



# PUBLIC NOTICE

**Federal Communications Commission**  
**445 12th St., S.W.**  
**Washington, D.C. 20554**

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**DA 01-1492**  
**June 22, 2001**

## **COMMENTS INVITED ON NORTH AMERICAN TELECOMMUNICATIONS CORPORATION APPLICATION TO DISCONTINUE DOMESTIC SERVICES**

**NSD File No. W-P-D-496**

**Comments Due: July 6, 2001**

### **Section 214 Application**

#### **Applicant: North American Telecommunications Corporation**

On May 21, 2001, North American Telecommunications Corporation (NATELCO or Applicant), located at 875 Merrick Avenue, Westbury, New York 11590, filed an application (Application) requesting authority under section 214(a) of the Communications Act of 1934, 47 U.S.C. § 214(a), and section 63.71 of the Federal Communications Commission's (FCC or Commission) rules, 47 C.F.R. § 63.71, to discontinue line services. Subsequently, on June 8, 2001, NATELCO filed a supplement to its Application, requesting that the FCC expedite the thirty-one (31) day waiting period required under section 63.71.

The Applicant states that it is a non-dominant carrier, and has payphone, residential and business customers in the State of New York and business customers in the State of Florida. The Applicant explains that on February 23, 2001, it filed a petition in the U.S. Bankruptcy Court for the Southern District of New York for protection under Chapter 11 of the U.S. Bankruptcy Code. As part of its subsequent operation as a Debtor in Possession, NATELCO conveyed to its secured lender, MCG Finance Corporation (MCG), certain physical assets, as well as authority to direct NATELCO to transfer its New York and Florida customer accounts to qualified CLECs.

The Applicant explains that MCG has directed it to transfer the majority of its New York customer accounts to Manhattan Telecommunications Corporation (MetTel).<sup>1</sup> The Application further states that if accounts cannot be migrated over to MetTel during the transfer period, it is

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<sup>1</sup>According to the Applicant, MetTel, located at 44 Wall Street, 14<sup>th</sup> Floor, New York, NY 10005, is a privately held CLEC currently offering local exchange and interexchange telecommunications services at locations throughout the State of New York pursuant to its state issued Certificate of Public Convenience and Necessity. In regard to the legal transfer of NATELCO's customers, the Application states that NATELCO and MetTel have jointly filed a Petition for Approval of Certain Asset Transfers with the NYPSC, and MetTel has obtained Anti-Slamming Waivers from the FCC.

estimated that NATELCO's network will remain operational until at least June 21, 2001. NATELCO states that it is working with Verizon and the New York Public Service Commission to assist customers subject to discontinuance to make arrangements to transfer service to alternative carriers.

According to the Application, MCG has also directed NATELCO to transfer its Florida customers to IDS Telecom, LLC (IDS), a certified Florida Alternative Local Exchange Carrier (ALEC). NATELCO states that it has, and will continue to work with IDS to provide its Florida customers access to at least one qualified carrier capable of providing comparable service, without incurring any lapse in their current service. NATELCO states that it will not automatically switch any Florida customer to another carrier. Moreover, NATELCO explains that it will notify BellSouth of its Application, and that BellSouth may be required to pick up any customers that have not made other arrangements by the termination date.

The Application states that all NATELCO customers have been notified, or will be notified simultaneously with the filing of the Application, by first class mail to each customer's billing address.

In its June 8<sup>th</sup> supplement, NATELCO explains that at the time of the Application's original filing, the accompanying cover letter stated that due to the pending bankruptcy and MCG's willingness to continue funding for service only through June 21, 2001, the Application should be handled on an expedited basis. Additionally, the supplement reiterates that all of NATELCO's customers have received section 63.71 notice that service will terminate by June 21, 2001. NATELCO states that it is prepared to quickly resolve any customer objections or concerns.

In accordance with 47 C.F.R. § 63.71(c), the Application will be deemed to be automatically granted on the 31st day after the release date of this notice without any Commission notification to the applicant, unless the Commission has notified the applicant that the grant will not be automatically effective. The FCC will normally authorize proposed discontinuances of service unless it is shown that customers or other end users would be unable to receive service or a reasonable substitute from another carrier, or that the public convenience and necessity is otherwise adversely affected.

Comments objecting to this application must be filed with the Commission by **July 6, 2001**. Such comments should refer to application file number **W-P-D-496**. Comments should include specific information about the impact of this proposed discontinuance on the commenter, including any inability to acquire reasonable substitute service. Comments should be sent to the Office of the Secretary, Federal Communications Commission, 445 12th Street, SW, Room TW-A325, Washington, DC 20554. Two copies of the comments should also be sent to the Network Services Division, Common Carrier Bureau, Federal Communications Commission, 445 12th Street, SW, Room 6-A207, Washington, DC 20554; Attention: Carmell Weathers.

The Application will be available for review and copying during regular business hours at the FCC Reference Center, Portals II, 445 12<sup>th</sup> Street, SW, Room CY-A257, Washington, DC 20554, (202) 418-0270. The Application may also be purchased from the Commission's copy contractor, International Transcription Service, Inc. (ITS), 1231 20<sup>th</sup> Street, NW, Washington, DC 20036, telephone 202-857-3800, facsimile 202-857-3805, TTY 202-293-8810.

For further information, contact Carmell Weathers, (202) 418-2325 (voice), [cweather@fcc.gov](mailto:cweather@fcc.gov), or Jon Minkoff (202) 418-2353 (voice), [jminkoff@fcc.gov](mailto:jminkoff@fcc.gov), of the Network Services Division,

Common Carrier Bureau. The TTY number is (202) 418-0484. For further information on procedures regarding Section 214 please visit the Network Services Division web site at: <http://www.fcc.gov/ccb/nsd/documents/214.html>.

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