



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 12-1225
Released: July 31, 2012

COMMENTS INVITED ON APPLICATION OF AT&T SERVICES INC. ON BEHALF OF AT&T CORP. TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES

WC Docket No. 12-205
Comp. Pol. File No. 1045

Comments Due: August 15, 2012

Section 214 Application

Applicant: AT&T Services Inc. on behalf of AT&T Corp.

On **June 26, 2012**, **AT&T Services Inc.** (AT&T or Applicant) filed an application with the Federal Communications Commission (FCC or Commission) on behalf of its affiliate, **AT&T Corp.**, 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 a certain domestic telecommunications service throughout the continental United States, the District of Columbia, Alaska and off-shore to Guam, Hawaii, Puerto Rico and the U.S. Virgin Islands (collectively Service Areas).

AT&T indicates that AT&T Corp. currently offers Fractional T1 Channel service in the Service Areas (also referred to in the notice to customers as Private Line Fractional T1 Interoffice Channel service). AT&T describes Fractional T1 Channel service as a dedicated, point-to-point digital interoffice channel service that supports speeds of 128, 192, 256, 320, 384, 448, 512, 576, 640, 704 or 768 kbps, and 1.024 or 1.152 Mbps. AT&T states, however, that AT&T Corp. plans to discontinue the service because of low market demand. In its customer notices, AT&T Corp. specifies that on or after September 30, 2012, subject to Commission authorization, it plans to no longer offer Fractional T1 Channel service to new customers and plans to impose certain restrictions on service to existing customers including no longer renewing service agreements or allowing moves, additions and change orders for service unless expressly provided for in the customer's existing agreement. AT&T Corp. also clarifies that, upon expiration of existing contracts, it will continue to provide Fractional T1 Channel service to existing customers on a month-to-month basis until it discontinues the service entirely, which is currently planned for March 31, 2014. AT&T maintains that the public convenience and necessity will not be impaired by the proposed discontinuance because there are alternative services available in the marketplace including AT&T Corp.'s Private Line DS1 or Multi-Protocol Label Switching based VPN services. AT&T indicates that AT&T Corp. notified affected customers of the proposed discontinuance by letters sent via U.S. mail on June 14, 15, 22 and 26, 2012. AT&T states that AT&T Corp. offers Fractional T1 Channel service pursuant to non-dominant carrier regulation.

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 31st 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 notices,

AT&T Corp. indicates that it plans to discontinue offering Fractional T1 Channel service to new customers and plans to impose certain restrictions on service to existing customers in the Service Areas on or after September 30, 2012, subject to Commission authorization. AT&T Corp. also explains that, upon expiration of existing contracts, it will continue to provide Fractional T1 Channel service to existing customers on a month-to-month basis until it discontinues the service entirely, which is currently planned for March 31, 2014. Accordingly, pursuant to section 63.71(c) and the terms of the customer notices included in AT&T's application, absent further Commission action, AT&T Corp. may cease to offer the affected service to new customers and may impose restrictions on service to existing customers in the Service Areas on or after **September 30, 2012**, in accordance with AT&T's filed representations. In addition, pursuant to section 63.71(c) and the terms of the customer notices included in AT&T's application, absent further Commission action, AT&T Corp. may discontinue the affected service in the Service Areas on or after March 31, 2014, 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.

Comments objecting to this application must be filed with the Commission on or before **August 15, 2012**. Such comments should refer to **WC Docket No. 12-205 and Comp. Pol. File No. 1045**. 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 may be filed electronically using the Internet by accessing the ECFS: <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.

This proceeding is considered a "permit but disclose" proceeding for purposes of the Commission's *ex parte* rules.¹ Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the

¹ 47 C.F.R. §§ 1.1200 *et seq.*

presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (*e.g.*, .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

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.

– FCC –