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## COMMENTS INVITED ON APPLICATION OF AT&T COMMUNICATIONS OF THE SOUTHERN STATES, LLC AND AT&T COMMUNICATIONS OF THE SOUTH CENTRAL STATES, LLC TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES

WC Docket No. 07-141  
Comp. Pol. File No. 806

Comments Due: August 6, 2007

### Section 214 Application

**Applicants: AT&T Communications of the Southern States, LLC and AT&T Communications of the South Central States, LLC**

On **June 25, 2007**, **AT&T Communications of the Southern States, LLC (AT&T Southern)** and **AT&T Communications of the South Central States, LLC (AT&T South Central)** (collectively AT&T or Applicants), located at **PO Box 430, Bedminster, NJ 07921-0430**, 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 in North Carolina, South Carolina and Tennessee.

AT&T indicates that AT&T Southern currently provides interstate residential local exchange service in North Carolina and South Carolina, and AT&T South Central currently provides such service in Tennessee. AT&T specifies that this service is a basic telephone exchange service that allows customers to make local calls within a local exchange, which includes local calling areas that cross state boundary lines. AT&T states that, as a result of the acquisition of BellSouth Corporation and its subsidiaries by AT&T, Inc., **AT&T Southern and AT&T South Central now plan to discontinue the interstate residential local exchange service they currently provide in North Carolina, South Carolina and Tennessee.** However, AT&T states that its incumbent local exchange carrier (LEC) affiliates, AT&T North Carolina, AT&T South Carolina and AT&T Tennessee, will provide alternative interstate residential local exchange services in these states. AT&T specifies that, coincident with AT&T's discontinuance of existing services, AT&T hopes to migrate all affected customers to one local service platform in each state. AT&T indicates that it plans to cease offering this service as a new service in North Carolina, South Carolina and Tennessee on or after August 20, 2007. AT&T states that it also plans to discontinue service to existing customers and migrate them to its affiliates in North Carolina and Tennessee on or after October 29, 2007. AT&T further indicates that it plans to discontinue service to existing customers and migrate them to its affiliate in South Carolina on or after November 12, 2007.

AT&T maintains that there are many alternative providers of local exchange telephone service in the affected areas, including NOS Communications, Inc., Talk America, Inc., and Time Warner Telecom in North Carolina; 1-800-Reconnex, Inc., Birch Telecom and Frontier Communications of America in Tennessee; 1-800-Reconnex, Inc., United Telephone, and ACN Communication Services, Inc. in South Carolina and the appropriate AT&T incumbent LEC affiliates in each state. AT&T also states that customers should not experience any loss in service as a result of the discontinuance because AT&T plans to migrate customers automatically to the appropriate AT&T affiliate unless customers elect to receive service from another provider. AT&T indicates that it notified affected customers of the proposed discontinuance by letters sent via U.S. Mail on June 22, 2007. Finally, AT&T asserts that it is non-dominant with respect to the services it proposes to discontinue.

In accordance with section 63.71(c) of the Commission's rules, AT&T'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 AT&T that the grant will not be automatically effective. In AT&T's application and notices to its customers, AT&T indicates that it will no longer offer the affected service as a new service in North Carolina, South Carolina and Tennessee on or after August 20, 2007. AT&T states that it plans to discontinue service to existing customers in North Carolina and Tennessee on or after October 29, 2007. AT&T further states that it plans to discontinue service to existing customers in South Carolina on or after November 12, 2007. Accordingly, pursuant to section 63.71(c) and the terms of AT&T's notices and application, absent further Commission action, AT&T may cease to offer service to customers in accordance with its filed representations, may terminate service to affected customers in North Carolina and Tennessee on or after **October 29, 2007**, and may terminate service to affected customers in South Carolina on or after **November 12, 2007**. The Commission will normally 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 **August 6, 2007**. Such comments should refer to **WC Docket No. 07-141 and Comp. Pol. File No. 806**. 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](mailto: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. 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 Applicants. 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](mailto: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](mailto: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](mailto:carmell.weathers@fcc.gov), or Kimberly Jackson, (202) 418-7393 (voice), [kimberly.jackson@fcc.gov](mailto:kimberly.jackson@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](http://www.fcc.gov/wcb/cpd/other_adjud).

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