



PUBLIC NOTICE

Federal Communications Commission
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DA 01-2999
December 21, 2001

**COMMENTS INVITED ON FAIRPOINT COMMUNICATIONS SOLUTIONS
CORP. APPLICATION TO DISCONTINUE DOMESTIC
TELECOMMUNICATIONS SERVICES**

NSD File No. W-P-D-540

Comments Due: January 7, 2002

Section 214 Application

Applicant: FairPoint Communications Solutions Corp.

On November 28, 2001, FairPoint Communications Solutions Corp (FairPoint or Applicant), located at 6324 Fairview Road, 4th Floor, Charlotte, NC 28210 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 FairPoint seeks to discontinue providing resold and UNE-platform-based local exchange service, resold local toll service, and resold long distance service to its customers in the states of Alabama, Idaho, Florida, Maryland, Mississippi, and Vermont. FairPoint explains that its local and long distance services are provided almost exclusively on a resale basis, and that a limited number of its customers are being provided local services on a UNE-Platform basis. Applicant states that it intends to continue to market or provide wholesale, carrier-to-carrier long distance service on a resale basis in the aforementioned states.

FairPoint explains that it has developed a comprehensive, two-step customer notification plan that will ensure that its customers will have ample notice and sufficient time to select a new carrier. According to the application, on November 23, 2001, FairPoint notified its affected customers of the proposed discontinuance.¹ Applicant states that the customer notification informs customers in detail of FairPoint's plans, and refers customers

¹ A copy of that notice is included as an exhibit to the application, and it contains the Commission's required language. See 47 C.R.F. § 63.71(a)(5)(i).

to their local telephone directory for a listing of alternative local, local toll, and long distance providers. Applicant also states that it plans to send its customers subsequent notice of the proposed discontinuance on or about January 1, 2002.

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.

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 **January 7, 2002**. Such comments should refer to application file number **W-P-D-540**. 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.