

WC 11-103

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

In the Matter of )  
)  
Section 63.71 Application of )  
)  
Calence, LLC f/k/a Calence, Inc. )  
)  
For Authority Pursuant to Section 214 )  
Of the Communications Act of 1934, )  
As Amended, To Discontinue the )  
Provision of Service )

File No.

Received & Inspected

JUN 06 2011

FCC Mail Room

**SECTION 63.71 APPLICATION OF CALENCE, LLC**

Calence, LLC f/k/a Calence, Inc. (hereinafter "Calence") applies for authority under Section 214(a) of the Communications Act, as amended ("the Act"), 47 U.S.C. § 214 and Section 63.71 of the Federal Communications Commission's ("Commission") rules, 47 C.F.R. § 63.71, to discontinue operating as a CLEC in New York City, New York.

As required by Section 63.71(a) and (b) of the Commission's rules, AT&T is providing the following information:

**Name and Address of CLEC (47 C.F.R. §§ 63.71(a)(1), (b)(2):**

Calence  
1560 W. Fountainhead Parkway  
Second Floor  
Tempe, AZ 85282

**Date of Planned Service Discontinuance (47 C.F.R. §§ 63.71(a)(2), (b)(2):**

Calence plans to discontinue offering CLEC services effective July 10, 2011, subject to Commission approval of this application. The service will continue to be provided to existing customers in accordance with the terms of their contract until their contracts expire, until such time as the customer transfers to another carrier, or until July 10, 2011.

**Points of Geographic Areas of Service Affected (47 C.F.R. §§ 63.71(a)(3), (b)(2):**

CLEC service will be discontinued at the Time Warner Center facilities in New York, NY.

**Brief Description of Type of Service Affected (47 C.F.R. §§ 63.71(a)(3), (b)(2):**

Calence has been providing telecommunications services to the Time Warner building in New York, NY since January 2003 to a select number of the tenants of the building pursuant to an arrangement with the owners of the Time Warner building. On or about December 2010, the current owners of the Time Warner building notified Calence that they were choosing to terminate all relationship with Calence as a telecommunications provider to the tenants of the building. The original date of termination was April 10, 2011. The owners have extended that date to July 10, 2011. The public convenience and necessity is not harmed by Calence's discontinuance of this service as there are competing carriers in the marketplace.

**Brief Description of Dates and Methods of Notice to All Affected Customers (47 C.F.R. §§ 63.71(b)(3):**

Calence notified its customers on or about December 27, 2010 of its intention to discontinue this service offering by letter. Additional correspondence to all customers has been sent on regular intervals. In addition, support services have been provided by Calence to customers to assist in transferring service to other carriers.

The New York State Public Service Commission was notified on January 10, 2010 and has been working with Calence personnel to affect a smooth discontinuance of service to all customers. Copies of this Application are being sent, first class US Mail, to the public utility commission and governor of New York and also to the Special Assistance for Telecommunications to the Secretary of Defense, as required by Section 63.71(a) of the Commission's rules.

**Regulatory Classification of Carrier ((47 C.F.R. §§ 63.71(b)(4):**

Calence acknowledges that this Application will be processed using the Commission's rules for non-dominant carriers.

Questions about this Application may be addressed to Lisanne Cottington, Calence Inc.,  
Compliance Officer, 6820 S. Harl Avenue, Tempe, AZ 85283, (480) 333-3012.

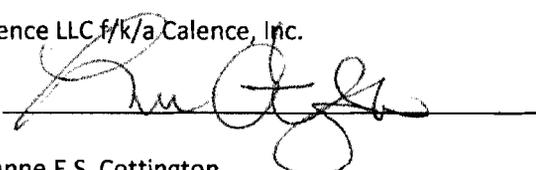
**Conclusion:**

The public convenience and necessity will not be adversely affected by the discontinuance of provision of telecommunication services by Calence. Therefore, Calence respectfully requests the Commission approve its Section 63.71 Application to discontinue provision of telecommunication services as a CLEC.

Respectfully submitted,

Calence LLC f/k/a Calence, Inc.

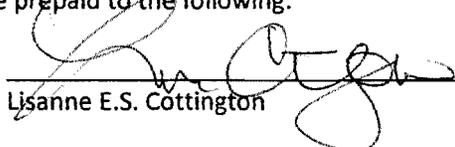
By: \_\_\_\_\_

  
Lisanne E.S. Cottington  
Compliance Officer  
Calence LLC  
6820 S. Harl Avenue  
Tempe, AZ 85283

June 2, 2011

**CERTIFICATE OF SERVICE**

I do certify that I have, this 2<sup>nd</sup> day of June, 2011, served a copy of the foregoing Section 63.71 Application by U.S. Mail postage prepaid to the following:

  
\_\_\_\_\_  
Lysanne E.S. Cottingham

Office of the Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street SW, Room TW-A325  
Washington D.C. 20554  
ATTN: Competition Policy Division, Wireline Competition Bureau

New York State Public Service Commission  
Empire State Plaza  
Agency Building 3  
Albany, NY 12223-1350

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

The Honorable Andrew M. Cuomo  
Governor of New York State  
NYS State Capitol Building  
Albany, NY 12224