



PUBLIC NOTICE

Federal Communications Commission
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DA 01-362
February 12, 2001

COMMENTS INVITED ON OPTEL, INC.
APPLICATION TO DISCONTINUE PROVIDING DOMESTIC SERVICES

NSD File No. W-P-D-480

Section 214 Application
Applicant: OPTEL, INC.

On December 18, 2000, OpTel, Inc. ("OpTel") filed an application for itself and for its affiliates and subsidiaries¹ 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 rules, 47 C.F.R. § 63.71, to discontinue domestic facilities-based and resold interstate and interexchange service as set forth below.

The application states that OpTel proposes to discontinue the provision of local, interstate and interexchange telephone services as of January 31, 2001, in market areas of San Diego, Los Angeles, and San Francisco, California, Phoenix, Arizona; Denver, Colorado, Indianapolis, Indiana, and Tampa, Florida.

The application states that OpTel is a facilities-based local exchange carrier and a resale provider of interexchange services. Due to its reorganization pursuant to Chapter 11 of the United States Bankruptcy Code, OpTel seeks to discontinue all telephone operations in the markets identified above.

OpTel states that it sent notification letters to all affected customers and notified the Arizona Corporation Commission, the California Public Utilities Commission, the Colorado Public Utilities Commission, the Florida Public Service Commission, and the Indiana Utility Regulatory Commission of its proposed discontinuation of service as of the date of this application.

In accordance with 47 C.F.R. § 63.71(c), the application will be deemed to be automatically granted on the 31st day after the release date of this notice without any Commission notification to the applicant, unless the Commission has notified the 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 OpTel's carrier subsidiaries include TVMAX Telecommunications, Inc., OpTel (Arizona) Telecom, Inc., OpTel (California) Telecom, Inc., OpTel (Colorado) Telecom, Inc., OpTel (Illinois) Telecom, Inc., OpTel (Texas) Telecom, Inc., and OpTel (Florida) Telecom, Inc.

Comments objecting to this application must be filed with the Commission by **February 22, 2001**. Such comments should refer to application file number **W-P-D-480**. 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 copies of the comments should also be sent to the Network Services Division, 445 12th Street, SW, Room 6-A207, Washington, DC 20554.

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. 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), cweather@fcc.gov, or Marty Schwimmer, (202) 418-2320 (voice), mschwimm@fcc.gov, of the Network Services Division, Common Carrier Bureau. The TTY number is (202) 418-0484.

For further information on Section 214s please visit our web site at: <http://www.fcc.gov/ccb/nsd/documents/214.html>.

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