

WC Docket No. K-47

## WILLKIE FARR &amp; GALLAGHER LLP

1875 K Street, N.W.  
Washington, DC 20006-1238Tel: 202 303 1000  
Fax: 202 303 2000**WF&G  
STAMP IN**

March 10, 2014

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

Accepted/Filed

MAR 10 2014

FCC Office of the Secretary

**Re: Section 63.71 Discontinuance Application of tw telecom of alabama llc**

Dear Ms. Dortch:

Pursuant to Section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, enclosed is the application of **tw telecom of alabama llc** to discontinue the Channel 12 Service, VersiPak Mach 2 Service, VersiPak Mach 3 Service, VersiPak Lines and Trunks Service, VersiPak Flex® T Service, and VersiPak Power® T Service in the Montgomery, Alabama metropolitan area. Notice of the proposed discontinuance is being filed under separate cover with the International Bureau pursuant to Section 63.19 of the Commission's rules, 47 C.F.R. § 63.19.

Please contact the undersigned with any questions regarding this application.

Respectfully submitted,


  
Mia Guizzetti Hayes  
Daniel R. Bumpus
*Counsel for tw telecom of alabama llc*

cc: Alabama Public Service Commission  
Governor Robert J. Bentley  
Secretary of Defense, Attn. Special Assistant for Telecommunications  
Mindel De La Torre

cc (via email): Rodney McDonald  
Carmell Weathers  
Kimberly Jackson  
David Krech  
Troy Tanner  
James Ball

Enclosure

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

In the Matter of	)	
	)	
Application of	)	
<b>tw telecom of alabama llc</b>	)	WC Docket No. ____
For Authority Pursuant to Section 63.71	)	
Of the FCC's Rules, 47 C.F.R. § 63.71,	)	
To Discontinue the Channel 12 Service,	)	
VersiPak Mach 2 Service,	)	
VersiPak Mach 3 Service,	)	
VersiPak Lines and Trunks Service,	)	
VersiPak Flex® T Service, and	)	
VersiPak Power® T Service	)	
in the Montgomery, Alabama	)	
Metropolitan Area	)	

**SECTION 63.71 APPLICATION OF  
TW TELECOM OF ALABAMA LLC**

**tw telecom of alabama llc** ("**tw telecom of alabama**"), a wholly-owned indirect subsidiary of **tw telecom holdings inc.** and a wholly-owned indirect subsidiary of **tw telecom inc.**, requests authority under Section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to discontinue the voice service component of the Channel 12 Service, VersiPak Mach 2 Service, VersiPak Mach 3 Service, VersiPak Lines and Trunks Service, VersiPak Flex® T Service, and VersiPak Power® T Service (collectively the "Services") in the Montgomery, Alabama metropolitan area. Notice of the proposed discontinuance is being filed simultaneously with the International Bureau pursuant to Section 63.19 of the Commission's rules, 47 C.F.R. § 63.19.

As required by Sections 63.71(a) and (b) of the Commission's rules, **tw telecom of alabama** provides the following information in support of its discontinuance request:

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

**tw telecom of alabama llc**  
Customer Care, Network Operations Center  
2342 Technology Drive, Summit 1  
O'Fallon, MO 63368

**tw telecom of alabama llc**  
Corporate Headquarters  
10475 Park Meadows Drive  
Littleton, CO 80124

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

**tw telecom of alabama** intends to discontinue the Services in the Montgomery, Alabama metropolitan area on or after May 1, 2014, subject to Commission authorization to discontinue the Services pursuant to 47 C.F.R. § 63.71(c).

**Brief Description of Type of Services Affected (47 C.F.R. §§ 63.71(a)(4), (b)(2)):**

Each of these business Services is part of an integrated solution that includes a voice service component along with Internet Access (optional for Channel 12 Service) provisioned over a single facility.

**Channel 12 Service** is available as a voice only or as an integrated (voice and Internet) solution. Channel 12 is a bundled service consisting of local exchange service with selected features, a long distance and/or toll free usage allowance, and optional Internet access.

**VersiPak Mach 2 Service** and **VersiPak Mach 3 Service** consist of integrated voice and Internet bandwidth. Customers may purchase voice grade equivalent channels with any of the remaining bandwidth provisioned as Internet access. Bandwidth is dynamically allocated between voice and data.

**VersiPak Lines and Trunks Service** is the voice portion of an integrated, multi-service, packet-based access service that delivers voice and data services over a single DS1.

**VersiPak Flex® T Service** and **VersiPak Power® T Service** are bundled services consisting of local exchange service with selected features, a long distance and/or toll free usage allowance, and Internet access.

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

**tw telecom of alabama** notified its affected Montgomery metropolitan area customers of the planned discontinuance of the Services by letter sent via U.S. mail on March 10, 2014. A copy of the customer notification letter is appended hereto. The letter informs affected customers that, with the required FCC approval, **tw telecom of alabama** plans to discontinue the Services on or after May 1, 2014.

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

**tw telecom of alabama** is considered a non-dominant carrier in its provision of the Services in the Montgomery metropolitan area.

**Other Information (47 C.F.R. § 63.71(b)(5)):**

Copies of this Application are being sent via First-Class U.S. Mail to the Alabama Public Service Commission, the Governor of Alabama, and the Special Assistant for Telecommunications to the Secretary of Defense, as required by Section 63.71(a) of the Commission's rules.

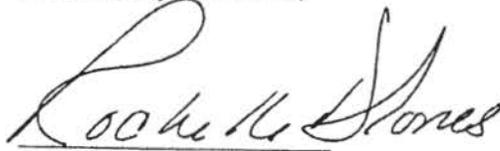
Please direct questions regarding this application to:

Mia Guizzetti Hayes  
Willkie Farr & Gallagher LLP  
1875 K Street, N.W.  
Washington, DC 20006  
(202) 303-1197  
mhayes@willkie.com

**Conclusion:**

The public convenience and necessity will not be adversely affected by the discontinuance of **tw telecom of alabama's** Services in the Montgomery metropolitan area. All affected customers have been given notice that affords them ample time to acquire reasonable substitute services, which are readily available in the Montgomery metropolitan area and include, but are not limited to, other services offered by **tw telecom of alabama**. Therefore, **tw telecom of alabama** respectfully requests that the Commission approve this Section 63.71 Application to discontinue the Services in the Montgomery metropolitan area.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Rochelle D. Jones". The signature is written in a cursive style with a large initial "R".

Rochelle D. Jones  
Vice President – Regulatory  
**tw telecom holdings inc.**

Dated: March 10, 2014

**Attachment: Customer Notification Letter**



tw telecom of alabama llc  
Customer Care  
2342 Technology Drive  
Summit 1  
O'Fallon, MO 63368

Insert Billing Contact Name  
Insert Company Name  
Insert Billing Address 1  
Insert Billing City, State Zip

Date: Month Day, 2014

Service Address: [INSERT SERVICE ADDRESS]

**Important Notice Regarding the Planned Discontinuance of Certain Voice Services Provided by tw telecom of alabama llc ("tw telecom")**

Dear Customer,

**This letter serves as formal notice that certain voice services provided by tw telecom to your company and throughout the Montgomery, Alabama metropolitan area will be discontinued on or after May 1, 2014, provided that tw telecom receives the approval of the Federal Communications Commission ("FCC").**

You are receiving this notice because you currently subscribe to one or more of the following **tw telecom** services, which, subject to the approval of the FCC, will be discontinued as a result of the planned decommission of the Montgomery 5ESS voice switch:

- **Channel 12 Service** is a bundled service consisting of local exchange service with select features.
- **VersiPak Mach 2 Service** and **VersiPak Mach 3 Service** consist of integrated voice and Internet bandwidth.
- **VersiPak Lines and Trunks Service** is the voice portion of an integrated, multi-service, packet-based access service that delivers voice and data services over a single DS1.
- **VersiPak Flex® T Service** and **VersiPak Power® T Service** are bundled services consisting of local exchange service with select features.

In order to maintain continuous service at your location, **tw telecom** would like to work with you to migrate your existing service to our updated and more enhanced service that will provide you with greater flexibility, simplicity, and efficiency.

Please contact me as soon as possible to ensure a seamless and uninterrupted transition of your voice service.

**If you have not made arrangements with tw telecom or another telecommunications service provider to replace your voice service listed above prior to May 1, 2014, please be advised that your service will be disconnected on or after May 1, 2014, provided that the FCC approves the planned discontinuance.**

We understand that this is an inconvenience, and we are confident that our team can seamlessly manage the entire process to provide your business with a better communications solution.

If you also subscribe to other services from **tw telecom**, those services will NOT be impacted by the anticipated discontinuance of the affected **tw telecom** services. Your other services will remain in place with no change to the applicable rates, terms, or conditions.

We would like to work with you immediately to update your service and continue our valued relationship, so please contact me before May 1, 2014 to discuss our migration plan.

Sincerely,

Account Rep Name

Account Rep Title

**tw telecom**

Account Rep Phone

Account Rep email

**tw telecom of alabama llc is required by the FCC to provide the following statement:**

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, DC 20554, and include in your comments a reference to the §63.71 Application of **tw telecom of alabama 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.

**CERTIFICATE OF SERVICE**

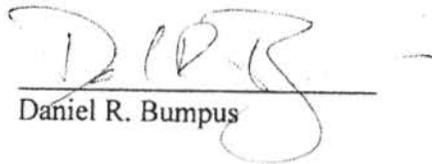
I, Daniel R. Bumpus, do hereby certify that on this day, March 10, 2014, I caused to be served a true and correct copy of the foregoing Section 63.71 Application of **tw telecom of alabama llc** via First-Class U.S. Mail, postage prepaid, to the following:

Alabama Public Service Commission  
100 North Union Street  
Suite 850  
Montgomery, AL 36104  
(334) 242-5218

Governor Robert J. Bentley  
State Capitol  
600 Dexter Avenue  
Montgomery, AL 36130  
(334) 242-7100

Secretary of Defense  
Attn: Special Asst. for Telecommunications  
Pentagon  
Washington, DC 20301  
(703) 571-3343

Mindel De La Torre  
Chief, International Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

  
Daniel R. Bumpus