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August 23, 2013

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EX PARTE

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

**Re: In the Matter of Application of Verizon New Jersey Inc. and Verizon New York Inc. To Discontinue Domestic Telecommunications Services, WC 13-149
In the Matter of Application of Verizon New Jersey Inc. and Verizon New York Inc. To Discontinue Domestic Telecommunications Services, WC 13-150**

Dear Ms. Dortch:

On August 21, William Johnson, Katharine Saunders, Robert Morse and I met with Albert Lewis of the International Bureau; Stephanie Weiner of the Office of the General Counsel; Julia Tu, Jerome Stanshine, Jeffery Goldthorp, and Priya Shrinivasan of the Public Safety and Homeland Security Bureau; Bill Dever, Tim Stelzig, Rodney McDonald, and Claudia Pabo of the Wireline Competition Bureau; Walter Johnston of the Office of Engineering and Technology; and Nese Guendelsberger, Joel Taubenblatt and Dan Ball of the Wireless Telecommunications Bureau. The purpose of the meeting was to discuss Verizon's two discontinuance filings for certain services made unavailable by the destruction caused by Superstorm Sandy.

We explained, as noted in Verizon's Reply Comments,¹ that Verizon's discontinuance filing in Docket 13-149 relates solely to the areas in lower Manhattan and New Jersey where

¹ Verizon New York Inc. and Verizon New Jersey Inc., Reply Comments, In re Section 63.71 Application of Verizon New Jersey Inc. and Verizon New York Inc. to Discontinue Domestic Telecommunications Services, WC Docket No. 13-149 (August 13, 2013) ("13-149 Reply Comments").

Superstorm Sandy destroyed Verizon's copper network and Verizon now provides services solely over more resilient fiber infrastructure. Almost all of the interstate telecommunications services previously available over copper facilities are also available over fiber; however, the three largely obsolete services (Telegraph, Program Audio, and Metallic Service) at issue in this proceeding are incompatible with fiber as a technical matter. We reiterated that many customers long ago moved away from these outdated services to more advanced alternatives, and none of the seven customers (one of which is a Verizon affiliate) previously buying these services in the affected areas has objected to their discontinuance.

We pointed out that no party filed an objection solely in Docket 13-149, and even the parties who filed a single set of objections in both Docket 13-149 and Docket 13-150 did not raise any concerns about these three specific services or the effect on the community if they were discontinued. Instead, these opposing parties raised broader industry-wide policy issues – even though section 214 proceedings are not the appropriate place to consider such issues.² Not a single one of the commenters has made any showing – because they cannot – that discontinuance of these three largely obsolete services in these areas will “adversely affect the user community” or otherwise harm the public interest. Simply put, consistent with the Commission's standards for considering discontinuance filings, there is no basis in the record that warrants rejection or even further delay of Verizon's discontinuance application in this docket.

With respect to Verizon's discontinuance filing in Docket 13-150, which related to certain limited areas where Verizon's copper network was destroyed and Verizon is now offering its customers voice service using the wireless Voice Link product, we discussed the August 14, 2013, request for information and documents.³ We explained that we will work to promptly provide the Commission with the information that it needs to consider Verizon's filings, although, in some instances, there may be technological and other limitations as to either the duration or the scope of responsive data we would be able to provide. We also noted that much of the requested data, some of which may need to be obtained from the vendor from whom the Applicants purchase the wireless connectivity that supports Voice Link, is highly confidential. Finally, we requested clarification of a few of the inquiries, and agreed to notify the staff if we are unable to provide any of the requested information, or if we are unable to respond to a particular inquiry until after September 4th.

² See, e.g., *Applications for Consent to the Transfer of Control of Licenses and Section 214 Authorizations from Southern New England Telecommunications Corp. to SBC Communications, Inc.*, Memorandum Opinion and Order, 13 FCC Red 21292 (1998).

³ See Letter from Julie A. Veach, Chief, Wireline Competition Bureau, to Kathleen Grillo, Verizon Communications, Inc., WT Docket No. 13-150, DA 13-1760 (August 14, 2013).

Please contact me if you have any questions or need additional information.

Sincerely,

Maggi McCreedy

Cc: Albert Lewis,
Stephanie Weiner
Julia Tu
Jerome Stanshine
Jeffrey Goldthorp
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Bill Dever
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Rodney McDonald
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