



PUBLIC NOTICE

Federal Communications Commission
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Washington, D.C. 20554

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COMMENTS INVITED ON APPLICATION OF GTE SOUTHWEST INCORPORATED D/B/A VERIZON SOUTHWEST; VERIZON CALIFORNIA INC.; VERIZON DELAWARE LLC; VERIZON FLORIDA LLC; VERIZON MARYLAND LLC; VERIZON NEW ENGLAND INC.; VERIZON NEW JERSEY INC.; VERIZON NEW YORK INC.; VERIZON NORTH LLC; VERIZON PENNSYLVANIA LLC; VERIZON SOUTH INC.; VERIZON VIRGINIA LLC AND VERIZON WASHINGTON, DC INC. TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES

WC Docket No. 13-260
Comp. Pol. File No. 1124

Comments Due: December 9, 2013

Section 214 Application

Applicants: GTE Southwest Incorporated d/b/a Verizon Southwest; Verizon California Inc.; Verizon Delaware LLC; Verizon Florida LLC; Verizon Maryland LLC; Verizon New England Inc.; Verizon New Jersey Inc.; Verizon New York Inc.; Verizon North LLC; Verizon Pennsylvania LLC; Verizon South Inc.; Verizon Virginia LLC and Verizon Washington, DC Inc.

On September 16, 2013, GTE Southwest Incorporated d/b/a Verizon Southwest, located at 600 Hidden Ridge, Irving, TX 75038; Verizon California Inc., located at 2535 W. Hillcrest Drive, CAM21LB, Newbury Park, CA 91320; Verizon Delaware LLC, located at 901 Tatnall Street, Wilmington, DE 19801; Verizon Florida LLC, located at 610 Zack Street, Tampa, FL 33602; Verizon Maryland LLC, located at 1 East Pratt Street, Baltimore, MD 21202; Verizon New England Inc., located at 125 High Street – Oliver Tower 7th Floor, Boston, MA 02110; Verizon New Jersey Inc., located at 540 Broad Street, Newark, NJ 07102; Verizon New York Inc., located at 140 West Street, New York, NY 10007; Verizon North LLC and Verizon Pennsylvania LLC, located at 1717 Arch Street, Philadelphia, PA 19103; Verizon South Inc. and Verizon Virginia LLC, located at 22001 Loudoun County Parkway, Ashburn, VA 20147; and Verizon Washington, DC Inc., located at 1300 I Street, N.W., Suite 400 West, Washington, D.C. 20005 (collectively Verizon or Applicants), filed a joint 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 where they are offered throughout Verizon's service territory.¹ Verizon specifies that with the current application it seeks authority to discontinue the services subject to this application where they are offered throughout Verizon's service territory in California, Connecticut, Delaware, Florida, Maryland, Massachusetts, New Jersey, New York, North Carolina, Pennsylvania,

¹ See Letter from Frederick Moaedieh, Executive Director – Federal Regulatory Affairs, Verizon, to Marlene H. Dortch, Secretary, Federal Communications Commission, Attach., WC Docket No. 13-260 (filed Sept. 16, 2013) (Verizon Second Metallic Services Discontinuance Application).

Rhode Island, Texas, Virginia and the District of Columbia, but not including the areas affected by Hurricane Sandy that already were covered by Verizon's prior application in WC Docket No. 13-149 (collectively Service Areas).²

The application indicates that Verizon currently offers Metallic Service, Program Audio Service and Telegraph Grade Service (collectively, Affected Services) to customers in the Service Areas. Verizon explains that it offers Metallic Service in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, Virginia and the District of Columbia.³ Verizon states that it offers Program Audio Service in California, Connecticut, Delaware, Florida, Maryland, Massachusetts, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, Texas, Virginia and the District of Columbia. Verizon also indicates that it offers Telegraph Grade Service in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, Virginia and the District of Columbia.⁴ Verizon states that Metallic Service uses a metallic channel to transmit signals at low speeds up to 30 baud;⁵ Program Audio Service provides an analog channel for the one-way transmission of a complex signal voltage with the option for customers to choose a bandwidth tier of 50 to 15000 Hz, 200 to 3500 Hz, 100 to 5000 Hz, or 50 to 8000 Hz,⁶ and Telegraph Grade Service uses a telegraph grade channel to transmit binary signals at rates up to 150 baud.⁷ Verizon asserts, however, that these services have been supplanted by newer technologies and services.

Verizon seeks authority to grandfather and eventually discontinue the Affected Services in the Service Areas on or after December 19, 2013. Specifically, Verizon states that, on or after December 19, 2013 and subject to Commission authorization, it plans to no longer accept new orders for the Affected Services in the Service Areas, including requests for moves, adds, or changes to existing services. Verizon explains that, on or after that date, existing customers will be able to retain the Affected Services in accordance with the terms of the applicable tariffs and Verizon's application. According to Verizon, customers that are subscribed to any of the Affected Services when they are grandfathered will be able to keep the Affected Service(s) until they choose to cancel or Verizon terminates the Affected Service(s) on

² *Id.* at 4; *see also* Letter from Frederick Moacdieh, Executive Director – Federal Regulatory Affairs, Verizon, to Marlene H. Dortch, Secretary, Federal Communications Commission, Attach., WC Docket No. 13-149 (filed May 24, 2013) (Verizon First Metallic Services Discontinuance Application), *available at* <http://apps.fcc.gov/ecfs/document/view?id=7022424987>. The Verizon First Metallic Services Discontinuance Application was granted on September 24, 2013. *See Section 63.71 Application of Verizon New Jersey Inc. and Verizon New York Inc. for Authority to Discontinue Domestic Telecommunications Services*, Order, WC Docket No. 13-149, Comp. Pol. File No. 1112, DA 13-1971 (rel. Sept. 24, 2013).

³ Verizon Second Metallic Services Discontinuance Application at 4. Verizon states that in Pennsylvania and Virginia, it offers Metallic Service only in areas covered by its FCC Tariff No. 1. *Id.*

⁴ Verizon Second Metallic Services Discontinuance Application at 4. Verizon states that in Pennsylvania and Virginia, it offers Telegraph Grade Service only in areas covered by its FCC Tariff No. 1. *Id.*

⁵ Verizon Second Metallic Services Discontinuance Application at 4. Verizon indicates that Metallic Service is described in Verizon's FCC Tariff No. 1, Section 7.2.1 and Verizon's FCC Tariff No. 11, Section 7.2.1. *Id.*

⁶ Verizon Second Metallic Services Discontinuance Application at 4. Verizon states that its Program Audio Service is described in Verizon's FCC Tariff No. 1, Section 7.2.4; Verizon's FCC Tariff No. 11, Section 7.2.4; Verizon's FCC Tariff No. 14, Section 5.2.3; and Verizon's FCC Tariff No. 16, Section 7.6. *Id.* at 5.

⁷ Verizon Second Metallic Services Discontinuance Application at 5. According to Verizon, Telegraph Grade Service is described in Verizon's FCC Tariff No. 1, Section 7.2.2 and Verizon's FCC Tariff No 11, Section 7.2.2. *Id.*

or after June 30, 2014.⁸ Verizon maintains that the public convenience and necessity will not be impaired by the proposed discontinuance because customers can choose from many alternative services, including Private IP service, Ethernet services, and private-line services, that other providers and carriers affiliated with Verizon currently offer. Verizon asserts that, on or before September 12, 2013, it sent notice of the proposed discontinuance to customers that currently subscribe to the Affected Services via a combination of U.S. mail and overnight courier.⁹ The application indicates that Verizon is considered dominant with respect to the services to be discontinued.¹⁰

In accordance with section 63.71(c) of the Commission's rules, Verizon's application will be deemed to be granted automatically on the 60th day after the release date of this public notice, unless the Commission notifies Verizon that the grant will not be automatically effective. In the application and notices to customers, Verizon indicates that on or after December 19, 2013 and subject to Commission authorization, Verizon plans to grandfather the Affected Services by no longer accepting new orders for the Affected Services in the Service Areas, including requests for moves, adds, or changes to existing services. In addition, Verizon states that customers that are subscribed to any of the Affected Services when they are grandfathered will be able to keep the Affected Service(s) until the customer chooses to cancel or Verizon terminates the Affected Service(s) on or after June 30, 2014. Accordingly, pursuant to section 63.71(c) and the terms of Verizon's application and notices, absent further Commission action, Verizon may cease to accept new orders for the Affected Services in the Service Areas on or after **January 6, 2014**, in accordance with Verizon's filed representations. In addition, pursuant to section 63.71(c) and the terms of the application and notices, absent further Commission action, Verizon may discontinue the Affected Services in the Service Areas on or after June 30, 2014, in accordance with Verizon'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 on this application must be filed with the Commission on or before **December 9, 2013**. Such comments should refer to **WC Docket No. 13-260 and Comp. Pol. File No. 1124**. 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

⁸ Verizon Second Metallic Services Discontinuance Application at 3.

⁹ Verizon Second Metallic Services Discontinuance Application at 5.

¹⁰ Verizon Second Metallic Services Discontinuance Application at 6.

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.¹¹ 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 –

¹¹ 47 C.F.R. §§ 1.1200 *et seq.*