



PUBLIC NOTICE

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

News media information 202 / 418-0500
Fax-On-Demand 202 / 418-2830
Internet: <http://www.fcc.gov>
TTY 202 / 418-2555

DA 01-1799
July 27, 2001

COMMENTS INVITED ON GST TELECOMMUNICATIONS, INC. AND ITS SUBSIDIARIES APPLICATION TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES

NSD File No. W-P-D-511

Comments Due: August 10, 2001

Section 214 Application

Applicant: GST Telecommunications, Inc. and Subsidiaries

On July 20, 2001, GST Telecommunications, Inc. and its subsidiaries¹ (GST or Applicant), located at 9300 NE Oak View Drive, Suite A, Vancouver, WA 98662, filed an 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 the provision of certain U.S. domestic telecommunications services.

The application states that on May 17, 2000, GST filed for protection under Chapter 11 of the U.S. Bankruptcy Laws in the U.S. District Court for the District of Delaware (Bankruptcy Court). GST states that it received Bankruptcy Court approval to proceed with an open-bidding auction for substantially all of its assets. At the auction, conducted from August 22 to August 25, 2000, Time Warner Telecom, Inc. (TWT) successfully bid to acquire most of GST's assets. Applicant explains that it subsequently received approval to sell telecommunications equipment, portions of its customer base, and its relevant federal and state licenses to TWT²; however, TWT did not acquire all of GST's assets and customer accounts. The application reflects that after the auction, GST sought buyers for its remaining assets. GST states that at various times during this period, when it either sold assets or determined it was unlikely to find buyers for them, it filed section 63.71

¹ GST Call America, Inc.; GST Net, Inc.; ICON Communications Corp.; KLP, Inc. d/b/a Call America Phoenix; TotalNet Communications, Inc.; GST Pacific Lightwave, Inc.; GST Telecom California, Inc.; GST Telecom Hawaii, Inc.; GST Tucson Lightwave, Inc.; GST Telecom New Mexico, Inc.; GST Telecom Texas, Inc.; GST Telecom Nevada, Inc.; GST Telecom Idaho, Inc.; GST Telecom Washington, Inc.; GST Net Arizona, Inc.; GST Telecom Oregon, Inc.; GST Telecom Arizona, Inc.; GST Net (AZ), Inc.; and GST Home, Inc.

² See Section 63.71 Application of GST Telecommunications, Inc. and its Subsidiaries for Authority to Discontinue the Provision of U.S. Domestic Telecommunications Service (File No. W-P-D-472) (DA 00-2693) (Public Notice released November 29, 2000).

applications for discontinuance of service with the Commission.³

GST states that it has recently concluded that it will be unable sell its remaining assets and customer accounts. Accordingly, GST seeks authority to discontinue providing local, long distance, coded toll-free, calling card, frame relay, and private line telecommunications services. The following chart indicates which states presently have GST customers who will be affected by the proposed discontinuance:

PROPOSED DISCONTINUANCE OF SERVICE	AFFECTED STATES
Coded Toll-Free Service	Arizona, California, Florida, Hawaii, Idaho, Indiana, Iowa, Kansas, Louisiana, Massachusetts, Montana, Nevada, Oregon, Texas, and Washington
Long Distance and Frame Relay Service	Arizona, California, Colorado, Connecticut, Hawaii, Idaho, Illinois, Missouri, Mississippi, Nebraska, Nevada, New Mexico, New York, Ohio, Oregon, Pennsylvania, Texas, and Washington
Local Service	California
Private Line Service	Arizona, California, Florida, Hawaii, and Oregon
Calling Card Service	Arizona, California, Hawaii, New Mexico, North Carolina, New York, Pennsylvania, and Utah

The application further states that due to GST's precarious financial position and significantly reduced labor resources, it requests that the Commission approve its application as soon as possible.

In accordance with 47 C.F.R. § 63.71(c), the application will be deemed to be automatically granted on the thirty-first (31st) day after the release date of this notice, unless the Commission has notified 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 **August 10, 2001**. Such comments should refer to application file number **W-P-D-511**. Comments should

³ See Section 63.71 Application of GST Telecommunications, Inc. and its Subsidiaries for Authority to Discontinue the Provision of U.S. Domestic Telecommunications Service (File No. W-P-D-484) (DA 01-569) (Public Notice released March 5, 2001); See Section 63.71 Application of GST Telecommunications, Inc. and its Subsidiaries for Authority to Discontinue the Provision of U.S. Domestic Telecommunications Service (File No. W-P-D-489) (DA 01-1061) (Public Notice released April 24, 2001); and See Section 63.71 Application of GST Telecom Hawaii, Inc. for Authority to Discontinue the Provision of U.S. Domestic Telecommunications Service (File No. W-P-D-498) (DA 01-1616) (Public Notice released July 9, 2001).

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 (2) 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: Al McCloud. In addition, a copy of the comments should be sent to Applicant at 9300 NE Oak View Drive, Suite A, Vancouver, WA 98662.

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

For further information, contact Al McCloud, (202) 418-2499 (voice), amcloud@fcc.gov, or Jon Minkoff (202) 418-2353 (voice), 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>.

-FEDERAL COMMUNICATIONS COMMISSION-