



PUBLIC NOTICE

Federal Communications Commission
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Washington, D.C. 20554

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COMMENTS INVITED ON APPLICATION OF PIONEER TELECOM, INC. TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES

WC Docket No. 09-173
Comp. Pol. File No. 917

Comments Due: November 4, 2009

Section 214 Application Applicant: Pioneer Telecom, Inc.

On September 29, 2009, Pioneer Telecom, Inc. (Pioneer or Applicant), located at 5940 Hamilton Boulevard, Allentown, PA 18106, 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 in California, Florida, New Jersey, New York, Pennsylvania and Texas. By an amendment filed October 15, 2009, Pioneer corrected certain deficiencies in its initial application and updated the record regarding notice to customers.¹ Accordingly, Pioneer's application is deemed complete as of October 15, 2009.

Pioneer indicates that it currently provides resold domestic long distance services including interstate and intrastate outbound, inbound toll free, and calling card service in California, Florida, New Jersey, New York, Pennsylvania and Texas (Service Areas). Pioneer asserts, however, that at this time it is no longer feasible to profitably provide the affected services to its customer base of approximately 500 small businesses and residential customers. Accordingly, in its original application, Pioneer indicated that it mailed notice to all affected customers on September 25, 2009 informing them of its plans to discontinue the affected services on October 31, 2009, subject to regulatory approval. Pioneer states that it later mailed corrected notices to all affected customers on October 5, 2009, and revised the date of its proposed discontinuance to November 15, 2009. Pioneer indicates that it is considered non-dominant with respect to the affected services.

In accordance with section 63.71(c) of the Commission's rules, Pioneer's application will be deemed to be granted automatically on the 31st day after the release date of this public notice, unless the Commission notifies Pioneer that the grant will not be automatically effective. Accordingly, pursuant to section 63.71(c), absent further Commission action, Pioneer may terminate the affected domestic long distance services in the Service Areas on or after **November 20, 2009**. The Commission normally will authorize proposed discontinuances of service unless it is shown that customers or other end users would

¹ This amendment was subsequently received in the Competition Policy Division of the Wireline Competition Bureau on October 16, 2009.

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 **November 4, 2009**. Such comments should refer to **WC Docket No. 09-173 and Comp. Pol. File No. 917**. 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 Web site 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 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. 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 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-C140, 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 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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