



PUBLIC NOTICE

Federal Communications Commission
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DA 05-1361
May 17, 2005

COMMENTS INVITED ON APPLICATION OF RCC ATLANTIC LONG DISTANCE, INC. (D/B/A UNICEL LONG DISTANCE) TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES

WC Docket No. 05-190
Comp. Pol. File No. 706

Comments Due: May 31, 2005

Section 214 Application

Applicant: RCC Atlantic Long Distance, Inc. (d/b/a Unicel Long Distance)

On April 7, 2005, RCC Atlantic Long Distance, Inc. (d/b/a Unicel Long Distance) (RCC-LD or Applicant), located at 1100 Mountain View Drive, Colchester, Vermont 05446, filed an application with the Federal Communications Commission (FCC or Commission) requesting authority, under section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to discontinue the provision of certain domestic services to its customers located in the state of New Hampshire. By an amendment filed April 26, 2005, RCC-LD corrected certain deficiencies in its initial application. Accordingly, the application is deemed complete and officially filed with the Commission on April 26, 2005.

RCC-LD indicates that it provides resold long distance services to households and businesses in the state of New Hampshire. RCC-LD states that it plans to discontinue these services upon receipt of the necessary state and FCC authorizations.¹ In its original application, RCC-LD indicated that it sent notice to all affected customers on April 5, 2005 informing them of its plans to discontinue long distance service as early as June 5, 2005, subject to regulatory approval. RCC-LD asserts that it later sent corrected

¹ In a separate notice, RCC-LD informed the Commission of its plans to discontinue resale of international services in the state of New Hampshire as well. See Letter from David L. Nace, Counsel to RCC-LD, to Marlene H. Dortch, Secretary, FCC (April 7, 2005) (RCC-LD April 7 Letter) at 1. Discontinuance of international service is governed by 47 C.F.R. § 63.19. RCC-LD indicates that the resold domestic telecommunications services it provided in Vermont are not subject to this planned discontinuance but were instead subject to its sale of operating assets and customer accounts to National Mobile Communications Corporation. See *Notice of Streamlined Domestic 214 Applications Granted*, WC Docket Nos. 05-159, 05-165, & 05-167, Public Notice, DA 05-1320 (rel. May 9, 2005); *Domestic Section 214 Application Filed for Transfer of Control and Acquisition of Assets of RCC Atlantic Long Distance, Inc., By National Mobile Communications Corporation*, WC Docket No. 05-167, Public Notice, DA 05-1049 (rel. April 8, 2005).

notices, dated April 18, 2005, to all affected customers, and revised the date of its proposed discontinuance to June 18, 2005. In its notice to customers, RCC-LD states that it plans to discontinue long distance services in order to concentrate its efforts and resources on building and maintaining its extensive regional cellular network. RCC-LD indicates that it is considered non-dominant with respect to the resold telecommunications services it seeks to discontinue.

In accordance with section 63.71(c) of the Commission's rules, RCC-LD's application will be deemed to be automatically granted on the thirty-first (31st) day after the release date of this public notice, unless the Commission notifies RCC-LD that the grant will not be automatically effective. In RCC-LD's corrected notice to its customers, RCC-LD indicated that it would not discontinue service until June 18, 2005. Accordingly, pursuant to section 63.71(c), absent further Commission action, RCC-LD may not terminate service to the customers affected by this application until **June 18, 2005**. 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, 47 C.F.R. §§ 1.1200-1.1216. Comments objecting to this application must be filed with the Commission on or before **May 31, 2005**. Such comments should refer to **WC Docket No. 05-190 and Comp. Pol. File No. 706**. Comments should include specific information about the impact of this proposed discontinuance on the commenter, including any inability to acquire reasonable substitute service. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 Fed. Reg. 24121 (1998). Comments filed through the ECFS can be sent as an electronic file via the Internet to <<http://www.fcc.gov/e-file/ecfs.html>>. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send e-mail to ecfs@fcc.gov, and should include the following words in the subject line "get form <your e-mail address>." A sample form and directions will be sent in reply.

Parties who choose to file by paper must send an original and four (4) copies of the comments to the Office of the Secretary, Federal Communications Commission, 445 12th Street, S.W., Room TW-A325, Washington, D.C. 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, S.W., Room 5-C327, Washington, D.C. 20554, Attention: Carmell Weathers. In addition, comments should be served upon the 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, Natek, 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, S.W., 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, S.W., Room CY-A257, Washington, D.C. 20554, (202) 418-0270. A copy of the application may also be purchased from the Commission's copy contractor, Best Copy and Printing, Inc., 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, telephone (202) 488-5300, facsimile (202) 488-5563, or via e-mail at FCC@BCPIWEB.COM.

For further information, contact Carmell Weathers, (202) 418-2325 (voice), carmell.weathers@fcc.gov, or Rodney McDonald, (202) 418-7513 (voice), rodney.mcdonald@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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