



# PUBLIC NOTICE

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

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**DA 16-1085**

**Released: September 23, 2016**

**COMMENTS INVITED ON APPLICATION OF  
VERIZON MARYLAND LLC, VERIZON NEW ENGLAND INC., VERIZON NEW JERSEY  
INC., VERIZON NEW YORK INC., VERIZON PENNSYLVANIA LLC, AND VERIZON  
VIRGINIA LLC TO GRANDFATHER CERTAIN DOMESTIC TELECOMMUNICATIONS  
SERVICES IN MULTIPLE WIRE CENTERS**

**WC Docket No. 16-296**  
**Comp. Pol. File No. 1348**

**Comments Due: October 24, 2016**

**Section 214 Application**

**Applicants: Verizon Maryland LLC, Verizon New England Inc., Verizon New Jersey Inc., Verizon New York Inc., Verizon Pennsylvania LLC, and Verizon Virginia LLC**

On August 25, 2016, Verizon Maryland LLC, Verizon New England Inc., Verizon New Jersey Inc., Verizon New York Inc., Verizon Pennsylvania LLC, and Verizon Virginia LLC (collectively, Verizon or Applicant) filed an application with the Federal Communications Commission (FCC or Commission),<sup>1</sup> requesting authority, under section 214 of the Communications Act of 1934, as amended,<sup>2</sup> and section 63.71 of the Commission's rules,<sup>3</sup> to "grandfather" the following five legacy interstate DS0 services in multiple wire centers located in Massachusetts, Maryland, New Jersey, New York, Pennsylvania, Rhode Island and Virginia (collectively, Wire Centers): Voice Grade Service; WATS Access Line Service; Bonded Digital Link Service; Digital Data Service; and DIGIPATH Digital Service II (collectively, Affected Services). Verizon explains that once the Affected Services are grandfathered, it will stop accepting new orders for these legacy services and existing customers will continue to receive these services over Verizon's more advanced and reliable fiber facilities rather than copper facilities. Verizon states that customers may also choose to switch to another product offering or service that better fits their needs. Verizon indicates that it plans to migrate these Wire Centers to all-fiber facilities in a multi-stage process.

Verizon indicates that it currently offers the Affected Services in the Wire Centers. Verizon explains that Voice Grade Service uses dedicated lines to provide voice frequency transmission capability for connecting location-to-location or to the public network. According to Verizon, Voice Grade Service

<sup>1</sup> The carrier addresses are listed as follows: Verizon Maryland LLC, 1 East Pratt Street, Baltimore, MD 21202; Verizon New England Inc., 125 High Street – Oliver Tower 7th Floor, Boston, MA 02110; Verizon New Jersey Inc., 540 Broad Street, Newark, NJ 07102; Verizon New York Inc., 140 West Street, New York, NY 10007; Verizon Pennsylvania LLC, 1717 Arch Street, Philadelphia, PA 19103; Verizon Virginia LLC, 22001 Loudoun County Parkway, Ashburn, VA 20147.

<sup>2</sup> 47 U.S.C. § 214.

<sup>3</sup> 47 CFR § 63.71.

terminations transmit in the nominal frequency range of 300 to 3000 Hz and may be terminated as analog two-wire or four-wire. Verizon adds that Voice Grade channels are provided between customer designated premises or between a customer designated premises and a Verizon hub.<sup>4</sup> Verizon describes WATS Access Line Service (WATS ALS) as a service that provides voice frequency transmission capability for toll-free calling in a limited geographic area. Verizon explains that WATS ALS provides a customer premise to customer premise connection with the combination of WATS Access Connection, a dedicated channel between the customer's end user's premises and a WATS Serving Office equipped with a Switched Access Service arrangement.<sup>5</sup> Bonded Digital Link Service (BDLS) is described by Verizon as a service that provides connecting channels for the transmission of voice or data between an end user's local exchange service terminating at a digital cross connect facility and special access service provided by Verizon within the same wire center or at another wire center within the same LATA.<sup>6</sup> According to Verizon, Digital Data Service (DDS) provides duplex transmission of synchronous serial data at 2.4, 4.8, 9.6, or 56 kbps.<sup>7</sup> Verizon adds that the actual bit rate is a function of the channel interface selected by the customer. Verizon defines DIGIPATH Digital Service II (DDS II) as a channel for the simultaneous transmission of digital data at the rate of 2.4, 4.8, 9.6, 19.2, 56, or 64 kbps. Verizon adds that the actual bit rate for this service is also a function of the channel interface selected by the customer.<sup>8</sup>

Verizon plans to stop accepting new orders for these Affected Services in the Wire Centers on or after November 22, 2016. Verizon specifies that existing customers may retain their grandfathered service in accordance with the terms of the applicable tariffs until they choose to cancel the service or until Verizon seeks authority to discontinue offering the service. Verizon emphasizes that existing customers will continue to be permitted to make orders for moves, adds or changes to these services as well. According to Verizon, many of the affected customers have already made the decision to move to its fiber-based services or to competitor's services and other customers are in the process of transitioning. Verizon states that during this transition, it has been working one-on-one with customers receiving service over copper facilities to discuss their existing services and their needs going forward. Verizon indicates that, for the majority of customers, there has been a like-for-like, fiber-based service available for them, making the transition straightforward. Verizon adds that most of these customers are purchasing plain old telephone service and will continue to receive the same POTS service over fiber at the same or better price, and there is no change in the underlying features and functionalities in their service. Verizon also notes that customers will continue to be able to buy DS1 level services, just over the more reliable network.

Verizon explains that the Affected Services no longer serve a substantial need for the majority of its customers. According to Verizon, the Affected Services are outdated voice and data transmission services that have largely fallen out of favor as customers have chosen new options and technologies. Verizon notes that there are currently no customers on BDLS, only two customers on WATS ALS, and fewer than three hundred customers in total in these areas on DDS, DDS II, and Voice Grade Service. Verizon states that it

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<sup>4</sup> Verizon states that Voice Grade Service is further described in Verizon's FCC Tariff No. 1, Sec. 7.2.3 and Verizon's FCC Tariff No. 11, Sec. 7.2.3.

<sup>5</sup> Verizon states that WATS Access Line Service is further described in Verizon's FCC Tariff No. 1, Sec. 7.2.3.1 and Verizon's FCC Tariff No. 11, Sec. 7.2.10.

<sup>6</sup> Verizon states that Bonded Digital Link Service is further described in Verizon's FCC Tariff No. 1, Sec. 7.2.8.1 and Verizon's FCC Tariff No. 11, Sec. 7.2.21.

<sup>7</sup> In addition, Digital Data Service is offered at 19.2 or 64 kbps in the wire centers in Verizon's FCC Tariff No. 1, Sec. 7.2.8 and Verizon's FCC Tariff No. 11, Sec. 7.2.8.

<sup>8</sup> DIGIPATH Digital Service II is further described in Verizon's FCC Tariff No. 11, Sec. 7.2.11.

mailed notices to affected customers on or before August 24, 2016. Verizon asserts that it is classified as dominant with respect to the services to be grandfathered.<sup>9</sup>

In accordance with section 63.71(e) of the Commission's rules, Verizon's application will be deemed granted automatically on November 22, 2016, the 60th day after the release date of this Public Notice, unless the Commission notifies Verizon that the grant will not be automatically effective.<sup>10</sup> 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, Verizon indicates that it plans to grandfather the Affected Services in the Wire Centers on or after November 22, 2016, pending regulatory approval. Accordingly, pursuant to section 63.71(e), and the terms outlined in the application, absent further Commission action, Verizon may grandfather the Affected Service(s) in the Wire Centers on or after **November 22, 2016**, in accordance with Verizon's filed representations. 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 Commission 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 addressing this application must be filed with the Commission on or before **October 24, 2016**. Such comments should refer to the following WC Docket No. and Comp. Pol. File No.: **WC Docket No. 16-296** and **Comp. Pol. File No. 1348**. Comments should include specific information about the impact of the 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.<sup>11</sup> 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., 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,

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<sup>9</sup> *Id.*

<sup>10</sup> See 47 CFR § 63.71(e) (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.").

<sup>11</sup> See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

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.

These proceedings are considered “permit but disclose” proceedings for purposes of the Commission’s *ex parte* rules.<sup>12</sup> Participants 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](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), of the Competition Policy Division, Wireline Competition Bureau, 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 <https://www.fcc.gov/encyclopedia/domestic-section-214-discontinuance-service>.

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<sup>12</sup> 47 CFR § 1.1200 *et seq.*