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LAW OFFICES OF

DE CASTRO, WEST, CHODOROW, GLICKFELD & NASS, INC.

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May 28, 2004

VIA FACSIMILE AND FEDERAL EXPRESS

RECEIVED

MAY 28 2004

Federal Communications Commission
Office of the Secretary

Office of the Secretary
Federal Communications Commission
445 12th Street, S.W.
Room TW-A325
Washington, D.C. 20554

Competition Policy Division
Wireline Competition Bureau
Federal Communications Commission
445 12th Street S.W.
Room 6-A207
Washington, D.C. 20554

Attention: Carmell Weathers

Re: WC Docket No. 04-154 and
Comp. Pol. File No. 680

Ladies and Gentlemen:

In response to the Public Notice posted on your website on May 17, 2004 with regard to the application of Winstar Communications, LLC to discontinue domestic telecommunications service in our area on June 15, 2004, we hereby are filing our comments objecting to the termination of Winstar's service on that date as it we may not be able to successfully complete the transfer of service to our chosen vendor, Verizon, by that date. We base our objections on the following facts:

1. On or about April 12, 2004, we received the attached letter from Winstar notifying us of their intention to discontinue service on June 15, 2004. We immediately contacted alternate vendors to request proposals for comparable data and voice service, and scheduled meetings to go over these proposals. Among the vendors we contacted were AT&T, Sprint and Verizon, the major vendors in our area. Each of these vendors informed us that they would require a minimum of 45 *business* days from the date of signing of a contract to complete the transfer of all services.

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2. On or about May 14, 2004, we were ready to sign a contract with Sprint, as their proposal was the most attractive. When the sales person arrived at our offices to sign the contracts, he notified us that Sprint was unable to meet the June 15th deadline, and suggested that perhaps we might consider going with Verizon, as they may be able to win back our telephone numbers sooner, thereby giving them an advantage with regard to completing the contract. One of the reasons they suggested this was that they had not been able to obtain our CSR's from Winstar (which every vendor we spoke to required in order to go forward), despite several attempts to do so by them and by us. As of this date, we still have not been able to obtain our CSR's.

3. Although they were not our first choice, we did contact Verizon in an attempt to hopefully achieve the transfer of our voice and data services by Winstar's deadline. We signed a contract with Verizon on May 20, 2004, only a little more than a month after receipt of Winstar's initial notice, and have been working with Verizon to effect the transfer. Shortly after signing the contract with Verizon, we received an e-mail from our sales representative that the implementation and/or installation for our internet T-1 and Voice PRI's could take up to 45 *business* days to reach completion, and that Verizon could not guarantee that it will meet the June 14, 2004 deadline to complete the transfer of our internet and voice services to Verizon. Our IT Manager spoke with Verizon today, and Verizon once again expressed its concern about meeting the June 15, 2004 deadline.

We have vigorously pursued obtaining substitute service in a timely manner, and do not feel there is anything more we could have done in order to accomplish this. Winstar has offered no help whatsoever in assisting in this transfer, but has rather impeded our ability to do so by not providing us with the information we needed despite several requests to do so.

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Therefore, we vehemently object to Winstar's June 15th deadline for discontinuing service, and hereby request that the date for discontinuance be extended to ***JULY 30, 2004***. If this request is not granted, it is highly probable that we will be without voice and data service for some period of time, which would mean that during that time, this law firm would be effectively out of business.

We look forward to hearing from you soon regarding this critical problem.

Sincerely,

Theda M. Ray
Administrator

cc: Office of the President
Winstar Communications, LLC
520 Broad Street
Newark, NJ 07102