



PUBLIC NOTICE

Federal Communications Commission
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COMMENTS INVITED ON APPLICATION OF CINCINNATI BELL TELEPHONE LLC TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES

WC Docket No. 10-193
Comp. Pol. File No. 951

Comments Due: November 1, 2010

Section 214 Application **Applicant: Cincinnati Bell Telephone LLC**

On **August 30, 2010**, **Cincinnati Bell Telephone LLC** (Cincinnati Bell or Applicant), located at **221 East Fourth Street, Cincinnati, Ohio 45202**, 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 the City of Cincinnati, Ohio. By an amendment filed September 28, 2010, Cincinnati Bell provided updated information regarding notice to its customer. Accordingly, Cincinnati Bell's application is deemed complete as of September 28, 2010.

Cincinnati Bell indicates that it currently offers Broadband Distribution Facilities within the City of Cincinnati, Ohio under Tariff FCC No. 41. Cincinnati Bell explains that this tariff was established to provide and maintain broadband distribution facilities for the use of the franchisee of cable television services in the City of Cincinnati. Cincinnati Bell states that the arrangement with this customer is set to expire after 20 years on September 30, 2010, and that the customer has indicated that it has no desire to continue receiving these services under the arrangement. Accordingly, Cincinnati Bell indicates that it plans to withdraw its Tariff FCC No. 41 and cease offering the services included under that tariff on November 30, 2010, subject to regulatory approval. Cincinnati Bell asserts that the public convenience and necessity will not be impaired by this proposed discontinuance because the only customer eligible to receive the service does not want to continue the arrangement which was already set to expire. Cincinnati Bell indicates that it sent notice to the one customer affected by the proposed discontinuance on September 28, 2010. Cincinnati Bell states that it is considered dominant with respect to the services to be discontinued.

In accordance with section 63.71(c) of the Commission's rules, Cincinnati Bell's application will be deemed to be granted automatically on the 60th day after the release date of this public notice, unless the Commission notifies Cincinnati Bell that the grant will not be automatically effective. In its application and notice, Cincinnati Bell indicates that it anticipates discontinuing the services offered under Tariff FCC No. 41 on November 30, 2010, subject to regulatory approval. Accordingly, pursuant to section 63.71(c) and the terms of Cincinnati Bell's application and notice, absent further Commission

action, Cincinnati Bell may discontinue its provision of Broadband Distribution Facilities in Cincinnati, Ohio under Tariff FCC No. 41 on or after **November 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 **November 1, 2010**. Such comments should refer to **WC Docket No. 10-193 and Comp. Pol. File No. 951**. 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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