



PUBLIC NOTICE

Federal Communications Commission
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DA 01-2118
September 7, 2001

COMMENTS INVITED ON HERTZ TECHNOLOGIES, INC. APPLICATION TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES

NSD File No. W-P-D-521

Comments Due: September 21, 2001

Section 214 Application

Applicant: Hertz Technologies, Inc.

On **July 31, 2001**, **Hertz Technologies, Inc.** (HTI or Applicant), located at **5601 Northwest Expressway, Oklahoma City, OK 73132**, filed an application with the Federal Communications Commission's (FCC or Commission) requesting authority under section 214(a) of the Communications Act of 1934, 47 U.S.C. § 214(a), and section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to discontinue its domestic telecommunications services. The Network Services Division of the Common Carrier Bureau received a copy of the application on August 23, 2001.

The application states that HTI provides only resold long distance toll services, and that it plans to discontinue this service as of September 30, 2001. HTI offers service throughout the continental United States, and seeks to discontinue service in the forty-eight (48) states. The service that will be discontinued consists of intrastate, interstate, and international toll services.

According to the application, HTI serves approximately two thousand five hundred (2,500) customers, virtually all of which are businesses. HTI explains that it is a "switchless" or "pure" reseller, does not own or operate any physical facilities, and provides service entirely over the networks of its underlying carriers. Applicant also states that all of the facilities used to provide its services will remain available, and that these services will be available from HTI's underlying carriers and other competitive carriers.

Applicant states that customers were provided sixty (60) days notice of the discontinuation through individual mailings to each customer via U.S. mail to customers' current billing addresses. The initial notice was sent separately from the customer's invoice. HTI indicated that it planned to send a reminder notice via bill insert in late August.

In accordance with 47 C.F.R. § 63.71(c), applications are normally 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. In light of the inadvertent delay between the Commission's receipt of the application and release of this Public Notice, the application will be deemed to be automatically granted on September 30, 2001, unless it notifies Applicant that the grant will not be automatically effective.¹ 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 **September 21, 2001**. Such comments should refer to application file number **W-P-D-521**. 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 (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, Qualex International, Portals II, 445 12th Street, SW, Room CY-B402, Washington, DC, 20554, telephone 202-863-2893, facsimile 202-863-2898, or via e-mail qualexint@aol.com.

For further information, contact Carmell Weathers, (202) 418-2325 (voice), cweather@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-

¹ 47 CFR § 63.52(b).