



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

DA 15-1456

Released: December 18, 2015

COMMENTS INVITED ON APPLICATION OF NORTHEAST FLORIDA TELEPHONE COMPANY TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES

WC Docket No. 15-317
Comp. Pol. File No. 1267

Comments Due: January 19, 2016

Section 214 Application

Applicant: Northeast Florida Telephone Company

On **November 30, 2015**, **Northeast Florida Telephone Company** (Northeast Florida Telephone or Applicant), located at **130 N 4th St., Macclenny, FL 32063**, filed an application with the Federal Communications Commission (FCC or Commission) requesting authority, under section 214 of the Communications Act of 1934, as amended,¹ and section 63.71 of the Commission's rules,² to discontinue certain domestic telecommunications services in its service area in Baker County, Florida (Service Area).³ On December 17, 2015, Northeast Florida Telephone filed an amendment to update the record regarding the notice provided to customers.⁴ Accordingly, Northeast Florida Telephone's application is deemed complete as of December 17, 2015.

Northeast Florida Telephone indicates that it currently offers certain operator services, including Busy Line Verification and Busy Line Interrupt services in the Service Area (collectively, Affected Services). Northeast Florida Telephone describes Busy Line Verification service as a service that allows a company operator to determine and report the status of an exchange line (conversation in progress/no conversation in progress) at the request of a calling party. Northeast Florida Telephone explains that Busy Line Interrupt service allows a company operator, at the request of a calling party, to determine and report that a conversation is in progress on a busy line and to interrupt the conversation to inform the parties that another party wants to place a call to the line. Northeast Florida Telephone asserts, however, that there is little to no customer demand for the Affected Services and that company records indicate that almost no customers are making use of the services. Accordingly, Northeast Florida Telephone submits that it plans to

¹ 47 U.S.C. § 214.

² 47 CFR § 63.71.

³ See Section 63.71 Application of Northeast Florida Telephone Company for Authority Pursuant to Section 214 of the Communications Act of 1934, As Amended, to Discontinue the Provision of Service, WC Docket No. 15-317 (filed Nov. 30, 2015), <http://apps.fcc.gov/ecfs/comment/view?id=60001319817> (Application).

⁴ See Letter from Benjamin H. Dickens, Jr. and Salvatore Taillefer, Jr., Attorneys for Northeast Florida Telephone Company, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 15-317 (filed Dec. 17, 2015), <http://apps.fcc.gov/ecfs/comment/view?id=60001360140>.

discontinue the Affected Services in the Service Area on or after January 30, 2016, pending regulatory approval. Northeast Florida Telephone indicates that it sent notice of the proposed discontinuance to all affected customers via bill notification on November 30, 2015. Northeast Florida Telephone submits that this is the usual method by which the company provides notices of this kind throughout the year, and that its customers expect to receive regulatory notices in this manner. The Applicant maintains that the public convenience and necessity will not be adversely affected by the proposed discontinuance. Northeast Florida Telephone asserts that it is an incumbent local exchange carrier and considered dominant with respect to the services it proposes to discontinue.

In accordance with section 63.71(d) of the Commission's rules, Northeast Florida Telephone's application will be deemed granted automatically on February 16, 2016, the 60th day after the release date of this Public Notice, unless the Commission notifies Northeast Florida Telephone that the grant will not be automatically effective.⁵ We note that the date on which an application for Commission authorization is deemed granted may be different from the date on which an applicant is authorized to discontinue, reduce, or impair service. In the Application, Northeast Florida Telephone indicates that it plans to discontinue the Affected Services in the Service Area on or after January 30, 2016, pending regulatory approval. Accordingly, pursuant to section 63.71(d), and the terms of the Application, absent further Commission action, Northeast Florida Telephone may discontinue, reduce or impair the Affected Services in the Service Area on or after **February 16, 2016**, in accordance with Northeast Florida Telephone'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. For purposes of computation of time when filing a petition for reconsideration, application for review, or petition for judicial review of the Commission's decision, the date of "public notice" shall be the latter of the auto grant date stated above in this Public Notice, or the release date of any further public notice or order announcing final action, as applicable. Should no petitions for reconsideration, applications for review, or petitions for judicial review be timely filed, the proceeding listed in this Public Notice shall be terminated, and the docket will be closed.

Comments objecting to this application must be filed with the Commission on or before **January 19, 2016**. Such comments should refer to **WC Docket No. 15-317 and Comp. Pol. File No. 1267**. 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.⁶ Comments may be filed electronically using the Internet by accessing the ECFS: <http://apps.fcc.gov/ecfs>. 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 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.,

⁵ See 47 CFR § 63.71(d) (stating, in relevant part, that an application filed by a dominant carrier "shall be automatically granted on the 60th day... unless the Commission has notified the applicant that the grant will not be automatically effective.").

⁶ See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

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.

Copies of the comments may 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, or faxed to the FCC at (202) 418-1413, Attention: Carmell Weathers. In addition, comments should be served upon the Applicant.

This proceeding is considered a “permit but disclose” proceeding for purposes of the Commission’s *ex parte* rules.⁷ Participants in this proceeding should familiarize themselves with the Commission’s *ex parte* rules. 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).

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), (888) 835-5322 (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 (888) 835-5322. For further information on procedures regarding section 214 please visit <https://www.fcc.gov/encyclopedia/domestic-section-214-discontinuance-service>.

– FCC –

⁷ 47 CFR §§ 1.1200 *et seq.*