



PUBLIC NOTICE

Federal Communications Commission
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DA 01-2674
November 15, 2001

COMMENTS INVITED ON MPOWER COMMUNICATIONS CORP.
APPLICATION TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS
SERVICES

NSD File No. W-P-D-532

Comments Due: November 29, 2001

Section 214 Application

Applicant: Mpower Communications Corp.

On **October 30, 2001**, **Mpower Communications Corp.** (Mpower or Applicant), located at **175 Sully's Trail, Suite 300, Pittsford, NY 14534**, , filed an application with the Federal Communications Commission (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 application indicates that Mpower seeks to discontinue providing local, long distance, switched access, other access, digital subscriber line (DSL), and Internet access services. Mpower states that the proposed discontinuance will affect only the customers located in the Adamsville and East Lake exchanges in the state of Georgia. Mpower also states that on October 24, 2001, it provided notice of the proposed discontinuance to its affected customers, as required by Commission rules.¹

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.

¹ See 47 CFR § 63.71(a)(5)(i).

This proceeding is considered a "permit but disclose" proceeding for purposes of the Commission's *ex parte* rules.² Comments objecting to this application must be filed with the Commission by **November 29, 2001**. Such comments should refer to application file number **W-P-D-532**. 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. Comments should also be served upon Applicant.

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 at **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-

² See generally 47 C.F.R. §§ 1.1200 - 1.1216.