and you may lose your digital voice phone number after that date. You can contact us anytime if you would like to cancel your account earlier.

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[Contact Us](#) | [Privacy](#)

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This is an account-related notification.

Your privacy is important to us. Please see our [Privacy Policy](#) for more information.

For questions about CLEAR/Clearwire privacy policies, please write to: Office of Privacy – Legal Department, P.O. Box 4600 Reston, VA 20195.

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CERTIFICATE OF SERVICE

I, Erica A. Bettenhausen, hereby certify that a copy of the foregoing Section 63.71 Application of Clearwire Corporation was served on this 10th day of September, 2015, by mailing true and correct copies thereof, postage prepaid, to the following at the addresses listed below:

Office of Governor Bill Walker
P.O. Box 110001
Juneau, AK 99811-0001

Regulatory Commission of Alaska
701 West Eighth Avenue, Suite 300
Anchorage, AK 99501-3469

Office of Governor Doug Ducey
1700 West Washington Street
Phoenix, AZ 85007

Arizona Corporation Commission
1200 West Washington
Phoenix, AZ 85007-2996

Office of Governor Edmund G. Brown, Jr.
C/O State Capitol, Suite 1173
Sacramento, CA 95814

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

Office of Governor John W. Hickenlooper
136 State Capitol Bldg
Denver, CO 80203

Colorado Department of Regulatory Agencies
Public Utilities Commission
1560 Broadway, Suite 250
Denver, CO 80202

Office of Governor Dannel P. Malloy
State Capitol
210 Capitol Avenue
Hartford, CT 06106

Connecticut Public Utility Regulatory Authority
10 Franklin Square
New Britain, CT 06051

Office of Governor Jack Markell
150 Martin Luther King Jr. Blvd. South
2nd Floor
Dover, DE 19901

Delaware Public Service Commission
861 Silver Lake Boulevard
Cannon Building, Suite 100
Dover, DE 19904

Executive Office of Mayor Muriel Bowser
John A. Wilson Building
1350 Pennsylvania Avenue NW, Suite 316
Washington, DC 20004

Public Service Commission of the
District of Columbia
1325 G Street, NW, Suite 800
Washington, DC 20005

Office of Governor Rick Scott
The Capitol
400 South Monroe Street
Tallahassee, FL 32399-0001

Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Office of Governor Nathan Deal
206 Washington Street
111 State Capitol
Atlanta, GA 30334

Georgia Public Service Commission
244 Washington Street, SW
Atlanta, GA 30334

Office of Governor David Y. Ige
Executive Chambers
State Capitol
Honolulu, HI 96813

Hawaii Public Utilities Commission
465 South King Street
Room # 103
Honolulu, HI 96813

Office of Governor C.L. Otter
State Capitol
P.O. Box 83720
Boise, ID 83720

Idaho Public Utilities Commission
P.O. Box 83720
Boise, ID 83720-0074

Office of Governor Bruce Rauner
207 State House
Springfield, IL 62706

Illinois Commerce Commission
527 East Capitol Avenue
Springfield, IL 62701

Office of Governor Mike Pence
State House
Indianapolis, IN 46204-2797

Indiana Utility Regulatory Commission
PNC Center
101 West Washington Street
Suite 1500 E
Indianapolis, IN 46204

Office of Governor Bobby Jindal
P.O. Box 94004
Baton Rouge, LA 70804-9004

Louisiana Public Service Commission
P.O. Box 91154
Baton Rouge, LA 70821-9154

Office of Governor Larry Hogan
100 State Circle
Annapolis, MD 21401-1925

Maryland Public Service Commission
William Donald Schaefer Tower
6 St. Paul Street, 16th Floor
Baltimore, MD 21202

Office of Governor Charlie Baker
Massachusetts State House
Room 280
Boston, MA 02133

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

Office of Governor Rick Snyder
P.O. Box 30013
Lansing, MI 48909

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

Office of Governor Mark Dayton
116 Veterans Service Building
20 West 12th Street
St. Paul, MN 55155

Office of Governor Phil Bryant
P.O. Box 139
Jackson, MS 39205

Office of Governor Jay Nixon
P.O. Box 720
Jefferson City, MO 65102

Office of Governor Pete Ricketts
P.O. Box 94848
Lincoln, NE 68509-4848

Office of Governor Brian Sandoval
State Capitol Building
101 North Carson Street
Carson City, NV 89701

Office of Governor Maggie Hassan
State House
107 North Main Street
Concord, NH 03301

Office of Governor Chris Christie
P.O. Box 001
Trenton, NJ 08625

Office of Governor Susana Martinez
490 Old Santa Fe Trail
Room 400
Santa Fe, NM 87501

Office of Governor Andrew M. Cuomo
NYS State Capitol Building
Albany, NY 12224

Minnesota Public Utilities Commission
121 Seventh Place East, Suite 350
St. Paul, MN 55101-2147

Mississippi Public Service Commission
P.O. Box 1174
Jackson, MS 39215-1174

Missouri Public Service Commission
200 Madison Street
P.O. Box 360
Jefferson City, MO 65102-0360

Nebraska Public Service Commission
1200 N Street, Suite 300
Lincoln, NE 68508

Nevada Public Utilities Commission
1150 East William Street
Carson City, NV 89701-3109

New Hampshire Public Utilities Commission
21 South Fruit Street, Suite 10
Concord, NH 03301-2429

New Jersey Board of Public Utilities
44 South Clinton Avenue
Trenton, NJ 08625

New Mexico Public Regulation Commission
1120 Paseo De Peralta
PERA Building
P.O. Box 1269
Santa Fe, NM 87504

New York State Public Service Commission
Empire State Plaza
Agency Building 3
Albany, NY 12223-1350

Office of Governor Pat McCrory
20301 Mail Service Center
Raleigh, NC 27699-0301

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

Office of Governor John Kasich
Riffe Center, 30th Floor
77 South High Street
Columbus, OH 43215

Public Utilities Commission of Ohio
180 East Broad Street
Columbus, OH 43215

Office of Governor Kate Brown
State Capitol Building
900 Court Street NE, 160
Salem, OR 97301

Public Utility Commission of Oregon
P.O. Box 1088
Salem, OR 97308-1088

Office of Governor Tom Wolf
508 Main Capitol Building
Harrisburg, PA 17120

Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Office of Governor Gina M. Raimondo
82 Smith Street
Providence, RI 02903

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

Office of Governor Bill Haslam
1st Floor, State Capitol
Nashville, TN 37243

Tennessee Regulatory Authority
502 Deaderick Street
Nashville, TN 37243

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

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

Office of Governor Gary R. Herbert
350 North State Street, Suite 200
P.O. Box 142220
Salt Lake City, UT 84114-2220

Utah Public Service Commission
Herber M. Wells Building
160 East 300 South
Salt Lake City, UT 84114

Office of Governor Terry McAuliffe
1111 East Broad Street
Richmond, VA 23219

Commonwealth of Virginia State Corporation
Commission
Division of Communications
P.O. Box 1197
Richmond, VA 23218

Office of Governor Jay Inslee
P.O. Box 40002
Olympia, WA 98504-0002

Office of Governor Scott Walker
115 East Capitol
Madison, WI 53702

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

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

Public Service Commission of Wisconsin
P.O. Box 7854
Madison, WI 53707-7854



Erica A. Bettenhausen