



PUBLIC NOTICE

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

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COMMENTS INVITED ON APPLICATION OF CHARTER ADVANCED SERVICES (MO), LLC TO DISCONTINUE INTERCONNECTED VOIP SERVICES

WC Docket No. 15-169
Comp. Pol. File No. 1233

Comments Due: August 10, 2015

On **July 1 2015**, **Charter Advanced Services (MO), LLC** (Charter Advanced Services or Applicant), located at **12405 Powerscourt Drive, St. Louis, MO 63131**, 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 its interconnected Voice over Internet Protocol (VoIP) service at a condominium development located in University City, Missouri (Service Area).¹

Charter Advanced Services indicates that it currently offers domestic interconnected VoIP service (Affected Service) to residential customers in the Loop Condos in University City, Missouri. According to Charter Advanced Services, the interconnected VoIP service that it offers enables local and toll calling throughout the United States and Canada for a single monthly fee as well as the ability to place international calls for separate charges. Charter Advanced Services states, however, that as a result of its agreement regarding service to the Service Area, it plans to discontinue offering the Affected Service in the Service Area on August 15, 2015 or as soon thereafter as federal approval may be obtained.² The Applicant maintains that all of its former customers have migrated to other voice service providers so it currently does not have any subscribers for its service.³ Charter Advanced Services further submits that the public convenience and necessity will not be adversely affected by the proposed discontinuance because comparable services are available from other providers in the market including incumbent local exchange carriers, other telecommunications carriers and interconnected VoIP service providers. Charter Advanced Services asserts that it is considered non-dominant with respect to the service to be discontinued.

¹ See Section 63.71 Application of Charter Advanced Services (MO), LLC for Authority to Discontinue an Interconnected VoIP Service, WC Docket No. 15-169 (filed July 1, 2015), <http://apps.fcc.gov/ecfs/comment/view?id=60001090054> (Application).

² The discontinuance of international service is governed by section 63.19 of the Commission's rules. See 47 C.F.R. § 63.19.

³ Charter Advanced Services explains that it attempted to mail notice of the proposed discontinuance to its three former customers on June 1, 2015 and June 16, 2015, but that all three customers had already migrated to other voice service providers before they received notice compliant with section 63.71(a) of the Commission's rules.

In accordance with section 63.71(d) of the Commission's rules, Charter Advanced Services' application will be deemed to be granted automatically on the 31st day after the release date of this public notice, unless the Commission notifies Charter Advanced Services that the grant will not be automatically effective. In the Application, Charter Advanced Services indicates that it plans to discontinue offering domestic interconnected VoIP service in the Service Area on August 15, 2015 or as soon thereafter as federal approval may be obtained. Accordingly, pursuant to section 63.71(d) and the terms of the Application, absent further Commission action, Charter Advanced Services may discontinue offering the Affected Service in the Loop Condos in University City, Missouri on or after **August 24, 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 **August 10, 2015**. Such comments should refer to **WC Docket No. 15-169 and Comp. Pol. File No. 1233**. 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.⁴ 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,

⁴ 47 C.F.R. §§ 1.1200 *et seq.*

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), (888) 835-5322 (tty).

For further information, contact Carmell Weathers, (202) 418-2325 (voice), Carmell.Weathers@fcc.gov, or Kimberly Jackson, (202) 418-7393 (voice), 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.

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