



# PUBLIC NOTICE

**Federal Communications Commission**  
**445 12<sup>th</sup> St., S.W.**  
**Washington, D.C. 20554**

News Media Information 202 / 418-0500  
Internet: <https://www.fcc.gov>  
TTY: 1-888-835-5322

**DA 19-1223**

**Released: November 29, 2019**

## **COMMENTS INVITED ON SECTION 214 APPLICATION(S) TO DISCONTINUE DOMESTIC NON-DOMINANT CARRIER TELECOMMUNICATIONS SERVICES AS PART OF A TECHNOLOGY TRANSITION**

**WC Docket No(s). 19-321 & 19-340**

**Comments Due: December 16, 2019**

Unless otherwise specified, the following procedures and dates apply to the application(s) (the Section 214 Discontinuance Application(s)) listed in the Appendix.

The Wireline Competition Bureau (Bureau), upon initial review, has found the Section 214 Discontinuance Application(s) listed herein to be acceptable for filing and subject to the procedures set forth in Section 63.71 of the Commission's rules.<sup>1</sup> The application(s) request authority, under section 214 of the Communications Act of 1934, as amended,<sup>2</sup> and section 63.71 of the Commission's rules,<sup>3</sup> to discontinue, reduce, or impair certain domestic telecommunications service(s) (Affected Service(s)) in specified geographic areas (Service Area(s)) as applicable and as fully described in each application.

In accordance with section 63.71(f) of the Commission's rules, the Section 214 Discontinuance Application(s) listed in the Appendix will be deemed granted automatically on **December 30, 2019**, the 31st day after the release date of this public notice, unless the Commission notifies any applicant(s) that their grant will not be automatically effective.<sup>4</sup> We note that the date on which an application for Commission authorization is deemed granted may be different from the date on which applicants are authorized to discontinue, reduce, or impair service ("Authorized Date"). Any applicant whose application has been deemed granted may discontinue, reduce or impair their Affected Service(s) in their Service Area(s) on or after the authorized date(s) specified in the Appendix, in accordance with their filed representations. Accordingly, pursuant to section 63.71(f), and the terms outlined in each application, absent further Commission action, each applicant may discontinue, reduce or impair the Affected Service(s) in the

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<sup>1</sup> 47 CFR § 63.71.

<sup>2</sup> 47 U.S.C. § 214.

<sup>3</sup> 47 CFR § 63.71.

<sup>4</sup> See 47 CFR § 63.71(f) (stating, in relevant part, that an application filed by a non-dominant carrier "shall be automatically granted on the 31st day... unless the Commission has notified the applicant that the grant will not be automatically effective."). See also 47 CFR § 63.71(f)(2)(ii) (stating that "[a]n application to discontinue, reduce, or impair an existing retail service as part of a technology transition, as defined in § 63.60(i), may be automatically granted only if: The applicant: (A) Offers a stand-alone interconnected VoIP service, as defined in § 9.3 of this chapter, throughout the affected service area, and (B) At least one other alternative stand-alone facilities-based wireline or wireless voice service is available from another unaffiliated provider throughout the affected service area.").

Service Area(s) described in their application on or after the authorized discontinuance date(s) listed in the Appendix for that application. For purposes of computation of time when filing a petition for reconsideration, application for review, or petition for judicial review of the Commission's decision(s), the date of "public notice" shall be the auto grant date stated above in this Public Notice, or the release date(s) of any further public notice(s) or order(s) announcing final Commission action, as applicable. Should no petitions for reconsideration, applications for review, or petitions for judicial review be timely filed, the proceeding(s) listed in this Public Notice shall be terminated, and the docket(s) will be closed.

Comments objecting to any of the applications listed in the Appendix must be filed with the Commission on or before **December 16, 2019**. Comments should refer to the specific WC Docket No. and Comp. Pol. File No. listed in the Appendix for the particular Section 214 Discontinuance Application that the commenter intends to address. Comments should include specific information about the impact of the proposed discontinuance on the commenter, including any inability to acquire reasonable substitute service. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies.<sup>5</sup> Comments may be filed electronically using the Internet by accessing the ECFS: <http://apps.fcc.gov/ecfs>. Filers should follow the instructions provided on the Web site for submitting comments. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket number.

Parties who choose to file by paper must file an original and one copy of each filing. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission. All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th Street, S.W., Room TW-A325, Washington, D.C. 20554. The filing hours are Monday through Friday, 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701. U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, S.W., Washington, D.C. 20554.

Copies of the comments may also be sent to the Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, S.W., Room 5-C140, Washington, D.C. 20554, Attention: Carmell Weathers, or faxed to the FCC at (202) 418-1413, Attention: Carmell Weathers. In addition, comments should be served upon the Applicant(s).

These proceedings are considered "permit but disclose" proceedings for purposes of the Commission's *ex parte* rules.<sup>6</sup> Participants should familiarize themselves with the Commission's *ex parte* rules. Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or

<sup>5</sup> See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

<sup>6</sup> 47 CFR § 1.1200 *et seq.*

paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b).

People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (888) 835-5322 (tty).

For further information, please see the contacts for the specific discontinuance proceeding you are interested in as listed in the Appendix. The tty number is (888) 835-5322. For further information on procedures regarding section 214 please visit <https://www.fcc.gov/encyclopedia/domestic-section-214-discontinuance-service>.

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## Appendix

- 1) **Applicant(s): Windstream Services, LLC on behalf of its competitive local exchange carrier affiliates, Network Telephone, LLC and Talk America, LLC**  
**WC Docket No. 19-321, Comp. Pol. File No. 1580**  
**Link – [https://www.fcc.gov/ecfs/search/filings?proceedings\\_name=19-321&sort=date\\_disseminated,DESC](https://www.fcc.gov/ecfs/search/filings?proceedings_name=19-321&sort=date_disseminated,DESC)**  
**Affected Service(s)** – POTS, DSL and Integrated Voice and Data services  
**Service Area(s)** – Mobile, AL; Lafayette, Lake Charles, Monroe, New Iberia, Opelousas, Ruston, Shreveport and West Monroe, LA; Detroit, MI; and Columbus, New Albany and Tupelo, MS  
**Authorized Date(s)** – on or after December 30, 2019  
**Contact(s)** – Kimberly Jackson, (202) 418-7393 (voice), Kimberly.Jackson@fcc.gov, or Carmell Weathers, (202) 418-2325 (voice), Carmell.Weathers@fcc.gov, of the Competition Policy Division, Wireline Competition Bureau  
**Note:** The applicant filed an amendment letter on November 20, 2019 confirming that it provides a stand-alone interconnected VoIP service throughout the affected service areas, and that at least one other alternative stand-alone facilities-based wireline or wireless voice service is available from another unaffiliated provider throughout the affected service areas.
- 2) **Applicant(s): Network Telephone, LLC, a Windstream company**  
**WC Docket No. 19-340, Comp. Pol. File No. 1586**  
**Link – [https://www.fcc.gov/ecfs/search/filings?proceedings\\_name=19-340&sort=date\\_disseminated,DESC](https://www.fcc.gov/ecfs/search/filings?proceedings_name=19-340&sort=date_disseminated,DESC)**  
**Affected Service(s)** – POTS, DSL and Integrated Voice and Data services  
**Service Area(s)** – Lake Charles, Sulphur and Westlake, LA; and Clarksville, TN  
**Authorized Date(s)** – on or after January 10, 2020  
**Contact(s)** – Kimberly Jackson, (202) 418-7393 (voice), Kimberly.Jackson@fcc.gov, or Carmell Weathers, (202) 418-2325 (voice), Carmell.Weathers@fcc.gov, of the Competition Policy Division, Wireline Competition Bureau  
**Note:** The applicant filed an amendment letter on November 15, 2019 confirming that it provides a stand-alone interconnected VoIP service throughout each of the affected service areas, and that at least one other alternative stand-alone facilities-based wireline or wireless voice service is available from another unaffiliated provider throughout the affected service areas.