PUBLIC NOTICE

Federal Communications Commission
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Washington, D.C. 20554

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COMMENTS INVITED ON APPLICATION OF XO COMMUNICATIONS, LLC TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES

WC Docket No. 13-137
Comp. Pol. File No. 1109

Comments Due: June 6, 2013

Section 214 Application
Applicant: XO Communications, LLC

On **May 3, 2013, XO Communications, LLC** (XO or Applicant), located at **13865 Sunrise Valley Drive, Herndon, Virginia 20171-4661**, 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 Arizona, California, Colorado, Idaho, Nebraska, New Mexico and Utah (collectively, Service Areas).[1]

XO indicates that it currently offers Travel Card service in the Service Areas. XO specifies that its Travel Card service is provided by XO's operating subsidiary, XO Communications Services, LLC. XO describes its Travel Card service as a postpaid travel calling card service that enables enterprise customers to make long distance and international telephone calls when the customer is away from the office by dialing an access number and entering a PIN code. XO explains that its Travel Card service is offered as an independent service offering and is not dependent on a subscriber purchasing other, traditional telecommunications services from XO. XO asserts, however, that it is in the process of streamlining its product offerings and has decided to discontinue its Travel Card service to better focus on those services most requested by its customers.[2] Accordingly, XO states that it plans to discontinue its provision of Travel Card service to its enterprise customers located throughout the Service Areas effective June 21, 2013. XO maintains that the proposed discontinuance will not result in harm to affected customers because the Travel Card service generally is infrequently used. XO further submits that there are no issues regarding deposits and refunds to customers because the service is provided on a postpaid basis. XO adds that the affected customers are sophisticated purchasers of communications services and that they can easily obtain alternatives to the Travel Card service, including use of cellular telephones or services from other providers. XO indicates that it sent written notice to affected customers by first class mail on April 18, 2013, in accordance with the requirements of section 63.71 of the Commission's rules. XO asserts that it is considered non-dominant with respect to the service to be discontinued.

[1] XO's application was initially determined to be in red light status and was not cleared and updated to green until May 22, 2013.

[2] The discontinuance of international service is governed by 47 C.F.R. § 63.19.

In accordance with section 63.71(c) of the Commission's rules, XO'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 XO that the grant will not be automatically effective. In its application, XO indicates that it plans to discontinue its provision of Travel Card service to its enterprise customers located throughout the Service Areas effective June 21, 2013. Pursuant to section 63.71(c), absent further Commission action, XO may terminate its Travel Card service in the Service Areas on or after **June 22, 2013**. 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 **June 6, 2013**. Such comments should refer to **WC Docket No. 13-137 and Comp. Pol. File No. 1109**. 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.[3] 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

[3] 47 C.F.R. §§ 1.1200 *et seq*.

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 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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