PUBLIC NOTICE

Federal Communications Commission
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COMMENTS INVITED ON APPLICATION OF TW TELECOM OF ALABAMA LLC TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES

WC Docket No. 14-198
Comp. Pol. File No. 1172

Comments Due: November 24, 2014

Section 214 Application
Applicant: tw telecom of alabama llc

On **September 2, 2014, tw telecom of alabama llc** (TW Telecom or Applicant), located at **10475 Park Meadows Drive, Littleton, CO 80124**, 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.[1]

TW Telecom indicates that it currently offers the following services in the Mobile, Alabama metropolitan area (Service Area): Analog PBX Trunk Service, Business Line Service, Business Terminal Service, Channel 12 Service, Complete Lines/Trunks Service (a/k/a Complete Lines DS0), Complete Xpress Service, VersiPak Flex® T Service, VersiPak Power® T Service, VersiPak IPRI Service, VersiPak Lines and Trunks Service, VersiPak Mach2 Service and VersiPak Mach3 Service (collectively, Affected Services). TW Telecom states that Channel 12 Service and each of its VersiPak offerings is part of an integrated business solution that includes a voice service component along with Internet Access provisioned over a single facility. TW Telecom specifies that its Channel 12 Service, VersiPak Flex® T Service, and VersiPak Power® T Service are bundled services consisting of local exchange service with select features. TW Telecom describes its VersiPak IPRI Service as an integrated, packet-based access solution designed to deliver PRI and Internet services over a single DS1. TW Telecom states that its VersiPak Lines and Trunks Service is the voice portion of an integrated, multi-service, packet-based access service that delivers voice and data services over a single DS1. In addition, TW Telecom explains that its VersiPak Mach2 Service and VersiPak Mach3 Service are services that consist of integrated voice and Internet bandwidth.

TW Telecom adds that the rest of its Affected Services are standalone business voice service offerings. According to TW Telecom, Analog PBX Trunk Service provides a voice-grade telephonic communications channel, and Business Line Service provides voice-grade telephonic communications

[1] TW Telecom states that it is also filing notice of the proposed discontinuance with the International Bureau. Discontinuance of international service is governed by section 63.19 of the Commission's rules. *See* 47 C.F.R. § 63.19.

channels, that can be used to place or receive one call at a time. TW Telecom explains that its Business Terminal Service provides a physical appearance in the switch and is assigned to a unique channel. Applicant's Complete Lines/Trunks Service (a/k/a Complete Lines DS0) is described as a service that provides voice-grade telephonic communications channels that can be used to place or receive one call at a time. TW Telecom also indicates that its Complete Xpress Service is a suite of products consisting of lines, trunks and features that are delivered via Unbundled Network Elements Platform.

TW Telecom indicates, however, that it intends to discontinue the Affected Services as a result of the planned decommission of an outdated TW Telecom voice switch. TW Telecom specifies that it seeks authority to discontinue the voice service component of all of the Affected Services in the Service Area on or after December 10, 2014, subject to Commission authorization. TW Telecom maintains that the public convenience and necessity will not be adversely affected by the proposed discontinuance because all affected customers have been given notice that affords them ample time to acquire reasonable substitute services that are readily available in the Service Area and that include, but are not limited to, other services offered by TW Telecom. TW Telecom states that affected customers were notified of the proposed discontinuance by letters sent via U.S. mail on September 2, 2014. TW Telecom further asserts that it is considered a non-dominant carrier in its provision of the Affected Services in the Service Area.

In accordance with section 63.71(c) of the Commission's rules, TW Telecom'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 TW Telecom that the grant will not be automatically effective. In the application, TW Telecom indicates that it seeks authority to discontinue the voice service component of all of the Affected Services in the Service Area on or after December 10, 2014, subject to Commission authorization. Accordingly, pursuant to section 63.71(c) and the terms of TW Telecom's application, absent further Commission action, TW Telecom may discontinue the voice service component of the Affected Services in the Mobile, Alabama metropolitan area on or after **December 10, 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 **November 24, 2014**. Such comments should refer to **WC Docket No. 14-198 and Comp. Pol. File No. 1172**. 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 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 –

[2] 47 C.F.R. §§ 1.1200 *et seq*.