PUBLIC NOTICE

Federal Communications Commission
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COMMENTS INVITED ON APPLICATION OF QWEST CORPORATION TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES

WC Docket No. 11-152
Comp. Pol. File No. 1005

Comments Due: October 18, 2011

Section 214 Application
Applicant: Qwest Corporation

On **August 23, 2011, Qwest Corporation** (Qwest or Applicant), located at **1801 California Street, 10th Floor, Denver, Colorado 80202**, 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 a certain domestic telecommunications service in Minnesota.[1] By a supplement filed September 28, 2011, Qwest addressed the unique circumstances surrounding the customer notice described in its original application. Accordingly, Qwest's application is deemed complete as of September 28, 2011.

Qwest states that it is indirectly wholly-owned as a local exchange carrier by Qwest Communications International Inc. (QCII).[2] Qwest indicates that it currently offers interstate intraLATA toll service in certain areas outside of its local service territory in Minnesota where it is not the incumbent local exchange carrier (Service Areas). Qwest explains that in 1994, it was originally designated the intraLATA toll service provider in non-Qwest exchanges in Minnesota. Qwest further explains that some of the exchanges in the state cross state boundaries resulting in interstate intraLATA calls. Qwest, however, claims that it has experienced a continuing decline in the number of Qwest intraLATA toll customers in these exchanges since 1994, due to a rise in competition among intraLATA toll carriers and the development of new forms of telecommunications services, such as Voice over Internet Protocol and wireless services. Qwest states that it, therefore, seeks to discontinue providing interstate intraLATA toll service outside of its local service territory in Minnesota on September 30, 2011, subject to regulatory approval. Qwest submits that, because it does not provide local exchange service in these areas, it is unable to record the originating toll data and has no control over the signaling information that is sent along with the call. As a result, Qwest states that it does not have a direct relationship with the affected customers and has relied on the local independent telephone companies for customer care, and for the

[1] This application was subsequently received in the Competition Policy Division of the Wireline Competition Bureau on September 8, 2011.

[2] Qwest submits that on April 1, 2011, QCII and CenturyLink, Inc. consummated a transaction whereby QCII became a wholly-owned subsidiary of CenturyLink.

routing, switching, billing and collection of those calls. Qwest asserts that this often leads to billing disputes between carriers, thereby increasing costs for the provision of such service. Qwest maintains that its departure from these exchanges will eliminate these kinds of disputes and will benefit consumers.

Qwest indicates that, in December 2010, it filed a petition with the Minnesota Public Utilities Commission (PUC) requesting authority to withdraw as a Feature Group C IntraLATA toll provider in Minnesota exchanges where Qwest is not the incumbent local exchange carrier (LEC). Qwest states that, on June 9, 2011, the Minnesota PUC granted Qwest's petition and ordered that service be discontinued on September 30, 2011, with the required customer notice. Qwest indicates that the Minnesota PUC approved a proposed customer notice on June 29, 2011 that included much of the information required by section 63.71 of the Commission's rules in addition to contact information for the local exchange carrier rather than Qwest, in an effort to avoid customer confusion. Qwest states that the Minnesota PUC required that Minnesota local exchange carriers issue the Minnesota PUC staff-approved notice by August 1, 2011 to all of their customers who purchase Qwest's Feature Group C intraLATA toll service. Qwest represents that each customer notice included a list of alternative carriers offering local long distance service with a ballot for the customer to select a new intraLATA toll service provider, a stamped return envelope for the customer's convenience, and contact information for the LEC, including the LEC's address, phone number and email address. Qwest indicates that the notice also clarified that if a customer failed to select a new local long distance provider by the proposed discontinuance date, the customer's local long distance carrier would be changed to the interLATA long distance carrier listed on their phone bill. According to Qwest, the notice further clarified that if a customer did not have a current interLATA long distance carrier and failed to select a new local long distance carrier by the discontinuance date, they would be without intraLATA toll service until they contacted their LEC to make a selection. Qwest states that it is non-dominant with respect to the service to be discontinued.

We seek comment on Qwest'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, Qwest'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 Qwest that the grant will not be automatically effective. The application and customer notices indicate that Qwest plans to discontinue interstate intraLATA toll service in the Service Areas on September 30, 2011, subject to regulatory approval. Accordingly, pursuant to section 63.71(c) and the terms of the application and notices, absent further Commission action, Qwest may terminate its provision of interstate intraLATA toll service in the Service Areas on or after **November 3, 2011**. 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 **October 18, 2011**. Such comments should refer to **WC Docket No. 11-152 and Comp. Pol. File No. 1005**. 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://fjallfoss.fcc.gov/ecfs2/. 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 and boxes 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, 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 Kimberly Jackson, (202) 418-7393 (voice), kimberly.jackson@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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