



PUBLIC NOTICE

Federal Communications Commission
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COMMENTS INVITED ON APPLICATION OF SMART CITY TELECOMMUNICATIONS LLC TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES

WC Docket No. 11-23
Comp. Pol. File No. 979

Comments Due: March 16, 2011

Section 214 Application

Applicant: Smart City Telecommunications LLC

On **January 24, 2011**, **Smart City Telecommunications LLC** (Smart City or Applicant), located at **3100 Bonnet Creek Road, P.O. Box 22555, Lake Buena Vista, FL 32830-2555**, 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 Celebration, Florida.¹

Smart City indicates that it currently offers Cable Television Transport Service (CTT Service) in Celebration, Florida under its Cable Television Transport Service Tariff FCC No. 2. Smart City explains that CTT Service uses fiber and coaxial cable facilities as the transmission medium for the delivery of customer-provided cable television and complementary services to individual business and residential end users. According to Smart City, Comcast of Celebration, LLC (Comcast), has the authority to deliver cable television and complementary services in Celebration, Florida, and has been Smart City's sole customer for CTT Service since June 16, 1996. Smart City states, however, that Comcast has elected to transition to a different service under a private carriage arrangement between the parties that became effective on January 1, 2011. Smart City further maintains that Comcast has consented to Smart City's termination of CTT Service under the tariff. Smart City indicates that it, therefore, seeks to discontinue CTT Service upon receipt of Commission authorization. Smart City asserts that it notified Comcast of the proposed discontinuance by a letter mailed on January 21, 2011. Smart City states that it is considered dominant with respect to the service to be discontinued.

In accordance with section 63.71(c) of the Commission's rules, Smart City'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 Smart City that the grant will not be automatically effective. In its application and notice to its customer, Smart City indicates that it anticipates discontinuing its CTT Service upon receipt

¹ Smart City's application was subsequently received in the Competition Policy Division of the Wireline Competition Bureau on February 3, 2011.

of Commission authorization under section 63.71 of the Commission's rules. Accordingly, pursuant to section 63.71(c) and the terms of Smart City's application and notice to its customer, absent further Commission action, Smart City may terminate its CTT Service in Celebration, Florida on or after **April 15, 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 **March 16, 2011**. Such comments should refer to **WC Docket No. 11-23 and Comp. Pol. File No. 979**. 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 file an original and four copies 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 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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