



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

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COMMENTS INVITED ON APPLICATION OF MCI COMMUNICATIONS SERVICES, INC. D/B/A VERIZON BUSINESS SERVICES AND VERIZON ENTERPRISE SOLUTIONS LLC TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES

WC Docket No. 12-297
Comp. Pol. File No. 1054

Comments Due: October 25, 2012

Section 214 Application

Applicants: MCI Communications Services, Inc. d/b/a Verizon Business Services and Verizon Enterprise Solutions LLC

On September 21, 2012, MCI Communications Services, Inc. d/b/a Verizon Business Services and Verizon Enterprise Solutions LLC (collectively Verizon Business or Applicants), located at **One Verizon Way, Basking Ridge, NJ 07920**, 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 all fifty states, the District of Columbia, Puerto Rico and the U.S. Virgin Islands (collectively Service Areas).¹

The application indicates that Verizon Business currently offers interstate frame relay service at speeds less than 200 kbps (Frame Relay service) in the Service Areas. Verizon Business describes Frame Relay service as a public metropolitan and wide-area data service that utilizes packet switching technology and digital transmission facilities to provide a data delivery service primarily used by commercial customers. Verizon Business states, however, that there are plans to discontinue Frame Relay service in the Service Areas because of declining market demand. In the notice to customers, Verizon Business explains that, on or after November 21, 2012 and subject to Commission authorization, Verizon Business plans to no longer offer Frame Relay service to the public subject to certain grandfathering restrictions. Verizon Business specifies that, on or after November 21, 2012, existing customers will be able to retain their service in accordance with the terms and conditions of their existing contracts, but Verizon Business plans to no longer accept new orders or orders for moves, adds, or changes to existing Frame Relay service except as required by contract. According to Verizon Business, customers will be asked to transition to alternative services upon expiration of existing contracts, but Verizon Business will continue to provide Frame Relay service on a month-to-month basis as remaining customers transition, until Verizon Business discontinues the service entirely. Verizon Business maintains that the public convenience and necessity will not be impaired by the proposed discontinuance

¹ The application was subsequently received in the Competition Policy Division of the Wireline Competition Bureau on September 26, 2012.

because next generation technologies that provide higher bandwidths and a wider range of applications have substantially replaced Frame Relay service in the marketplace. Verizon Business asserts that affected customers were notified of the proposed discontinuance by letters sent via U.S. mail on September 21, 2012. The application indicates that Verizon Business is considered non-dominant with respect to the service to be discontinued.

In accordance with section 63.71(c) of the Commission's rules, Verizon Business'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 Verizon Business that the grant will not be automatically effective. In the notice to customers, Verizon Business indicates that on or after November 21, 2012 and subject to Commission authorization, Verizon Business plans to no longer offer Frame Relay service to the public subject to certain grandfathering restrictions governing the wind down and eventual termination of Verizon Business's Frame Relay service. Accordingly, pursuant to section 63.71(c) and the terms of Verizon Business's notice, absent further Commission action, Verizon Business may cease to offer and may discontinue Frame Relay service in the Service Areas on or after **November 21, 2012**, in accordance with Verizon Business'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 **October 25, 2012**. Such comments should refer to **WC Docket No. 12-297 and Comp. Pol. File No. 1054**. 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 Applicants. 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.² 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 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 –

² 47 C.F.R. §§ 1.1200 *et seq.*