



PUBLIC NOTICE

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

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

DA 11-1322
Released: July 29, 2011

**COMMENTS INVITED ON APPLICATION OF AT&T INC. ON BEHALF OF AT&T
CORP. D/B/A AT&T ADVANCED SOLUTIONS TO DISCONTINUE DOMESTIC
TELECOMMUNICATIONS SERVICES**

WC Docket No. 11-129
Comp. Pol. File No. 1000

Comments Due: August 29, 2011

Section 214 Application

Applicant: AT&T Inc. on behalf of AT&T Corp. d/b/a AT&T Advanced Solutions

On **July 18, 2011**, **AT&T Inc.** (AT&T or Applicant) filed an application with the Federal Communications Commission (FCC or Commission) on behalf of its affiliate, **AT&T Corp. d/b/a AT&T Advanced Solutions** (Advanced Solutions), located at **One AT&T Way, Bedminster, NJ 07921**, 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 certain domestic telecommunications services in Arkansas, California, Connecticut, Illinois, Indiana, Kansas, Michigan, Missouri, Nevada, Ohio, Oklahoma, Texas and Wisconsin (collectively Service Areas).

AT&T indicates that Advanced Solutions currently offers PremierSERVSM Frame Relay service and PremierSERVSM Asynchronous Transfer Mode (ATM) service in the Service Areas. AT&T explains that PremierSERVSM Frame Relay service is a public, metropolitan and wide-area data service that utilizes packet switching technology and digital transmission facilities to provide a data delivery service. AT&T describes PremierSERVSM ATM service as a high speed switched transport service that combines disparate applications, from separate locations, using a common network access device and physical network connection. AT&T indicates, however, that the AT&T family of companies continues to streamline its product portfolio as a result of the acquisition of AT&T Corp. and its subsidiaries by SBC Communications, Inc. AT&T states that PremierSERVSM Frame Relay and PremierSERVSM ATM service are duplicative of other data services offered by affiliates of AT&T Inc. and that Advanced Solutions now plans to withdraw these services.

AT&T specifies that Advanced Solutions plans to discontinue offering the affected services to new customers in the Service Areas on or after September 30, 2011, subject to Commission approval. AT&T indicates that Advanced Solutions also plans to discontinue the affected services to all existing customers on December 31, 2015. In the notice to customers, AT&T states that Advanced Solutions will support one extension of a current customer's existing contract past its current term for 12 months, provided the extension is signed on or before June 30, 2013 and the extended term expires no later than June 30, 2014. AT&T clarifies that it will continue to provide the affected services on a month-to-month basis upon expiration of any contract until the services are discontinued on December 31, 2015. In the notice to customers, AT&T further clarifies that current customers may retain their existing services and

continue to conduct moves, additions and administrative changes until December 31, 2014, or the expiration of their contract term, whichever is later, subject to the terms of their existing AT&T Advanced Solutions Agreement or AT&T Business Services Agreement. AT&T adds that Early Termination Fees will no longer apply for these AT&T Advanced Solutions Services effective September 30, 2011. AT&T maintains that the public convenience and necessity will not be adversely affected by the proposed discontinuance of these services because replacement services are offered by other affiliates of AT&T Inc. and other carriers in the marketplace. AT&T asserts that it notified affected customers of the proposed discontinuances by letters sent via U.S. mail on July 1, 2011. AT&T acknowledges that although the affected services are offered at speeds above 200 kbs pursuant to non-dominant regulation, PremierSERVSM Frame Relay service is offered at speeds less than 200 kbs pursuant to dominant carrier regulation. AT&T states that, for regulatory efficiency, and in order to prevent customer confusion, Advanced Solutions therefore provides consent for the present discontinuance application to be processed under the Commission's rules for dominant carriers.

In accordance with section 63.71(c) of the Commission's rules, AT&T'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 AT&T that the grant will not be automatically effective. In the application and customer notices, AT&T indicates that Advanced Solutions plans to discontinue offering the affected services to new customers in the Service Areas on or after September 30, 2011, subject to Commission approval. AT&T further indicates that Advanced Solutions plans to discontinue the affected services to all existing customers on December 31, 2015. Accordingly, pursuant to section 63.71(c) and the terms of AT&T's application and notices, absent further Commission action, Advanced Solutions may cease to offer PremierSERVSM Frame Relay and PremierSERVSM ATM service to new customers in the Service Areas on or after **September 30, 2011**. In addition, Advanced Solutions may terminate service to existing customers in the Service Areas on or after December 31, 2015, in accordance with AT&T's filed representations. 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 29, 2011**. Such comments should refer to **WC Docket No. 11-129 and Comp. Pol. File No. 1000**. 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 who choose to file by paper must file an original and one copy of each filing. 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. All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters 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 utter Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.

U.S. Postal Service first-class, Express, and Priority mail must 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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