



PUBLIC NOTICE

Federal Communications Commission
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Washington, D.C. 20554

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COMMENTS INVITED ON APPLICATION OF CINCINNATI BELL ANY DISTANCE, LLC TO DISCONTINUE TELECOMMUNICATIONS SERVICES

WC Docket No. 13-308
Comp. Pol. File No. 1135

Comments Due: January 15, 2014

Section 214 Application

Applicant: Cincinnati Bell Any Distance, LLC

On **November 26, 2013**, **Cincinnati Bell Any Distance, LLC** (CBAD or Applicant), located at **221 East Fourth Street, Cincinnati, Ohio 45202**, 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 Cincinnati, Ohio and Indianapolis, Indiana (collectively, Service Areas).¹

CBAD indicates that it currently offers Primary Rate Interface (PRI) service and Plain Old Telephone Service (POTS) provisioned over Cisco 5400 equipment network connectivity in the Service Areas (Affected Services). CBAD explains that its PRI service offers network voice and data transmission, and its POTS offering provides residential dial tone service. CBAD states, however, that it no longer plans to offer the PRI service and POTS currently provisioned over Cisco 5400 equipment in the Service Areas. CBAD specifies that it plans to discontinue the Affected Services in the Service Areas on or after January 31, 2014, subject to Commission approval. According to CBAD, there are currently fewer than five PRI service customers, and only a small number of POTS customers will be affected by the proposed discontinuance. In addition, CBAD maintains that affected customers will have the option of buying a like service from CBAD or changing providers. CBAD asserts that it mailed notice of the proposed discontinuance to affected customers via U.S. mail on November 25, 2013. In its notice to customers, CBAD clarifies that if customers also subscribe to other services from CBAD, those services will not be impacted by the anticipated discontinuance of the Affected Services. CBAD states that it is considered non-dominant with respect to the services to be discontinued.

In accordance with section 63.71(c) of the Commission's rules, CBAD'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 CBAD that the grant will not be automatically effective. In the application and notice to customers, Applicant indicates that it plans to discontinue PRI service and POTS provisioned

¹ CBAD's application was subsequently received in the Competition Policy Division of the Wireline Competition Bureau on December 6, 2013.

over Cisco 5400 equipment network connectivity in the Service Areas on or after January 31, 2014, subject to Commission approval. Accordingly, pursuant to section 63.71(c) and the terms of CBAD's application and notice, absent further Commission action, CBAD may discontinue the Affected Services in the Service Areas on or after **January 31, 2014**. 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. 13-308 and Comp. Pol. File No. 1135**. 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.² 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

² 47 C.F.R. §§ 1.1200 *et seq.*

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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