



PUBLIC NOTICE

Federal Communications Commission
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DA 06-1386
June 30, 2006

**COMMENTS INVITED ON APPLICATION OF UTILITIES COMMISSION,
NEW SMYRNA BEACH D/B/A NEW SMYRNA COMMUNICATIONS TO
DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES**

WC Docket No. 06-124
Comp. Pol. File No. 761

Comments Due: July 14, 2006

Section 214 Application

Applicant: Utilities Commission, New Smyrna Beach d/b/a New Smyrna Communications

On June 1, 2006, Utilities Commission, New Smyrna Beach d/b/a New Smyrna Communications (UCNSB or Applicant), located at **200 Canal Street, PO Box 100, New Smyrna Beach, FL 32170-0100**, 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 its provision of certain telecommunications services in Florida, Georgia, Mississippi, North Carolina, South Carolina, and Tennessee.

In its application, UCNSB indicates that it provides local, domestic, and international¹ long distance and toll free telecommunications to domestic and residential customers in the aforementioned states. UCNSB states, however, that it plans to realign its business plan in order to maintain long term economic viability and that it therefore seeks authority to discontinue service to its affected customers on August 1, 2006 in Florida, Georgia, Mississippi, North Carolina, and South Carolina; and on September 1, 2006 in Tennessee. UCNSB asserts that, on March 31, 2006 and June 1, 2006, it provided all affected customers with written notice of its proposal to discontinue service by letters mailed and prepared in accordance with the requirements of section 63.71 of the Commission's rules. Finally, UCNSB asserts that it is a non-dominant carrier with regard to the affected services.

In accordance with section 63.71(c) of the Commission's rules, UCNSB'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 UCNSB that the grant will not be automatically effective. Accordingly, pursuant to section 63.71(c), absent further Commission action, UCNSB may terminate service to its affected customers on August 1, 2006 in Florida, Georgia, Mississippi, North Carolina, and

¹ Discontinuance of international service is governed by 47 C.F.R. § 63.19.

South Carolina; and on September 1, 2006 in Tennessee. 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 **July 14, 2006**. Such comments should refer to **WC Docket No. 06-124** and **Comp. Pol. File No. 761**. 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 FR 24121 (1998). Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/cgb/ecfs/>. Filers should follow the instructions provided on the website for submitting comments. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, filers 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, filers should send an e-mail to ecfs@fcc.gov, and include the following words in the body of the message, “get form.” A sample form and directions will be sent in response.

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. 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). All filings must be addressed to the Commission’s Secretary, Office of the Secretary, Federal Communications Commission. The Commission’s contractor 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, and Priority mail should be addressed to 445 12th Street, S.W., 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) 418-1413, Attention: Carmell Weathers.

The application will be available for public inspection 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 duplicating 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. People with Disabilities: To request materials in accessible formats for people

with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY).

For further information, contact Carmell Weathers, (202) 418-2325 (voice), carmell.weathers@fcc.gov, or John Adams, (202) 418-0394 (voice), john.adams@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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