



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 15-149

Released: February 2, 2015

**COMMENTS INVITED ON APPLICATION OF NEXUS COMMUNICATIONS, INC. D/B/A
TSI AND TSI TELEPHONE COMPANY TO DISCONTINUE DOMESTIC
TELECOMMUNICATIONS SERVICES**

WC Docket No. 15-4
Comp. Pol. File No. 1200

Comments Due: February 17, 2015

Section 214 Application

Applicant: Nexus Communications, Inc. d/b/a TSI and TSI Telephone Company

On December 19, 2014, Nexus Communications, Inc. d/b/a TSI and TSI Telephone Company (Nexus or Applicant), located at 3629 Cleveland Avenue, Suite C, Columbus, Ohio 43224, 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, Arkansas, Florida, Georgia, Illinois, Indiana, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, Texas and Wisconsin (collectively, Service Areas). With an amendment filed on January 22, 2015, Nexus corrected certain deficiencies in its application and updated the record regarding notice to state entities. Accordingly, Nexus's application is deemed complete as of January 22, 2015.

Nexus indicates that it currently offers home phone services to residential subscribers in the Service Areas. Nexus specifies that these services consist of domestic wireline telecommunications services such as local and long distance service (Affected Services), and that they include access to resold international services. Nexus asserts, however, that it plans to discontinue the Affected Services in the Service Areas on or before January 16, 2015, but no earlier than 31 days after the Commission releases its public notice of the filing.¹ Nexus maintains that the wireless services that it provides will not be affected by this proposed discontinuance. In addition, Nexus submits that the impact on the public should be minimal because there are a small number of impacted subscribers and many carriers offer equivalent services in the Service Areas. According to Nexus, there are no more than 500 subscribers in any of the affected states, there are fewer than 100 subscribers in 14 of the 20 affected states, and there are fewer than 25 subscribers in five of the affected states. Nexus also submits that AT&T is a national carrier whose services are widely available and that it is among the carriers that are available to provide alternative wireline services in the Service Areas. Nexus states that it sent notice of the proposed

¹ In its notice to customers, Nexus also states that it plans to discontinue the Affected Services by January 20, 2015. Nexus indicates that it is filing notice of its proposed discontinuance with the International Bureau as well. Discontinuance of international service is governed by section 63.19 of the Commission's rules. See 47 C.F.R. § 63.19.

discontinuance to all affected customers by first class U.S. Mail on December 16, 2014. The Applicant asserts that it is considered non-dominant with respect to the Affected Services.

In accordance with section 63.71(c) of the Commission's rules, Nexus'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 Nexus that the grant will not be automatically effective. In its application, Nexus indicates that it plans to discontinue the Affected Services in the Service Areas on or before January 16, 2015, but no earlier than 31 days after the Commission releases its public notice of the filing. Accordingly, pursuant to section 63.71(c) and the terms of Nexus's application, absent further Commission action, Nexus may discontinue the Affected Services in the Service Areas on or after **March 5, 2015**, in accordance with its 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 **February 17, 2015**. Such comments should refer to **WC Docket No. 15-4 and Comp. Pol. File No. 1200**. 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

² 47 C.F.R. §§ 1.1200 *et seq.*

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 –