



# PUBLIC NOTICE

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

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**DA 12-329**  
**Released: March 1, 2012**

## **COMMENTS INVITED ON APPLICATION OF MIDWESTERN TELECOMMUNICATIONS, INC. TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES**

**WC Docket No. 12-20**  
**Comp. Pol. File No. 1029**

**Comments Due: March 16, 2012**

### **Section 214 Application**

**Applicant: Midwestern Telecommunications, Inc.**

On **January 19, 2012, Midwestern Telecommunications, Inc.** (MTI or Applicant), located at **P.O. Box 590, Oak Forest, Illinois 60452**, 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 multiple states. By amendments filed on February 22, 2012 and February 29, 2012, MTI corrected certain deficiencies in its application, and updated the record regarding the states affected by the proposed discontinuance and the dates of revised notice to customers. Accordingly, MTI's application is deemed complete as of February 29, 2012.

MTI indicates that it currently offers resold wireline local telephone services in Alabama, California, Florida, Georgia, Illinois, Indiana, Kentucky, Michigan, Mississippi, North Carolina, Ohio, South Carolina and Wisconsin (collectively Service Areas). MTI specifies that it provides wireline telecommunications services to customers by reselling the services of the incumbent local exchange carriers in the Service Areas, in most cases the services of AT&T. MTI indicates, however, that it now plans to discontinue these services and terminate operations in the Service Areas. In particular, MTI indicates that its plans involve the discontinuance of service to its residential customers in Indiana and Michigan, its business customer in Kentucky and North Carolina, and its residential and business customers in Alabama, California, Florida, Georgia, Illinois, Mississippi, Ohio, South Carolina and Wisconsin, on or after March 23, 2012, subject to Commission authorization. In addition, MTI indicates that it plans to discontinue service to its business customer in Indiana and Michigan on April 18, 2012, subject to Commission authorization. MTI maintains that the impact of the proposed discontinuance on the public will be minimal because only approximately 2,380 customers currently use the services and because all affected customers have a wide range of choices for alternative local telephone services in the Service Areas. MTI states that on January 5, 2012 it sent notification letters by first class U.S. Mail to residential customers in Alabama, California, Florida, Georgia, Illinois, Indiana, Mississippi, Ohio and South Carolina, and to one business customer in Illinois, in accordance with the requirements of section 63.71 of the Commission's rules. According to MTI, notices in compliance with the Commission's rules also were sent to residential customers in Michigan and Wisconsin on January 26, 2012 and January 30, 2012 respectively. MTI submits that notice in compliance with the Commission's rules was sent on February 16, 2012 to the Oregon headquarters of its other business customer regarding MTI's discontinuance of services in the Service Areas.

MTI indicates that all of its notice letters included a toll-free number that customers can call to reach an MTI customer service representative with any questions. MTI asserts that it is a non-dominant carrier with respect to the services to be discontinued.

In accordance with section 63.71(c) of the Commission's rules, MTI'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 MTI that the grant will not be automatically effective. In the application, MTI indicates that it plans to discontinue telephone services on or after March 23, 2012, subject to Commission authorization. In addition, in its notice to one business customer, MTI indicates that it plans to discontinue the services it provides to business customers in Indiana and Michigan on April 18, 2012, subject to Commission authorization. Accordingly, pursuant to section 63.71(c) and the terms of MTI's application, absent further Commission action, MTI may terminate its resold wireline local telephone services to its residential customers in Indiana and Michigan, its business customer in Kentucky and North Carolina, and its residential and business customers in Alabama, California, Florida, Georgia, Illinois, Mississippi, Ohio, South Carolina and Wisconsin on or after **April 1, 2012**. In addition, pursuant to section 63.71(c) and the terms of MTI's notice, absent further Commission action, MTI may terminate its resold wireline local telephone services to its business customer in Indiana and Michigan on or after **April 18, 2012**. 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, 2012**. Such comments should refer to **WC Docket No. 12-20 and Comp. Pol. File No. 1029**. 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://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.

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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