



PUBLIC NOTICE

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

**DA 02-715
March 26, 2002**

COMMENTS INVITED ON EDGE COMMUNICATIONS, INC. APPLICATION TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES

NSD File No. W-P-D-573

Comments Due: April 9, 2002

Section 214 Application

Applicant: Edge Communications, Inc.

On **March 14, 2002**, **Edge Communications, Inc.** (Edge or Applicant), located at **1100 Johnson Ferry Road, Suite 400, Atlanta, GA 30328**, 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 certain of its domestic telecommunications services.

The application indicates that Edge seeks authority to discontinue providing local and long distance telecommunications services, as well as broadband Internet connection in the state of New York. According to the application, Edge seeks discontinuance authority because of its inability to raise necessary operating funds. Edge states that it is attempting to shut down its business operations in an orderly manner.

In accordance with the terms of an asset purchase agreement, Edge states that it intends to convey most of its telecommunications assets in New York State to Eureka Broadband Corporation d/b/a EurekaGGN (EurekaGGN), including all of its customer accounts.¹ Edge states that this transaction will transfer all of Edge's affected customers to

¹ Common carriers are reminded that sales of customer accounts are subject to other Commission rules. Specifically, a carrier acquiring all or part of another carrier's subscriber base must comply with the Commission's rules designed to prevent slamming. See, *e.g.*, 47 C.F.R. § 64.1120(e).

EurekaGNN's network with no disruption in service.

Edge states that it provided written notification in a letter dated March 1, 2002 to all of its affected New York customers. A copy of this letter was attached to the application, and

it contained the language required by Commission rules.²

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 would be otherwise adversely affected.

This proceeding is considered a "permit but disclose" proceeding for purposes of the Commission's *ex parte* rules.³ Comments objecting to this application must be filed with the Commission by **April 9, 2002**. Such comments should refer to application file number **W-P-D-573**. 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 Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, SW, Room 6-A207, Washington, DC 20554, Attention: Carmell Weathers. Comments should also be served upon Applicant. Commenters are also requested to fax their comments to the FCC at (202) 418-2345, Attention: Jon Minkoff.

Interested parties who wish to file comments via messenger-delivery or hand-delivery are also notified that effective December 18, 2001, the Commission will only receive such deliveries weekdays from 8:00 a.m. to 7:00 p.m., via its contractor, Vistrionix, Inc., located at 236 Massachusetts Avenue, NE, Suite 110, Washington, DC 20002. **The Commission no longer accepts these filings at 9300 East Hampton Drive, Capitol Heights, MD 20743.** Please note that all hand deliveries must be held together with rubber bands or fasteners, and envelopes must be disposed of before entering the building. In addition, this is a reminder that as of October 18, 2001, the Commission no longer accepts hand-delivered or messenger-delivered filings at its headquarters at 445 12th Street, SW, Washington, DC 20554. Other messenger-delivered documents, including documents sent by overnight mail (other than United States Postal Service (USPS) Express and Priority Mail), must be addressed to 9300 East Hampton Drive, Capitol Heights, MD 20743. This location is open weekdays from 8:00 a.m. to 5:30 p.m. USPS First-Class, Express, and Priority Mail should be addressed to the Commission's headquarters at 445 12th Street, SW, Washington, DC 20554. The following chart summarizes this information:

| TYPE OF DELIVERY | PROPER DELIVERY ADDRESS |
|---|--|
| Hand-delivered or messenger-delivered paper filings | 236 Massachusetts Avenue, NE, Suite 110, Washington, DC 20002 |

² See 47 C.F.R. § 63.71 (a) (5) (i).

³ See generally 47 C.F.R. §§ 1.1200 - 1.1216.

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| | (Weekdays - 8:00 a.m. to 7:00 p.m.) |
| Other messenger-delivered documents, including documents sent by overnight mail (this type excludes USPS Express and Priority Mail) | 9300 East Hampton Drive, Capitol Heights, MD 20743 (Weekdays - 8:00 a.m. to 5:30 p.m.) |
| USPS First-Class, Express, and Priority Mail | 445 12 th Street, SW 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. 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 Competition Policy Division, Wireline Competition Bureau. The TTY number is (202) 418-0484. For further information on procedures regarding Section 214 please visit: http://www.fcc.gov/wcb/cpd/other_adjud/domestic.html.

-FEDERAL COMMUNICATIONS COMMISSION-