



# PUBLIC NOTICE

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

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**DA 15-694**  
**Released: June 12, 2015**

## **COMMENTS INVITED ON APPLICATION OF BROADWING COMMUNICATIONS, LLC TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES**

**WC Docket No. 15-128**  
**Comp. Pol. File No. 1221**

**Comments Due: June 29, 2015**

### **Section 214 Application**

**Applicant: Broadwing Communications, LLC**

On May 19, 2015, **Broadwing Communications, LLC** (Broadwing or Applicant), located at **1025 Eldorado Boulevard, Broomfield, Colorado 80021**, 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 the Chicago, IL metropolitan area (Service Area).<sup>1</sup>

Broadwing states that it is a subsidiary of Level 3 Communications, LLC, and that it currently offers Analog Phone service and Integrated Voice and Data (IVAD) service (collectively, Affected Services) to customers in the Service Area. Broadwing indicates that its Analog Phone service provides a voice-grade telephonic communications channel that can be used to place or receive one call at a time. Broadwing explains that its IVAD service provides customers with multiple options for combining both voice and data traffic on a single dedicated connection. Broadwing further describes its IVAD service as one that offers the unique ability to dynamically allocate bandwidth between voice and data to meet a customer's changing network needs. According to Broadwing, voice communications are supported with analog line and digital trunk services providing 12 to 32 voice channels on a single T1 Circuit. In addition, Broadwing maintains that Internet access and private networking connectivity can be accommodated with up to 1.5 Mbps of data bandwidth. Broadwing indicates, however, that it plans to discontinue the Affected Services in the Service Area on or after June 25, 2015, subject to regulatory approval.<sup>2</sup> The Applicant submits that the public convenience and necessity will not be adversely affected by the proposed discontinuance because advance notice has been provided to all affected customers, thereby giving them ample time to arrange for substitute services, which are readily available. Broadwing maintains that it sent written notice of the proposed

<sup>1</sup> See Section 63.71 Application of Broadwing Communications, LLC for Authority Pursuant to Section 214 of the Communications Act of 1934, as amended, to Discontinue the Provision of Analog Phone and IVAD Services in the Chicago, Illinois Metropolitan Area, WC Docket No. 15-128 (filed May 19, 2015), <http://apps.fcc.gov/ecfs/comment/view?id=60001032097> (Application).

<sup>2</sup> Broadwing asserts that it also is filing notice of its proposed discontinuance with the International Bureau. The discontinuance of international service is governed by section 63.19 of the Commission's rules. See 47 C.F.R. § 63.19.

discontinuance to affected customer by first-class U.S. Mail on May 18, 2015. Broadwing also asserts 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, Broadwing'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 Broadwing that the grant will not be automatically effective. In the notice to customers, Broadwing indicates that it plans to discontinue the Affected Services in the Service Area on or after June 25, 2015, subject to regulatory approval. Accordingly, pursuant to section 63.71(c) and the terms of the notice to customers, absent further Commission action, Broadwing may discontinue the Affected Services in the Service Area on or after **July 13, 2015**, in accordance with Broadwing'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 **June 29, 2015**. Such comments should refer to **WC Docket No. 15-128 and Comp. Pol. File No. 1221**. 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://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 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>3</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

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<sup>3</sup> 47 C.F.R. §§ 1.1200 *et seq.*

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](mailto: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](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 (888) 835-5322. 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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