



PUBLIC NOTICE

Federal Communications Commission
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Washington, D.C. 20554

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DA 11-609
Released: April 4, 2011

**COMMENTS INVITED ON APPLICATION OF AT&T INC. ON BEHALF OF
BELLSOUTH TELECOMMUNICATIONS, INC. D/B/A AT&T SOUTHEAST TO
DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES**

WC Docket No. 11-61
Comp. Pol. File No. 985

Comments Due: May 4, 2011

Section 214 Application

Applicant: AT&T Inc. on behalf of BellSouth Telecommunications, Inc. d/b/a AT&T Southeast

On **March 10, 2011**, **AT&T Inc.** (AT&T or Applicant) filed an application with the Federal Communications Commission (FCC or Commission) on behalf of its affiliate, **BellSouth Telecommunications, Inc. d/b/a AT&T Southeast**, located at **One SBC Plaza, Dallas, Texas 75202**, 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 throughout the AT&T service territory in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina and Tennessee (Service Areas). By an amendment filed April 1, 2011, AT&T corrected certain deficiencies in its initial application and updated the record regarding notice to its customer. Accordingly, AT&T's application is deemed complete as of April 1, 2011.

AT&T indicates that AT&T Southeast currently offers Automatic Loop Transfer/Automatic Protection Switching (ALT/APS) service in the Service Areas pursuant to the terms of the BellSouth Telecommunications, Inc. FCC Tariff No. 1, Section 7.2.9 E(1). AT&T explains that ALT/APS service provides protection against failure of the facilities between a customer designated premise and the wire center serving that premise. According to AT&T, protection is furnished through the use of a switching arrangement that automatically switches to a spare channel when the working channel fails. AT&T states, however, that the manufacturer of the necessary provisioning equipment has discontinued production of the facilities utilized to provide this service so AT&T Southeast plans to discontinue providing ALT/APS service in the Service Areas. In the customer notice, AT&T indicates that AT&T Southeast plans to no longer make ALT/APS service available to new customers, and to no longer allow existing customers to purchase new service in the Service Areas on or after May 31, 2011, pending regulatory approval. AT&T's notice specifies that under the plan AT&T Southeast will cease provisioning new requests for physical changes to ALT/APS service including installation of new service or moves to different service addresses beginning May 31, 2011. AT&T states, however, that AT&T Southeast plans to continue providing ALT/APS service to existing customers on a month-to-month basis until the service is discontinued on October 31, 2011, subject to Commission approval of this application. AT&T maintains that the public convenience and necessity will not be adversely affected by the proposed discontinuance because there are replacement services available from AT&T and other carriers in the marketplace including AT&T's DS1 Diverse service local and interoffice channel. AT&T indicates that

only one customer currently subscribes to ALT/APS service. AT&T asserts that it sent an initial letter to this customer regarding the discontinuance on March 10, 2011 via U.S. mail, and that it mailed a corrected notice to the customer in compliance with section 63.71 of the Commission's rules on April 1, 2011. AT&T states that it is considered a dominant provider with respect to the service to be discontinued.

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 customer notice, AT&T states that BellSouth Telecommunications, Inc. d/b/a AT&T Southeast plans to no longer make ALT/APS service available to new customers or allow existing customers to purchase new service in the Service Areas on or after May 31, 2011, pending regulatory approval. In addition, AT&T's notice specifies that AT&T Southeast plans to cease provisioning new requests for physical changes to ALT/APS service including installation of new service or moves to different service addresses beginning May 31, 2011, subject to Commission approval. AT&T further states that AT&T Southeast plans to continue providing ALT/APS service to existing customers on a month-to-month basis until the service is discontinued on October 31, 2011, subject to Commission approval. Accordingly, pursuant to section 63.71(c) and the terms of AT&T's application and notice, absent further Commission action, AT&T Southeast may cease to offer ALT/APS service to new customers in the Service Areas and cease provisioning new requests for physical changes to ALT/APS service including installation of new service or moves to different service addresses on or after **June 3, 2011**. In addition, AT&T may terminate service to existing ALT/APS service customers in the Service Areas on or after October 31, 2011, in accordance with its 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 **May 4, 2011**. Such comments should refer to **WC Docket No. 11-61 and Comp. Pol. File No. 985**. 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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