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WC 09-186

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FCC Mail Room

October 12, 2009

Via Overnight Delivery

2009 OCT 14 P 12: 04

Ms. Marlene H. Dortch, FCC Secretary
9300 East Hampton Drive
Capitol Heights, MD 20743
ATTN: WCB Competition Policy Division

Re: Section 63.71 Application of Network Telephone Corporation

Dear Ms. Dortch:

Enclosed for filing please find the original and six (6) copies of the Application of Network Telephone Corporation to discontinue its provision of domestic telecommunications services in the Gainesville, Florida exchange.

Please acknowledge receipt of this filing by date stamping the extra copy of this cover letter and returning it to me in the self-addressed, stamped envelope provided.

Any questions you may have pertaining to this filing may be directed to me at (407) 740-3031 or via email at stthomas@tminc.com. Thank you for your assistance.

Sincerely,

Sharon Thomas
Consultant to Network Telephone Corporation

ST/im.

Copy: Service List
Rodney McDonald – FCC (via email)
M. Ring – NTC
File: FCC - Domestic
TMS: FCX0901

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FCC Mail Room

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

In the Matter of)
Section 63.71 Application of)
Network Telephone Corporation)
to Discontinue Services)

File No. _____

Section 63.71 Application of Network Telephone Corporation to Discontinue Services

Network Telephone Corporation ("Network Telephone" or "Applicant") hereby seeks authorization pursuant to Section 214 (a) of the Communication Act of 1934, as amended, and 47 C.F.R. §63.71, to discontinue its provision of domestic local and long distance telecommunications services (including intrastate, interstate and international) to end-user customers in Gainesville, Florida. Network Telephone provides services to the affected customers under the name Cavalier Business Communications.

Applicant is considered a non-dominant telecommunications carrier with respect to all of its services, including those affected by the proposed discontinuance. As detailed below, the Applicant currently serves only three customers in the area where it proposes to discontinue service. The Applicant will continue to provide telecommunications services in the remainder of its Florida service territory and in a number of other states not affected by this Application.

Network Telephone individually notified affected customers of its proposed discontinuance of service via letter sent first class mail on October 9, 2009.

The applicant provides the following information pursuant to Section 63.71 of the Commission's rules:

1. *Name and address of Carrier*

Network Telephone Corporation d/b/a Cavalier Telephone also d/b/a/
Cavalier Business Communications also d/b/a Cavalier Telephone and
TV

Corporate address:

2134 West Laburnum Avenue
Richmond, VA 23227

Customer service address:

3300 N. Pace Avenue
Pensacola, FL 32505

Correspondence concerning this application should be sent to:

Sharon Thomas, Consultant to
Network Telephone Corporation
Technologies Management, Inc.
2600 Maitland Center Parkway, Suite 300
Maitland, FL 32751
Telephone: 407-740-3031
Facsimile: 407-740-0613
E-Mail: sthomas@tminc.com

2. *Date of Planned Service Discontinuance, Reduction or Impairment:*

Network Telephone proposes to discontinue service to the affected customers on November 15, 2009.

3. *Points of Geographic Areas of Service Affected:*

Applicant proposes to discontinue the provision of all local and long distance services (including intrastate, interstate and international) to customers in the Gainesville, Florida exchange.

4. *Brief Description of Types of Service Affected:*

Network Telephone will discontinue both retail local and long distance service, including voice and data services. Three business customers will be affected by this discontinuance of service.

5. *Brief Description of Dates and Methods of Notice to All Affected Customers:*

The Applicant has provided written customer notice of the planned discontinuance in accordance with the requirements of section 63.71 (a) of the Commission's Rules by notice dated October 9, 2009. Notice was provided via letter sent first class mail to each affected customer. A copy of the customer notice is appended hereto as Exhibit A.

Notice has been sent to the Florida Public Service Commission, Florida Governor's office and the Department of Defense, as required under Section 63.71, concurrent with this filing. A service list is provided in Exhibit B.

Conclusion

Pursuant to Section 214 (a) of the Communication Act of 1934, as amended, and 47 C.F.R. §63.71, Network Telephone Corporation understands that this application will be automatically granted on the 31st day after the Public Notice is released, with no Commission notification to the Company, unless the Commission has notified the Company that the grant will not be automatically effective.

Dated this 12th day of Oct, 2009.



Frances McComb
General Counsel and Executive Vice President –
Law and Public Policy
Network Telephone Corporation

Sharon Thomas, Consultant to
Network Telephone Corporation
Technologies Management, Inc.
2600 Maitland Center Parkway, Suite 300
Maitland, FL 32751
Telephone: 407-740-3031
Facsimile: 407-740-0613
E-Mail: stthomas@tminc.com

Exhibit A

Customer Notice



October 9, 2009

<Customer Name >
<Billing address>
<City, State, Zip>

RE: Important Information Concerning your Telephone Services
Service Address: <Street>, <City>, <State>
Account Number: < >

Dear <Customer Name>:

Network Telephone Corporation d/b/a Cavalier Business Communications, is filing an application to discontinue providing telecommunications services in Gainesville, Florida. Effective November 15th, 2009, Network Telephone Corporation d/b/a Cavalier Business Communications will no longer provide the local and/or long distance (including instate, state-to-state and international) telecommunications services you currently receive at the above location. The company will also cease providing all broadband, data, and internet services. Please take steps to transition your services to another provider before the disconnection date listed above.

The FCC will normally authorize this proposed discontinuance of service, unless it is shown that the customer 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, Washington DC 20554, and include in your comments a reference to the 63.71 application of Network Telephone Corporation d/b/a Cavalier Business Communications. Comments should include specific information about the impact of this proposed discontinuance on you or your company, including any inability to acquire reasonable substitute service.

If you have any questions, or need help understanding how to transition your services, please contact Cavalier's Customer Care Department at 800-291-9699.

Sincerely,

Cavalier Business Communications

Exhibit B

Service List

Service List

Office of the Governor
State of Florida
The Capitol
400 S. Monroe St.
Tallahassee, FL 32399-0001

Florida Public Service Commission
Ms. Ann Cole, Commission Clerk
Office of Commission Clerk & Administrative
Services
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Secretary of Defense
Attn: Special Assistant for Telecommunications
Pentagon
Washington, D.C. 20301

CERTIFICATE OF SERVICE

Network Telephone Corporation

STATE OF FLORIDA)

COUNTY OF ORANGE)

On this date, October 12th, 2009, Notice has been sent to the relevant state regulatory agency, Governor's office and the Department of Defense, as required under Section 63.71, concurrent with this filing. A service list is provided in Exhibit B.

A handwritten signature in black ink, appearing to be "Tom" followed by a stylized surname, written over a horizontal line.

For Shipping Department
Technologies Management, Inc.