



PUBLIC NOTICE

Federal Communications Commission
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DA 03-53

January 8, 2003

COMMENTS INVITED ON IP COMMUNICATIONS, L.P. APPLICATION TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES

Comp. Pol. File No. 627

Comments Due: January 22, 2003

Section 214 Application

Application: IP Communications, L.P.

On **December 21, 2002**, **IP Communications, L.P.** (IP or Applicant) located at **17300 Preston Road, Suite 300, Dallas, TX 75252** filed an application with the Federal Communications Commission (FCC or Commission), requesting authority under section 214(a) of the Communications Act of 1934, as amended,¹ and section 63.71 of the Commission's rules,² to discontinue the provision of broadband services in the states of Kansas, Missouri, and Oklahoma.

The application indicates that IP requests authority to discontinue providing broadband services, mostly comprised of digital subscriber line service in three of its operating states: Kansas, Missouri, and Oklahoma. IP's broadband service is used for high-speed Internet access. IP provides broadband service to wholesale customers that are Internet Service Providers (ISPs) and directly to end user retail customers.

According to the application, IP provided written customer notice on or before December 20, 2002. According to the application, IP has committed to assist the ISP in the customer conversion process and work with the ISP to help assure that end-users receive specific notice if service through the ISP will be disconnected, i.e., when a conversion to another provider through the ISP is not possible. IP states that it has provided customer contact information to assist customers in their attempt to identify alternative providers that would be able to provide comparable service in a manner that would avoid or at least

¹ 47 U.S.C. § 214(a).

² 47 C.F.R. § 63.71.

minimize service disruption and inconvenience. IP states that it proposes to discontinue broadband services on February 10, 2003.

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.³ The Commission 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.⁴ Pursuant to Sections 1.415 and 1.419 of the Commission's rules, interested parties may file comments on or before **January 22, 2003** comments should refer to **Comp. Pol. File No. 627**.⁵ Comments should include specific information about the impact of this proposed discontinuance on the commenter, including any inability to acquire reasonable substitute service. The original and four (4) copies of the 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. In addition, Comments should be served upon Applicant. Commenters are also requested to fax their comments to the FCC at (202) 418-2345, Attention: Carmell Weathers.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor, Vistrionix, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, SW, Washington, D.C. 20554. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

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,

³ 47 C.F.R. § 63.71(c).

⁴ See generally 47 C.F.R. §§ 1.1200 - 1.1216.

⁵ 47 C.F.R. §§ 1.415, 1.419.

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 John Adams (202) 418-0394 (voice), jkadams@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

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