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**LATHAM & WATKINS LLP**

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AUG 10 2007

Federal Communications Commission  
Office of the Secretary

August 10, 2007

**BY HAND**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
236 Massachusetts Avenue, N.E.  
Suite 110  
Washington, D.C. 20002

**Re: Time Warner Cable Section 63.71 Discontinuance Application**

Dear Ms. Dortch:

Enclosed on behalf of Time Warner Cable Information Services (Texas), L.P. d/b/a Time Warner Cable ("Time Warner Cable"), please find an original and five (5) copies of a Section 63.71 Application to discontinue the provision of circuit-switched domestic telecommunications services to customers in the Dallas, Texas area.

Please stamp and return to me the copy provided for that purpose. Should you have any questions regarding this filing, please do not hesitate to contact me.

Sincerely,



Matthew A. Brill  
Counsel for Time Warner Cable

Attachment

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of )  
)  
Section 63.71 Application of Time Warner )  
Cable Information Services (Texas), L.P. ) WC Docket No. \_\_\_\_\_  
d/b/a Time Warner Cable )  
for Authority to Discontinue )  
Certain U.S. Domestic Telecommunications )  
Services )

**SECTION 63.71 APPLICATION**

Time Warner Cable Information Services (Texas), L.P. d/b/a Time Warner Cable (“Time Warner Cable”) hereby requests authority pursuant to Section 214(a) of the Communications Act, 47 U.S.C. § 214(a), and Section 63.71 of the Commission’s rules, 47 C.F.R. § 63.71, to discontinue the provision of circuit-switched domestic telecommunications services to customers in the following communities in Texas: Arlington, Carrollton, Hutchins, Pantego, Allen, Cedar Hill, Dallas, and Euless.<sup>1</sup>

Time Warner Cable currently provides circuit-switched local exchange and toll services to residential customers. While Time Warner Cable intends to offer alternative packet-switched services, Time Warner Cable recognizes that some customers may switch to other providers.

Time Warner Cable requests that the Commission accept the instant application for streamlined treatment.

Time Warner Cable provides the following information in support of this Application pursuant to Section 63.71 of the Commission’s rules:

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<sup>1</sup> The instant application applies only to circuit-switched services offered by Time Warner Cable. Nothing herein should be construed to imply that other services provided by Time Warner Cable or Time Warner Cable Inc. constitute “telecommunications services.”

**I. SECTION 63.71(A)(1)-(4) INFORMATION**

**A. Name and address of carrier:**

Time Warner Cable Information Services (Texas), L.P. d/b/a Time Warner Cable  
290 Harbor Drive  
Stamford, CT 06902

**B. Date of Planned Service Discontinuance:**

Time Warner Cable plans to discontinue the above-referenced services on or after October 11, 2007.

**C. Geographic Areas Affected:**

Affected customers are located in the following communities in Texas:  
Arlington, Carrollton, Hutchins, Pantego, Allen, Cedar Hill, Dallas and Euless.

**D. Brief description of type of service affected:**

Time Warner Cable seeks authority to discontinue the provision of certain U.S. domestic circuit-switched local services in the above-listed communities in Texas. Approximately 20,000 customers will be affected.

**II. NOTIFICATION REQUIREMENTS**

Time Warner Cable notified all affected customers of this proposed discontinuance by letter via U.S. mail on August 7, 2007. The customer notice letter is attached as *Exhibit A*. The notifications informed customers of the discontinuance of the circuit-switched service offering and informed them of the new, packet-switched offer, in addition to the other local service providers offering service in the area. Follow-up notices will be sent to customers before the final date for termination of this service. All notifications included the content required by Section 63.71(a).

Time Warner Cable certifies that, concurrent with the filing of this Application, it is submitting a copy of this Application to the Governor of the State of Texas, the Public Utility Commission of Texas, and also to the Special Assistant for Telecommunications to the Secretary of Defense, as required by Section 63.71(a).

### III. REGULATORY STATUS

Time Warner Cable is regulated as a non-dominant carrier with respect to the services that it seeks authority to discontinue.

### IV. CONCLUSION

Neither the present nor future public convenience and necessity will be adversely affected by this proposed termination of service. Customers have been provided adequate notice, and the public has access to comparable domestic telephone services offered at competitive prices, whether an alternative service from Time Warner Cable or from another service provider.

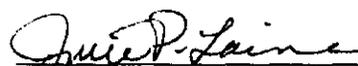
For the reasons discussed herein, Time Warner Cable respectfully requests, pursuant to Section 214(a) of the Act and Section 63.71 of the Commission's rules, that the Commission approve its Section 63.71 Application to discontinue certain services to customers in the communities listed above.

Respectfully submitted,

Matthew A. Brill  
LATHAM & WATKINS LLP  
555 Eleventh Street, N.W.  
Suite 1000  
Washington, D.C. 20004

*Its Attorney*

August 10, 2007

  
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Julie P. Laine  
Vice President & Chief Counsel, Telephony  
TIME WARNER CABLE  
290 Harbor Drive  
Stamford, CT 06902

**EXHIBIT A**

**CUSTOMER NOTICE LETTER**



**TIME WARNER CABLE**

THE POWER OF YOU™

P.O. Box 630068  
Irving, TX 75063

August 7, 2007

## **IMPORTANT NOTICE**

**YOUR TELEPHONE SERVICE IS CHANGING.**

Para información en español, favor de llamar 1-877-305-8954

Thank you for being a valued Time Warner Cable customer. This letter is to inform you that Time Warner Cable is replacing your current phone service with our new Digital Phone technology. As a result, the local phone service you now have will be **discontinued on or immediately after October 11, 2007.**

**You are welcome to select our new Digital Phone service by calling toll-free 1-877-305-8954 or select the new provider of your choice.**

When you choose Time Warner Cable Digital Phone Service, you will be among the growing number of people in the North Texas area that are enjoying the simplicity, convenience and value that our improved residential home phone service delivers.

The best part is you won't have to worry about complicated calling plans or calling rates that fluctuate. You get unlimited calling from home for one low monthly price. And when we say "unlimited" we really mean it! You'll have the freedom to call **anyone, anytime, anywhere** throughout Texas, the U.S., Canada and Puerto Rico, all **for one low price.**

**Be one of the first to switch and enjoy all these benefits:**

- Keep your same phone number.
- Free and easy installation with existing phones and jacks.
- Caller ID, Call Waiting, Speed Dial, Call Forwarding and more at no extra charge.
- 30-day money-back guarantee.
- No long-term contract.
- Compatibility with phone-based security systems, including Brinks and ADT alarm systems.
- Enhanced 9-1-1 — your home address and telephone number are automatically sent to your local dispatcher if you call 9-1-1.



Transfer your service today by calling Time Warner Cable toll-free at **1-877-305-8954** and you will receive **Digital Phone for \$19.95 for the first three months and free installation.\***

**YOUR IMMEDIATE ACTION IS REQUIRED!**

**You must select Time Warner Cable Digital Phone service or a new local telephone provider as quickly as possible or your telephone service will end on October 11, 2007.**

We are here to help if you have questions, please call Time Warner Cable Customer Service Toll-free at **1-877-305-8954.**

Sincerely

Time Warner Cable – North Texas Division

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 Commission releases public notice of the proposed discontinuance. Address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20054, and include in your comments a reference to the § 63.71 Application of Time Warner Cable Information Services (Texas), LLC. 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.

\*Offer ends 10/11/2007. \$19.95 per month for the first three months offer applies to either new Digital Phone Nationwide or new Digital Phone Texas service. Regular pricing applies after three month promotional period. Offer valid only for current residential Time Warner Phone (Switch Circuit) customers in upgraded areas who switch to new Digital Phone service. Valid in Time Warner Cable North Texas Division phone serviceable areas only. \$39.95 per month for Digital Phone Nationwide or \$29.95 per month for Digital Phone Texas monthly rate applies when you combine Digital Phone with other qualifying Time Warner Cable services. Additional charges apply for taxes, fees, Directory Assistance, Operator Services, out of state calls (for Digital Phone Texas customers) and calls to International locations (excluding Canada, for Digital Phone Nationwide customers). Digital Phone does not include back-up power and, as in the case with an electric-powered home cordless phone, should there be a power outage, Digital Phone, including the ability to access 9-1-1 services, may not be available. 30-day money-back guarantee applies to monthly recurring phone charges only. Subscription to all services is subject to credit verification and approval. Free installation applies to new Digital Phone service only. Applicable installation charges vary by package. All services may not be immediately available in all areas. Subject to change without notice. Some restrictions apply. ©2007 Time Warner Cable, Inc. All Rights Reserved.

## CERTIFICATE OF SERVICE

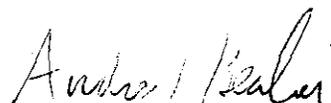
I hereby certify that, I, Andrew Beaulieu, on this 10th day of August 2007, caused copies of the foregoing Section 214 and Section 63.71 Application to be served upon the parties listed below by hand-delivery (designated by an asterisk) or by first-class mail, postage prepaid:

Marlene H. Dortch \*  
Secretary  
Federal Communications Commission  
236 Massachusetts Avenue, N.E.  
Suite 110  
Washington, D.C. 20002  
(original + 5 copies)

The Honorable Rick Perry  
Governor of the State of Texas  
Office of the Governor  
P.O. Box 12428  
Austin, Texas 78711-2428  
(1 copy)

Clerk  
Public Utility Commission of Texas  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326  
(1 copy)

Secretary of Defense  
Attn: Special Assistant for Telecommunications  
The Pentagon  
Washington, D.C. 20301  
(1 copy)

  
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Andrew Beaulieu