



# PUBLIC NOTICE

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

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**DA 01-2983**  
**December 20, 2001**

**COMMENTS INVITED ON TALK AMERICA INC. AND THE OTHER PHONE  
COMPANY, INC. d/b/a ACCESS ONE COMMUNICATIONS JOINT  
APPLICATION TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS  
SERVICES**

**NSD File No. W-P-D-539**

**Comments Due: January 4, 2002**

**Section 214 Application**

**Applicants: Talk America Inc. and The Other Phone Company, Inc. d/b/a Access One  
Communications**

On November 26, 2001, **Talk America Inc.** (Talk America) and **The Other Phone Company, Inc. d/b/a Access One Communications** (Access One) (collectively Applicants), both located at **12020 Sunrise Valley Drive, Suite 250, Reston, VA 20191**, jointly 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.

Applicants seek authority to discontinue providing certain domestic telecommunications services to its approximately one thousand thirty-eight (1,038) small and medium-sized businesses customers in the state of Florida. The application states that Applicants are each wholly-owned operating subsidiaries of Talk America Holdings, Inc., and both entities are certificated in Florida to provide local and interexchange telecommunications services. Applicants explain that they provide service under a resale service agreement with Sprint-Florida, Inc. (Sprint).

Applicants state that they have notified in writing all affected customers of the impending discontinuance of service and have informed the affected customers that they should select an alternative provider for the provision of these services. According to the application, notice with the Commission's required language<sup>1</sup> was sent to customers on or

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<sup>1</sup> See 47 C.F.R. § 63.71(a)(5)(i).

about November 20, 2001.

In accordance with 47 C.F.R. § 63.71(c), the application will be deemed to be automatically granted on the thirty-first (31<sup>st</sup>) 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.

This proceeding is considered a "permit but disclose" proceeding for purposes of the Commission's *ex parte* rules.<sup>2</sup> Comments objecting to this application must be filed with the Commission by **January 4, 2002**. Such comments should refer to application file number **W-P-D-539**. 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 12<sup>th</sup> 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 12<sup>th</sup> 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 12<sup>th</sup> 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 12<sup>th</sup> 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](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>.

**-FEDERAL COMMUNICATIONS COMMISSION-**

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<sup>2</sup> See generally 47 C.F.R. §§ 1.1200 - 1.1216.