



PUBLIC NOTICE

Federal Communications Commission
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Washington, D.C. 20554

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COMMENTS INVITED ON APPLICATION OF TLX COMMUNICATIONS, INC. D/B/A TELAMERICA TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES

WC Docket No. 13-136
Comp. Pol. File No. 1108

Comments Due: June 14, 2013

Section 214 Application

Applicant: TLX Communications, Inc. d/b/a TelAmerica

On May 1, 2013, **TLX Communications, Inc. d/b/a TelAmerica** (TLX or Applicant), located at **913 S. Burnside Avenue, Gonzales, LA 70737**, 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 Alabama, Louisiana and Mississippi (collectively, Service Areas).¹ With an amendment filed on May 16, 2013, TLX corrected certain deficiencies in its application and updated the record regarding the date of the discontinuance and the date and method of notice to customers.² Accordingly, TLX's application is deemed complete as of May 16, 2013.

TLX indicates that it currently offers domestic prepaid and postpaid long distance calling card services (collectively, Calling Card Services) in the Service Areas. TLX specifies that it currently serves a total of only thirteen customers in the Service Areas, with only one customer in Alabama, twelve customers in Louisiana and no customers in Mississippi. TLX explains that its Calling Card Services enable customers to make interexchange long distance calls by dialing a toll free number and entering a personal identification number followed by the long distance number called. TLX asserts, however, that there is a lack of customer demand for these services, so TLX has made a business decision to discontinue its Calling Card Services in the Service Areas on or after June 30, 2013. According to TLX, the proposed discontinuance will be limited to the provision of calling card services, and its direct dial long distance service will continue without interruption. TLX maintains that the affected customers are choosing widely available alternatives to complete domestic long distance calls, and that they will not be adversely affected by the discontinuance of TLX Calling Card Services. TLX indicates that it sent written notice to

¹ The Competition Policy Division of the Wireline Competition Bureau subsequently received the filed application on May 6, 2013.

² See Letter from John Kuykendall, Vice President, on behalf of John D. Scanlan, President and Vice Chairman, TLX Communications, Inc. d/b/a TelAmerica, to Ms. Marlene H. Dortch, Office of the Secretary, Federal Communications Commission (filed May 16, 2013).

all customers by U.S. Mail on April 30, 2013. TLX states 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, TLX'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 TLX that the grant will not be automatically effective. In its revised application and notice to customers, TLX indicates that it plans to discontinue its Calling Card Services in the Service Areas on or after June 30, 2013. Accordingly, pursuant to section 63.71(c) and the terms of TLX's revised application and notice to customers, absent further Commission action, TLX may discontinue its Calling Card Services in the Service Areas on or after **June 30, 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 14, 2013**. Such comments should refer to **WC Docket No. 13-136 and Comp. Pol. File No. 1108**. 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

³ 47 C.F.R. §§ 1.1200 *et seq.*

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.

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