



PUBLIC NOTICE

Federal Communications Commission
445 12th Street, S.W.
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FCC INFORMATION

DA 07-2663
June 18, 2007

COMMENTS INVITED ON APPLICATION OF TIME WARNER CABLE INFORMATION SERVICES (TEXAS), L.P., D/B/A TIME WARNER CABLE, TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES

WC Docket No. 07-126
Comp. Pol. File No. 801

Comments Due: July 3, 2007

Section 214 Application

Applicant: Time Warner Cable Information Services (Texas), L.P., d/b/a Time Warner Cable

On May 18, 2007, Time Warner Cable Information Services (Texas), L.P., d/b/a Time Warner Cable (Time Warner Cable or Applicant), located at 290 Harbor Drive, Stamford, CT 06902, filed an application with the Federal Communications Commission (FCC or Commission) requesting authority, under section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to discontinue the provision of certain domestic telecommunications services to customers in Garland, Texas.¹

Time Warner Cable indicates that it currently provides circuit-switched local exchange and toll services to residential customers in Garland, Texas. Time Warner Cable states that it plans to discontinue these services to approximately 4,519 customers located in portions of the Garland, Texas area that were not the subject of a discontinuance application previously filed by Time Warner Cable.² Time Warner Cable maintains that it plans to discontinue these services on or after July 19, 2007. However, Time Warner Cable indicates that it intends to offer alternative packet-switched services, and that there are other local service providers offering service in the area. Time Warner Cable represents that it provided notice to all affected customers in accordance with section 63.71 of the Commission's rules on May 16, 2007. Time Warner Cable further represents that follow-up notices will be sent to customers before the final date for termination of these services. Finally, Time Warner Cable asserts that it is non-dominant with respect to the services it proposes to discontinue.

¹ This application was subsequently received in the Competition Policy Division of the Wireline Competition Bureau on June 8, 2007.

² See *Comments Invited on Application of Time Warner Cable Information Services (Texas), L.P. d/b/a Time Warner Cable to Discontinue Domestic Telecommunications Services*. Public Notice, WC Docket No. 07-105, Comp. Pol. File No. 795, DA 07-2106 (rel. May 18, 2007).

In accordance with section 63.71(c) of the Commission's rules, Time Warner Cable's application will be deemed to be granted automatically on the thirty-first (31st) day after the release date of this public notice, unless the Commission notifies Time Warner Cable that the grant will not be automatically effective. In Time Warner Cable's application and notice to customers, Time Warner Cable indicates that it anticipates discontinuing service on or after July 19, 2007. Accordingly, pursuant to section 63.71(c) and the terms of Time Warner Cable's application and notice, absent further Commission action, Time Warner Cable may terminate service to affected customers in Garland, Texas on **July 19, 2007**. The Commission normally will authorize proposed discontinuances of service unless it is shown that customers or other end users would be unable to receive service or a reasonable substitute from another carrier, or that the public convenience and necessity would be otherwise adversely affected.

This proceeding is considered a "permit but disclose" proceeding for purposes of the Commission's ex parte rules, 47 C.F.R. §§ 1.1200-1.1216. Comments objecting to this application must be filed with the Commission on or before **July 3, 2007**. Such comments should refer to **WC Docket No. 07-126 and Comp. Pol. File No. 801**. Comments should include specific information about the impact of this 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. See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998). Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/cgb/ecfs/>. Filers should follow the instructions provided on the website 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 or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, filers should send an e-mail to ecfs@fcc.gov, and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.

Parties who choose to file by paper must send an original and four (4) copies of the comments to the Office of the Secretary, Federal Communications Commission, 445 12th Street, S.W., Room TW-A325, Washington, D.C. 20554. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission. The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes 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 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express, and Priority mail should be addressed to 445 12th Street, S.W., Washington, D.C. 20554.

Two (2) copies of the comments should also be sent to the Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, S.W., Room 5-C327, Washington, D.C. 20554, Attention: Carmell Weathers. In addition, comments should be served upon the Applicant. Commenters are also requested to fax their comments to the FCC at (202) 418-1413, Attention: Carmell Weathers.

The application will be available for public inspection and copying during regular business hours at the FCC Reference Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554, (202) 418-0270. A copy of the application may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, telephone (202) 488-5300, facsimile (202) 488-5563, or via e-mail at FCC@BCPIWEB.COM. 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 or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY).

For further information, contact Carmell Weathers, (202) 418-2325 (voice), carmell.weathers@fcc.gov, or Rodney McDonald, (202) 418-7513 (voice), rodney.mcdonald@fcc.gov of the Competition Policy Division, Wireline Competition Bureau. The TTY number is (202) 418-0484. For further information on procedures regarding section 214 please visit http://www.fcc.gov/wcb/cpd/other_adjud.

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