

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

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MAY 06 2013

FCC-Competition Policy Division

In the Matter of)
)
Section 63.71 Application of Insight Phone of)
Indiana, LLC for Authority to Discontinue)
Certain U.S. Domestic Telecommunications)
Services)
)

WC Docket No. 13-129 FILED/ACCEPTED

MAY - 2 2013

Federal Communications Commission
Office of the Secretary

SECTION 63.71 APPLICATION OF INSIGHT PHONE OF INDIANA, LLC

Insight Phone of Indiana, LLC d/b/a Insight Phone (“Insight Indiana”) 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 in the Indiana communities of Evansville and New Albany.¹ Insight Indiana requests that the Commission accept this application for streamlined treatment.

Insight Indiana provides the following information in support of this application pursuant to Section 63.71 of the Commission’s rules:

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

A. Name and address of carrier:

Insight Phone of Indiana, LLC d/b/a Insight Phone
Attn: Julie P. Laine
60 Columbus Circle
New York, NY 10023

¹ The instant application applies only to circuit-switched services offered by Insight Indiana. Nothing herein should be construed to imply that other services provided by Insight Indiana or any of its affiliates constitute “telecommunications services.”

B. Date of Planned Service Discontinuance:

Insight Indiana plans to discontinue the services described herein on or after June 28, 2013.

C. Geographic Areas Affected:

Affected customers are located in the following communities in Indiana:
Evansville, New Albany

D. Brief description of type of service affected:

Insight Indiana seeks authority to discontinue the provision of domestic circuit-switched local services in the Geographic Area Affected described in Section I.C above. Approximately 2,950 customers will be affected.

II. NOTIFICATION REQUIREMENTS

Insight Indiana notified all affected customers of this proposed discontinuance by letter via U.S. mail on April 30, 2013. 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 other local service providers offering service in the area. Insight Indiana may send additional follow-up notices to customers prior to the date of discontinuance. All notifications included or will include the content required by Section 63.71(a).

Insight Indiana certifies that, concurrent with the filing of this Application, it is submitting a copy of this Application to the Governor of the State of Indiana, the Indiana Utility Regulatory Commission, and also to the Chief Information Officer of the Department of Defense, as required by Section 63.71(a).²

² Section 63.71(a) directs applicants to submit a copy of the application to the Secretary of Defense, Special Assistant for Telecommunications. However, due to restructuring within the Department of Defense, that position no longer exists. Commission staff has advised that a copy of the application be sent instead to the Department of Defense Chief Information Officer.

III. REGULATORY STATUS

Insight Indiana 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 in the affected geographic area.

For the reasons discussed herein, Insight Indiana 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
Elizabeth R. Park
LATHAM & WATKINS LLP
555 Eleventh Street, N.W.
Suite 1000
Washington, D.C. 20004

Its Attorneys

May 2, 2013


Julie P. Laine
Group Vice President & Chief Counsel,
Regulatory
INSIGHT PHONE OF INDIANA, LLC
60 Columbus Circle
New York, NY 10023

CERTIFICATE OF SERVICE

I hereby certify that, I, Elizabeth R. Park, on this 2nd day of May 2013, 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.

Marlene H. Dortch, Secretary*
Federal Communications Commission
Office of the Secretary
445 12th Street, SW,
Room TW-A325
Washington, D.C. 20554
(original + 4 copies)

The Honorable Mike Pence
Governor of the State of Indiana
Office of the Governor
200 W. Washington Street, Room 206
Indianapolis, IN 46204
(1 copy)

Clerk
Indiana Utility Regulatory Commission
PNC Center
101 West Washington Street, Suite 1500E
Indianapolis, IN 46204
(1 copy)

Department of Defense Chief Information Officer
Attn: Military Assistant or Mobility Team
The Pentagon
Washington, D.C. 20301
(1 copy)



Elizabeth R. Park

EXHIBIT A

CUSTOMER NOTICE LETTER



A Time Warner Cable company

1900 N. Fares Avenue
Evansville, IN 47711

**DISCONTINUANCE OF TELEPHONE SERVICE.
PLEASE READ IMMEDIATELY!**

CALL TOLL FREE - 888-202-2297

Dear _____

This letter is to inform you that Insight Communications is changing its telephone service offerings and will no longer offer your current phone (TDM) service in Evansville, IN or New Albany, IN. **This means that your current local telephone service with Insight will be discontinued on or immediately after June 28th, 2013.**

You have the opportunity to switch to our Digital Phone (VoIP) service at no additional cost and keep your current phone number without any interruption in your service. With Digital Phone, you'll enjoy unlimited calling from home for one low monthly price and these additional benefits:

- Unlimited Nationwide Calling
- Keep your current phone number
- Free phone features including Voicemail, Caller ID, Call Waiting, Three-Way Calling and more.
- E911 – Emergency services are automatically contacted with your home phone number and location when you dial 911.

WHAT YOU NEED TO DO TO KEEP YOUR INSIGHT LOCAL AND LONG DISTANCE PHONE SERVICE

Making the switch to our Digital Phone service is simple. All you need to do is call **888-202-2297** to start enjoying unlimited nationwide calling and other great features. **To thank you for your continued business, you'll receive free installation and a bonus \$30 gift card if you make the change by June 28th, 2013.**

You also have the option to purchase similar telephone services from other companies that serve your area. Regardless of your choice, we urge you to act quickly to transfer your service to our Digital Phone or to select a new service provider. If you prefer to obtain telephone service from another company, you should contact them immediately and request to initiate your new service on or before June 28th, 2013. Insight will work to ensure that the transition of your telephone service from Insight to another provider is as smooth and seamless as possible.

If you do not switch your service to our Digital Phone (VoIP) or another telephone service provider before June 28th, 2013, your telephone service will be discontinued and you may lose your current telephone number(s). If you bundle your services, note that you will experience a rate change if your phone service is discontinued.

If you prefer to transfer your service to another service provider, please follow these simple steps:

1. Identify and call your new service provider to:
 - Request local telephone service
 - Choose a new long distance service provider
 - Complete a Letter of Agency or third party verification confirming that you intend to transfer your service
 - Get the installation date when your new service will be active
2. Call Insight at 888-202-2297 to confirm your service conversion and termination of your current Insight Phone service.

Please act now to avoid interruption of your telephone service.

If you have questions about this process, please call Insight Customer Service at 888-202-2297.

Thank you,

Insight Customer Care Team

Offer limited to current residential TDM customers only. \$30 gift card will only be sent to customers with a completed work order for VoIP service before June 28th, 2013. Limit one per household. Allow 10-20 days for gift card delivery. Free installation applies to standard installation only. Other restrictions apply.

This proposed discontinuance of your local and international telephone service is subject to regulatory approvals by the FCC. 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, D.C. 20554 and include in your comments a reference to the § 63.71 Application of Insight Phone of Indiana, 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. ©2013 Insight Communications Company, Inc. All rights reserved.