



# PUBLIC NOTICE

**Federal Communications Commission**  
**445 12<sup>th</sup> St., S.W.**  
**Washington, D.C. 20554**

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**DA 13-2488**

**Released: December 31, 2013**

## **COMMENTS INVITED ON APPLICATION OF PUERTO RICO TELEPHONE COMPANY, INC. D/B/A CLARO TO DISCONTINUE INTERCONNECTED VOIP SERVICES**

**WC Docket No. 13-298**  
**Comp. Pol. File No. 1128**

**Comments Due: January 15, 2014**

On **November 7, 2013**, **Puerto Rico Telephone Company, Inc. d/b/a Claro** (PRTC or Applicant), located at **1515 FD Roosevelt Avenue, 10th Floor, Guaynabo, PR 00969**, 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 interconnected Voice over Internet Protocol (VoIP) services in all of its service areas in Puerto Rico (Service Areas). With an amendment filed on December 19, 2013, PRTC clarified certain details regarding the proposed discontinuance date and notice to affected customers. Accordingly, PRTC's application is deemed complete as of December 19, 2013.

The application indicates that PRTC currently offers PhoneMax service in the Service Areas. PRTC describes PhoneMax as a VoIP fixed service that allows its DMAX DSL customers to make telephone calls using an Internet connection. PRTC states, however, that in the course of rationalizing its product portfolio and minimizing duplicative offerings, it has decided to discontinue its provision of PhoneMax service in the Service Areas on January 31, 2014, subject to Commission authorization. PRTC maintains that customers will face no impairment from this discontinuance because PRTC will continue to offer a wide range of alternative voice services from which to choose, including traditional wireline voice services and wireless voice services. PRTC adds that the public convenience and necessity will not be impaired by this proposed discontinuance because the market for voice services in Puerto Rico remains highly competitive and several other carriers offer a variety of comparable voice services. PRTC indicates that it notified all affected customers of the proposed discontinuance by letters sent via first class U.S. Mail on or before October 10, 2013. PRTC states that it is considered non-dominant with respect to the service to be discontinued.

In accordance with section 63.71(c) of the Commission's rules, PRTC'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 PRTC that the grant will not be automatically effective. In the revised application, PRTC indicates that on or after January 31, 2014, and subject to Commission authorization, PRTC plans to discontinue PhoneMax service in the Service Areas. Accordingly, pursuant to section 63.71(c) and the terms of PRTC's application, absent further Commission action, PRTC may discontinue PhoneMax service in the Service Areas on or after **January 31, 2014**, in accordance with PRTC'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 **January 15, 2014**. Such comments should refer to **WC Docket No. 13-298 and Comp. Pol. File No. 1128**. 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.<sup>1</sup> 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.

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<sup>1</sup> 47 C.F.R. §§ 1.1200 *et seq.*

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For further information, contact Carmell Weathers, (202) 418-2325 (voice), [Carmell.Weathers@fcc.gov](mailto:Carmell.Weathers@fcc.gov), or Kimberly Jackson, (202) 418-7393 (voice), [Kimberly.Jackson@fcc.gov](mailto: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](http://www.fcc.gov/wcb/cpd/other_adjud).

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