

January 21, 2013

Office of the Secretary
Federal Communications Commission
445 12th Street SW - Room TW-A325
Washington, DC 20554

Filed Via ECFS

Attn: Carmell Weathers
Competition Policy Division
Wireline Competition Bureau
Federal Communications Commission
445 12th Street, SW - Room 5-C140
Washington, DC 20554

Further Comments on WC Docket No. 12-371; Comp. Pol. File No. 1074
by Robert F. Gonsett, President, Communications General Corporation ("CGC")

This response is with respect to WC Docket No. 12-371 and the January 11, 2013 late-filed comments of XO Communications ("XO"). The deadline for filing comments was January 7, 2013. Should the Commission elect to accept XO's late-filed comments, it is respectfully requested that the following reply to those comments be accepted as well.

(1) Paragraph 2 of XO's letter of January 11, 2013 reads as follows:

"XO is aware that two of its subscribers, out of a total of approximately 2,000, have submitted letters to the Commission expressing concern regarding XO's planned service discontinuance. XO takes such concerns seriously and, as discussed below, has contacted the customers to address their concerns."

There are two concerns with this paragraph. First, there is the material question as to how many dial-up customers XO actually contacted out of their universe of dial-up customers and if all of those customers were given specific information for commenting to the FCC. XO has failed to address these issues which were raised in paragraph 5 of my comments dated January 7, 2013:

"At no time did Connectnet indicate to me that discontinuing dial-up would involve an FCC proceeding or that public comments would be invited. I came across the FCC's "Comments Invited" Public Notice by accident two days ago while scanning the Daily Digests for broadcast-related matters. If other Connectnet customers were treated the same way, the vast majority will miss the narrow window available to file written comments."

The second concern with XO's paragraph 2 is their statement that "XO takes such concerns [of service discontinuance] seriously and, as discussed below, has contacted the customers to address their concerns."

In fact XO has not addressed my concerns. A gentleman who identified himself as "Mike C." from Concentric telephoned me on January 9 but not to address my primary concern (help in securing an alternate ISP with a newsletter server). The purpose of his call was stated clearly. It was to inform me that my service would not be cut-off on January 21 and that I would be receiving an e-mail the next day – January 10 – explaining the revised situation. That e-mail never arrived.

(2) When no e-mail arrived on the 10th, 11th, 12th, 13th, or 14th, I called Mike on the 15th for a status report and he replied the same day by e-mail as follows:

"According to info I just found out. The messages sent out on the 10th missed several dialup accounts including yours.

The people I got in touch with stated that they are making sure they get all remaining dialup users left before they send out emails again. The email will contain the end shutoff date for your dialup.

I do not know the specific date when the last batch will go out so you will need to just keep checking the email on a daily basis. If I get a firm date I will let you know for sure for the emails going out."

It is almost beyond belief that so late in this proceeding XO is still failing to inform "several dialup accounts including yours." The promised e-mail has not arrived even as of today -- January 21, 2013 – the date XO proposed to disconnect its dial-up service.

(3) XO's paragraph 5 opens with the statement that "Many alternatives to XO's dial-up services are readily available to customers" and concludes by saying, "...to the extent a customer notifies XO that the customer needs assistance in identifying service alternatives, XO will assist that customer, as it has done with Mr. Ambrisco and Mr. Gonsett, in seeking to resolve its issues."

The assertions made in the aforementioned statements are grossly misleading. First, my e-mail account isn't a typical dial-up account as explained in my original filing because the account involves the use of a newsletter server. Second, Mike C. offered no technical help when he contacted me on January 9 and help would have been greatly appreciated. (Mike C. is identified as Mike Casey in the headers of his January 15 e-mails, see Exhibit A attached.)

Assuming that perhaps Mr. Casey had not gotten word that he was to assist, I asked for help when I contacted him on January 15. However, he stated that, "We are not giving names of specific services." His 'assistance' consisted of sending me a list of "cheap ISPs" that he said he had gleaned from Google.

I have already started to research alternate ISPs but much work remains to be done. Among other things, there is a need to protect the confidential e-mail addresses used by some of my newsletter subscribers. That's why we hand-maintain the list of our subscribers' addresses. So far, it looks like we need to update our main and backup newsletter computers, install new software, transfer data from the old computers to the new computers and train ourselves on the new system and software. This isn't going to be easy or done overnight. And we have yet to find an ISP that will grant us access to a newsletter server.

For the reasons outlined above, I respectfully request that the Commission require that I be given a period of 120 days from the date of Commission action in this proceeding – without being disconnected from Connectnet – to attempt to secure an alternate ISP with a newsletter server and to make the necessary hardware and software changes. The fate of my 40+ year old publication, the CGC Communicator, hangs in the balance.

Thank you for considering these further comments.

A handwritten signature in black ink that reads "ROBERT F. GONSETT". The signature is written in a cursive style with a long horizontal line extending to the right from the end of the name.

Robert F. Gonsett
President, Communications General Corp.
(760) 723-2700

Exhibit A attached.

EXHIBIT A

Re: WC Docket No. 12-371; Comp. Pol. File No. 1074

From: "Casey, Mike" <mcasey@xo.com>
To: "cgc@cgc333.connectnet.com" <cgc@cgc333.connectnet.com>
Subject: RE: link to local isp providers
Date: Tue, 15 Jan 2013 20:12:58 +0000

According to info I just found out. The messages sent out on the 10th missed several dialup accounts including yours. The people I got in touch with stated that they are making sure they get all remaining dialup users left before they send out emails again. The email will contain the end shutoff date for your dialup. I do not know the specific date when the last batch will go out so you will need to just keep checking the email on a daily basis. If I get a firm date I will let you know for sure for the emails going out.

-Mike Casey

Ticket Management Team / Hosting Services / XO Communications
T: 877-842-9009 ext 6089 E: mcasey@xo.com

From: Casey, Mike
Sent: Tuesday, January 15, 2013 2:57 PM
To: 'cgc@cgc333.connectnet.com'
Subject: link to local isp providers

<http://cheapisp.theispdirectory.com/cheapisp/areacode/cheapisp/page1/760areacode.html>

-Mike Casey

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