



PUBLIC NOTICE

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

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DA 07-126
January 19, 2007

COMMENTS INVITED ON APPLICATION OF COGNIGEN NETWORKS, INC.
TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES

WC Docket No. 07-6
Comp. Pol. File No. 775

Comments Due: February 2, 2007

Section 214 Application
Applicant: Cognigen Networks, Inc.

On December 11, 2006, **Cognigen Networks, Inc.** (Cognigen or Applicant), located at **6405 218th Street SW, Suite 305, Mountlake Terrace, WA 98043**, 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 telecommunications services to customers in Alabama, Arkansas, Kansas, Mississippi, Missouri, Nebraska, North Dakota, Oklahoma, South Carolina, South Dakota, West Virginia, and Wyoming.¹ By an amendment filed January 16, 2007, Cognigen corrected certain deficiencies in its initial application and updated the record regarding notice to customers. Accordingly, Cognigen's application is deemed complete as of January 16, 2007.

Cognigen indicates that it currently provides both domestic and international long distance service to approximately 1,145 customers that subscribe to specific products in the above-mentioned states.² Cognigen states that it plans to discontinue domestic and international long distance service to these customers, but that it intends to continue to provide domestic and international service to other subscribers throughout the United States.³ Cognigen indicates that it plans to discontinue service to all affected customers on February 28, 2007. Cognigen further represents that on January 12, 2007 it provided notice to all affected customers in accordance with section 63.71 of the Commission's rules. Cognigen asserts that it is non-dominant with respect to the services it proposes to discontinue.

¹ This filing was subsequently received in the Competition Policy Division of the Wireline Competition Bureau on January 3, 2007.

² In its application, Cognigen provides a list of the specific products it provides in the affected jurisdictions, and states that these services are provided over the underlying networks owned and operated by MCI. Cognigen also indicates that, in South Dakota, it operates under the name Intandem Communications Corp.

³ Discontinuance of international service is governed by 47 C.F.R. § 63.19.

In accordance with section 63.71(c) of the Commission's rules, Cognigen's application will be deemed to be granted automatically on the thirty-first (31st) day after the release date of this public notice, unless the Commission notifies Cognigen that the grant will not be automatically effective. In Cognigen's notice to its customers Cognigen indicates that it anticipates discontinuing service on February 28, 2007. Accordingly, pursuant to section 63.71(c) and the terms of Cognigen's notice and application, absent further Commission action, Cognigen may terminate service on **February 28, 2007**. 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 **February 2, 2007**. Such comments should refer to **WC Docket No. 07-6 and Comp. Pol. File No. 775**. 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) 418-2345, 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 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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