



# PUBLIC NOTICE

**Federal Communications Commission**  
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Washington, D.C. 20554

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**DA 11-950**  
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## **COMMENTS INVITED ON APPLICATION OF INCLINE COMMUNICATIONS, INC. TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES**

**WC Docket No. 11-91**  
**Comp. Pol. File No. 993**

**Comments Due: June 9, 2011**

### **Section 214 Application**

**Applicant: Incline Communications, Inc.**

On **May 20, 2011**, **Incline Communications, Inc.** (Incline or Applicant), located at **715 West US Highway 92, Seffner, FL 33584**, 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 certain domestic telecommunications services in Florida.

Incline indicates that it currently offers resold intrastate and interstate long distance service in Florida. Incline states, however, that it lost its customers through normal attrition due to competitive pricing it was unable to match, and that it has since been actively pursuing a buyer for its assets and registrations without success. Incline explains, however, that it has always maintained its ability to provide intrastate and interstate long distance service if requested to do so by a customer. Incline states that it now plans to discontinue all resold intrastate and interstate long distance service in Florida on June 15, 2011 or as soon thereafter as any necessary regulatory approvals are obtained. Incline maintains that it does not have any current customers to notify of the proposed discontinuance, but states that it will take all reasonable steps, to the extent able, to ensure that the discontinuance isn't unduly disruptive to the public convenience and necessity. Incline asserts that it is non-dominant with respect to the services to be discontinued.

In accordance with section 63.71(c) of the Commission's rules, Incline'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 Incline that the grant will not be automatically effective. In its application, Incline indicates that it plans to discontinue the affected services in Florida on June 15, 2011 or as soon thereafter as any necessary regulatory approvals are obtained. Accordingly, pursuant to section 63.71(c) and the terms of Incline's application, absent further Commission action, Incline may terminate the affected services in Florida on or after **June 25, 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 **June 9, 2011**. Such comments should refer to **WC Docket No. 11-91 and Comp. Pol. File No. 993**. 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](mailto: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](mailto: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](mailto: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](mailto:carmell.weathers@fcc.gov), or Rodney McDonald, (202) 418-7513 (voice), [rodney.mcdonald@fcc.gov](mailto: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](http://www.fcc.gov/wcb/cpd/other_adjud).

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