PUBLIC NOTICE

Federal Communications Commission
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Washington, D.C. 20554

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

WC Docket No. 15-150
Comp. Pol. File No. 1228

Comments Due: July 24, 2015

Section 214 Application
Applicant: Rye Telephone Company

On **June 11, 2015, Rye Telephone Company** (Rye Telephone, RTC or Applicant), located at **P.O Box 19048, Colorado City, CO 81019**, 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 within the company's service area in southern Colorado including portions of Baca, Custer, Huerfano, Las Animas and Pueblo Counties (Service Areas).[1]

Rye Telephone indicates that it currently offers Busy Line Verification/Line Status Verification (Busy Line Verification) and Busy Line Interrupt services in the Service Areas (Affected Services). Rye Telephone describes its Busy Line Verification service as an operator service that allows the operator to confirm when a line is idle or in use. The Applicant further explains that its Busy Line Interrupt service is an operator service that allows the operator to break into a conversation when a line is in use. Rye Telephone asserts, however, that there has been a lack of customer demand for the Affected Services with only one instance of a customer utilizing Busy Line Verification service during the preceding 12 months and no instances of customers using Busy Line Interrupt service during the same period. Accordingly, Rye Telephone submits that it made a business decision to discontinue the Affected Services in the Service Areas on or after July 1, 2015, upon completion of all necessary federal and state regulatory approvals. Rye Telephone states that it sent notice of the proposed discontinuance to all affected customers by U.S. Mail on June 1, 2015. According to the Applicant, the notice was dated May 11, 2015 but was sent in the June 1, 2015 customer bills. Rye Telephone adds that the notice was sent via bill inserts printed on distinctly colored paper to distinguish the notice from the billing statement. Rye Telephone maintains that customers will not be adversely affected by the proposed discontinuance due to the lack of customer demand for the Affected Services. The Applicant states that it is considered dominant with respect to the services it proposes to discontinue.

[1] *See* Section 63.71 Application of Rye Telephone Company for Authority to Discontinue Certain Services, WC Docket No. 15-150 (filed June 11, 2015), http://apps.fcc.gov/ecfs/comment/view?id=60001060822 (Application).

In accordance with section 63.71(c) of the Commission's rules, Rye Telephone's application will be deemed to be granted automatically on the 60th day after the release date of this public notice, unless the Commission notifies Rye Telephone that the grant will not be automatically effective. In the Application, Rye Telephone indicates that it plans to discontinue the Affected Services in the Service Areas on or after July 1, 2015, upon completion of all necessary federal and state regulatory approvals. Accordingly, pursuant to section 63.71(c) and the terms of the Application, absent further Commission action, Rye Telephone may discontinue the Affected Services in the Service Areas on or after **August 23, 2015**, in accordance with Rye 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.

Comments objecting to this application must be filed with the Commission on or before **July 24, 2015**. Such comments should refer to **WC Docket No. 15-150 and Comp. Pol. File No. 1228**. 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.[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

[2] 47 C.F.R. §§ 1.1200 *et seq*.

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), (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 **http://www.fcc.gov/wcb/cpd/other_adjud**.

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