



PUBLIC NOTICE

Federal Communications Commission
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Washington, D.C. 20554

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COMMENTS INVITED ON APPLICATION OF CURBIA TECHNOLOGIES LLC TO DISCONTINUE INTERCONNECTED VOIP SERVICES

WC Docket No. 10-149
Comp. Pol. File No. 939

Comments Due: August 16, 2010

On **July 16, 2010**, **Curbia Technologies LLC** (Curbia or Applicant), located at **2050 Marconi Drive, Alpharetta, GA 30005**, 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 interconnected Voice over Internet Protocol (VoIP) services in Georgia. By an amendment filed on July 28, 2010, Curbia supplemented the record regarding notice to customers.¹ Accordingly, Curbia's application is deemed complete as of July 28, 2010.

Curbia indicates that it currently provides interconnected VoIP service that can be used for local, intrastate and interstate calling in Georgia. Curbia explains that it currently serves a total of only seven customers that all reside in Georgia. Curbia states that it now plans to discontinue its operations entirely and cease providing service to these customers on August 30, 2010. Curbia indicates that it sent notice to affected customers via e-mail with letters dated July 13, 2010. Curbia explains that its customers are all business customers with active e-mail addresses and that e-mail correspondence is Curbia's standard means of communication with these customers. Curbia also indicates that it has been able to confirm receipt of its notices to these customers. Curbia maintains that no customer should experience a disruption in service upon Curbia's discontinuance because Curbia has arranged for current customers to be transferred to another provider of interconnected VoIP service, XCast Labs, Inc. Curbia asserts that it has only operated as an interconnected VoIP provider.

We seek comment on Curbia's proposed discontinuance of service, including the steps it has taken to notify customers, given the particular circumstances in this case and in light of the notification procedures prescribed in section 63.71(a) of the Commission's rules. In accordance with section 63.71(c) of the Commission's rules, Curbia'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 Curbia that the grant will not be automatically effective. In its application and notice to customers, Curbia indicates that it anticipates discontinuing service on August 30, 2010, subject to regulatory approval. Accordingly, pursuant to section 63.71(c) and the terms of Curbia's application and notice, absent further Commission

¹ See Letter from Sharon Thomas, Consultant to Curbia Technologies LLC, Technologies Management, Inc., to Marlene H. Dortch, FCC Secretary, WC Docket No. 10-149 (filed July 28, 2010).

action, Curbia may terminate its provision of interconnected VoIP services in Georgia on or after **August 30, 2010**. The Commission normally will 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 **August 16, 2010**. Such comments should refer to **WC Docket No. 10-149 and Comp. Pol. File No. 939**. 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. **Effective December 28, 2009, the Commission’s contractor will only receive hand-delivered or messenger-delivered paper filings for the Commission’s Secretary at the FCC Headquarters building, located at 445 12th Street, S.W., Room TW-A325, Washington, D.C. 20554.** The filing hours are Monday through Friday, 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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