



PUBLIC NOTICE

Federal Communications Commission
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DA 01-1919
August 10, 2001

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

NSD File No. W-P-D-514

Comments Due: August 24, 2001

Section 214 Application

Applicant: Teligent, Inc. and Its Domestic Subsidiaries

On June 15, 2001, Teligent, Inc., and its domestic subsidiaries (Teligent or Applicant), located at 8065 Leesburg Pike, Suite 400, Vienna, VA 22182, 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 its domestic telecommunications services in all of its markets.¹

The application, as supplemented, indicates that the financial market's recent economic downturn caused Teligent to restructure its operations and workforce, and ultimately to file for protection under Chapter 11 of the U.S. Bankruptcy Code. On May 21, 2001, Applicant explains that it filed for this protection in the U.S. Bankruptcy Court for the Southern District of New York. In addition to the customers who were affected by its previously

¹ On June 26 and June 29, 2001, Applicant filed supplements to the application, requesting two (2) separate Public Notices for its Section 63.71 Application. Applicant states that on June 27, 2001, it provided notice as required under Section 63.71(a)(5)(i) to only those customers to whom it knew it would no longer provide service. The Commission released a Public Notice dated July 5, 2001, which related to only these Teligent customers. As for the remaining, potentially affected customers, Teligent indicated that it would provide them the required notice later in July. In the July 5th Public Notice, the Commission notified Applicant that it must submit further certification that it had sent written notice to all of its customers in accordance with section 63.71(a)(5)(i) before the second (2nd) Public Notice would be released. *See Comments Invited on Teligent, Inc. and Its Domestic Subsidiaries Application to Discontinue Domestic Telecommunications Services*, NSD File No. W-P-D-502, DA-1586, July 5, 2001. On July 27, 2001, Teligent filed this certification with the Commission.

authorized discontinuance², Applicant states that it may find it necessary to discontinue certain services at other locations as a result of further operational restructuring. The application, as supplemented, indicates that Teligent provides local exchange and data services in thirty-nine (39) states and the District of Columbia, as well as long distance service in forty-nine (49) states. Teligent states that it seeks discontinuance authority out of an abundance of precaution, explaining that it does not know if there will be future discontinuances, or if so, in which markets they will occur.³

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 24, 2001**. Such comments should refer to application file number **W-P-D-514**. 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. In addition, all comments should be served on the Applicant. 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: Carmell Weathers.

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 Carmell Weathers, (202) 418-2325 (voice),

² On August 5, 2001, Teligent received discontinuance authority for services as described in the Public Notice released by the Commission on July 5, 2001.

³ Teligent's filing for discontinuance authority shortly after filing for bankruptcy is precisely the type of responsible action that the Commission urged carriers to take after it issued the Public Notice in DA 01-1257. In that Notice, the Commission stated "[w]hile NorthPoint's application for authority to permanently discontinue service has been granted . . . it appears that NorthPoint might reasonably have anticipated its need to discontinue service as early as January 16, 2001, when it filed for bankruptcy. At that time, Northpoint could have given its customers written notice under section 63.71 of the Commission's regulations. . . . Had that procedure been followed, NorthPoint customers would have been given an opportunity early on to . . . submit comments to the Commission indicating whether substitute service is available." *Requirements for Carriers to Obtain Authority Before Discontinuing Service in Emergencies and Northpoint Communications, Inc. Authority to Discontinue Service*, NDS File No. W-P-D-488, DA 01-1257, May 22, 2001.

cweathers@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>.

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