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Karen Brinkmann  
(202) 637-2262  
karen.brinkmann@lw.com

DOCKET FILE COPY ORIGINAL

555 Eleventh Street, N.W., Suite 1000  
Washington, D.C. 20004-1304  
Tel: +1.202.637.2200 Fax: +1.202.637.2201  
www.lw.com

REGISTRATION

LATHAM & WATKINS LLP

2008 DEC 18 10 23 27

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December 12, 2008

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Federal Communications Commission  
Office of the Secretary

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**BY HAND DELIVERY**

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

**Re: Enhanced Communications of Northern New England Inc. Section 63.71  
Discontinuance Application**

Dear Ms. Dortch:

Enclosed on behalf of Enhanced Communications of Northern New England Inc., d/b/a FairPoint Long Distance – NNE (in Maine and New Hampshire) and FairPoint Long Distance (in Vermont) ("FairPoint"), please find an original and five (5) copies of a Section 63.71 Application to discontinue the provision of Personal Toll Free Service ("PTFS"), a U.S. domestic interexchange telecommunications service, to customers in FairPoint's service areas in Maine, New Hampshire, and Vermont.

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.

Truly yours,



Karen Brinkmann

Attachment

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

In the Matter of )  
 )  
Section 63.71 Application of Enhanced )  
Communications of Northern New England Inc. ) WC Docket No. \_\_\_\_\_  
for Authority to Discontinue a U.S. Domestic )  
Telecommunications Service )  
 )

**SECTION 63.71 APPLICATION**

Enhanced Communications of Northern New England Inc., d/b/a FairPoint Long Distance – NNE (in Maine and New Hampshire) and FairPoint Long Distance (in Vermont) (“FairPoint”) hereby requests authority pursuant to Section 214(a) of the Communications Act (“the Act”), 47 U.S.C. § 214(a), and Sections 63.71(a)(5)(i) and (c) of the Commission’s rules, 47 C.F.R. §§ 63.71(a)(5)(i), (c), to discontinue its Personal Toll Free Service (“PTFS,” and sometimes referred to as the Residential Toll Free Service or Residential Personal Toll Free Number) throughout its service territory in Maine, New Hampshire, and Vermont.

FairPoint provides the following information in support of this Application pursuant to Section 63.71(a) of the Commission’s rules:

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

**1. Name and address of carrier**

Enhanced Communications of Northern New England Inc.,  
db/a FairPoint Long Distance – NNE (in Maine and New Hampshire) and  
FairPoint Long Distance (in Vermont)  
1 Davis Farm Road  
South Portland, ME 04103

**2. Date of planned service discontinuance**

FairPoint plans to discontinue the above-referenced service on or after January 30, 2009.

**3. Geographic areas affected**

Affected customers are located in FairPoint's service territory in the States of Maine, New Hampshire, and Vermont.

**4. Brief description of type of service affected**

FairPoint seeks authority to discontinue the provision of PTFS, a U.S. domestic interexchange telecommunications service. PTFS, sometimes referred to as the Residential Toll Free Service or Residential Personal Toll Free Number, is a service by which a customer is assigned a toll-free number with a private authorization code. The assigned toll-free number terminates to an exchange access line. Comparable toll-free calling plans are offered by other carriers in the affected service areas at competitive prices.

PTFS previously had been offered in the service areas at issue by several subsidiaries of Verizon Communications Inc. ("Verizon"), prior to the acquisition of these exchanges by FairPoint's parent company, FairPoint Communications, Inc.<sup>1</sup> As a technical matter, however, this particular service can only be supported by Verizon's network. The cutover from Verizon's network to FairPoint's network is scheduled to occur on or about January 30, 2009; on or after that time, FairPoint will not be able to support PTFS. FairPoint offers alternative toll-free calling services and will continue to do so after the cutover from Verizon's network.

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<sup>1</sup> *Applications Filed for the Transfer of Certain Spectrum Licenses and Section 214 Authorizations in the States of Maine, New Hampshire, and Vermont from Verizon Communications Inc. and its Subsidiaries to FairPoint Communications, Inc.*, Memorandum Opinion and Order, 23 FCC Rcd 514 (2008).

## **II. NOTIFICATION REQUIREMENTS**

FairPoint notified all affected customers of this proposed discontinuance by letter via U.S. mail on December 11, 2008. The notifications included the content required by Section 63.71(a) of the Commission's rules. A copy of this customer notification is attached as Exhibit A.

FairPoint certifies that, concurrent with the filing of this Application, it is submitting a copy of this Application to the Governors of the States of Maine, New Hampshire, and Vermont; the Maine Public Utilities Commission; the New Hampshire Public Utilities Commission; the Vermont Public Service Board; and the Special Assistant for Telecommunications to the Secretary of Defense, as required by Section 63.71(a) of the Commission's rules.

## **III. REGULATORY STATUS**

FairPoint is regulated as a non-dominant carrier with respect to the service 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 toll-free calling plans offered at competitive prices. Accordingly, for the reasons discussed herein, FairPoint respectfully requests, pursuant to Section 214(a) of the Act and Sections 63.71(a)(5)(i) and (c) of the Commission's rules, that the Commission approve its Section 63.71 Application to discontinue the above-referenced telecommunications service to customers in FairPoint's service territory in the States of Maine, New Hampshire, and Vermont.

Respectfully submitted,



Karen Brinkmann  
Brian W. Murray  
LATHAM & WATKINS LLP  
555 Eleventh Street, N.W.  
Suite 1000  
Washington, D.C. 20004  
(202) 637-2200

*Counsel for Enhanced Communications of  
Northern New England Inc.*

Robin E. Tuttle  
Assistant General Counsel  
FAIRPOINT COMMUNICATIONS, INC.  
521 E. Morehead Street  
Suite 250  
Charlotte, NC 28202  
(704) 344-8150

December 12, 2008

**CERTIFICATE OF SERVICE**

I hereby certify that, I, Douglas Svor, on this 12th day of December 2008, caused copies of the foregoing 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:

<p>Marlene H. Dortch* Secretary Federal Communications Commission 236 Massachusetts Avenue, N.E. Suite 110 Washington, D.C. 20002</p>	<p>Secretary of Defense Attn: Special Assistant for Telecommunications The Pentagon Washington, D.C. 20301</p>
<p>Karen Geraghty, Administrative Director Maine Public Utilities Commission 242 State Street State House Station 18 Augusta, ME 04333-0018</p> <p>Debra A. Howland, Executive Director &amp; Secretary New Hampshire Public Utilities Commission 21 S. Fruit St., Suite 10 Concord, NH 03301</p> <p>Susan Hudson, Clerk Vermont Public Service Board Chittenden Bank Building, 4<sup>th</sup> Floor 112 State Street, Drawer 20 Montpelier, VT 05620-2701</p>	<p>Governor John E. Baldacci Office of the Governor #1 State House Station Augusta, ME 04333-0001</p> <p>Governor John Lynch Office of the Governor State House 25 Capitol Street Concord, NH 03301</p> <p>Governor Jim Douglas 109 State Street, Pavilion Montpelier, VT 05609-0101</p>

  
\_\_\_\_\_  
Douglas Svor

**EXHIBIT A**

**CUSTOMER NOTICE LETTER**



FairPoint Communications  
1 Davis Farm Rd.  
Portland, ME 04103

December 11, 2008

Dear Customer,

We are writing to inform you of an upcoming change to your **Personal Toll Free Service\***. Effective on or about January 30, 2009, FairPoint will discontinue the Personal Toll Free Service (sometimes referred to as Residential Toll Free Service or Residential Personal Toll Free Number) in its service territory in the States of Maine, New Hampshire and Vermont. On or after this date, customers in these states that receive the Personal Toll Free Service as part of a rate plan (such as the Away From Home Basic Plan and the Away From Home Plus Plan) will continue to receive the other services within those packages. We apologize for any inconvenience this may cause. As an alternative, we offer the Call Home Calling Card, which provides a means of toll-free calling just as the Personal Toll Free Service does, at the same rate.

The Federal Communications Commission will normally authorize this proposed discontinuance of service (or reduction or impairment) 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 20554, and include in your comments a reference to the section 63.71 Application of FairPoint. Comments should include specific information about the impact of this proposed discontinuance (or reduction or impairment) upon you or your company, including any inability to acquire reasonable substitute service.

We certainly appreciate and value you as a customer, and look forward to providing you the best communication experience possible with our expanding products and services. To best serve you, all inquiries and requests should be directed to your Customer Service Center Representative at 866.984.2001.

Thank you,



Peter Nixon  
President  
FairPoint Communications

\* Personal Toll Free Service is offered in Maine, New Hampshire and Vermont by Enhanced Communications of Northern New England Inc., d/b/a FairPoint Long Distance NNE (in Maine and New Hampshire) and FairPoint Long Distance (in Vermont) (collectively, FairPoint). FairPoint reserves the right to modify the above information prior to the effective date. Any such modifications will be reflected in a subsequent notification to you. Not all services available in all areas. © 2008 FairPoint Communications, Inc.