



PUBLIC NOTICE

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DA 13-2393

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**APPLICATION OF MCI COMMUNICATIONS SERVICES, INC. D/B/A VERIZON
BUSINESS SERVICES TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS
SERVICES NOT AUTOMATICALLY GRANTED**

WC Docket No. 13-247
Comp. Pol. File No. 1122

On **September 3, 2013**, **MCI Communications Services, Inc. d/b/a Verizon Business Services** (Verizon Business or Applicant), located at **One Verizon Way, Basking Ridge, NJ 07920**, 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 contiguous 48 states, as well as in Hawaii and the District of Columbia (collectively Service Areas).¹ With an amendment filed on November 5, 2013, Verizon Business updated the record regarding notice to customers.² Accordingly, Verizon Business's application was deemed complete as of November 5, 2013.³ By this Public Notice, the Wireline Competition Bureau announces that Verizon Business's application to discontinue service will not be automatically granted pursuant to section 63.71.

The application indicates that it currently offers Private Line DS0 Service (64 kbps or less) in the Service Areas through its Metro Private Line DS0 service and U.S. Private Line DS0 service offerings (collectively, Affected Services).⁴ Verizon Business describes Private Line DS0 Service as a point-to-

¹ See Letter from Frederick Moacdieh, Executive Director – Federal Regulatory Affairs, Verizon, to Marlene H. Dortch, Secretary, Federal Communications Commission, Attach., WC Docket No. 13-247 (filed Sept. 3, 2013) (Application).

² See Letter from Frederick Moacdieh, Executive Director – Federal Regulatory Affairs, Verizon, to Ms. Marlene H. Dortch, Secretary, Federal Communications Commission, Attach., WC Docket No. 13-247 (filed Nov. 5, 2013) (Amendment).

³ By Public Notice dated November 14, 2013, the Commission notified the public that, in accordance with 47 C.F.R. § 63.71(c), Verizon Business's application would be deemed to be automatically granted on the 31st day after the release date of the notice, unless the Commission notifies CenturyLink that the grant will not be automatically effective. See *Comments Invited on Application of MCI Communications Services, Inc. d/b/a Verizon Business Services to Discontinue Domestic Telecommunications Services*, Public Notice, WC Docket No. 13-247, DA 13-2183 (WCB November 14, 2013). Accordingly, the automatic grant date for Verizon Business's application would have been December 15, 2013.

⁴ Application at 1-2. Verizon Business states that the terms and conditions under which Verizon Business offers Metro Private Line DS0 service and U.S. Private Line DS0 service are available on the Internet in Verizon Business's Service Publication and Price Guide as follows:
http://www.verizonenterprise.com/external/service_guide/reg/cp_access_mpls_metro_private_line_service.htm; and

point communications channel that offers two-way simultaneous transmission, voice, video, and data services over non-switched, non-usage sensitive dedicated facilities.⁵ Verizon Business explains, however, that it plans to discontinue the Affected Services because demand is declining as the marketplace moves to next-generation technologies that provide higher bandwidths, a wider range of applications, and greater value.⁶ In the Amendment, Verizon Business indicates that it plans to grandfather and eventually discontinue the Affected Services in the Service Areas. Verizon Business specifies that, on or after December 4, 2013 and subject to Commission approval, it plans to no longer offer the Affected Services in the Service Areas subject to certain terms.⁷ Verizon Business maintains that, on or after that date, existing customers will be able to retain the Affected Services and Verizon Business will continue to accept orders for moves, adds and changes in accordance with the terms and conditions of their agreements.⁸ Verizon Business further notes that it will continue to provide the Affected Services on a month-to-month basis after the expiration of customers' contracts, until Verizon Business discontinues the Affected Services completely upon six months' written notice, or until the customers terminate their Affected Services.⁹ Verizon Business asserts that the public convenience and necessity will not be impaired by this discontinuance because customers can choose from many alternative services, including Private IP service, Ethernet services, and private-line services that other providers currently offer, including carriers affiliated with Verizon Business.

The Commission has received a comment from Pan Am Railways in opposition to Verizon Business's proposed discontinuance.¹⁰ 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. Where there is question as to whether a service has reasonable substitutes or whether the present or future public convenience and necessity will be adversely affected, the Commission will scrutinize the discontinuance application, consistent with its statutory obligations.¹¹

http://www.verizonenterprise.com/external/service_guide/reg/cp_uspl_us_private_line_services.htm. Application at 2.

⁵ Application at 2.

⁶ Application at 3.

⁷ Amendment at 2. In its original application, Verizon Business stated that it planned on discontinuing the Affected Services on or after November 4, 2013, subject to the Commission's authorization. Application at 1. In the Amendment, Applicant indicates that it later identified an additional 35 affected customers to whom it sent notices that included updated dates for the discontinuance. Amendment at 1.

⁸ Application at 1-2.

⁹ Amendment at 2. According to Verizon Business, month-to-month customers will initially be able to submit orders for moves, adds or changes, but at some point after the Commission grants this application and before Verizon Business discontinues the Affected Services completely, Verizon Business intends to discontinue accepting orders for moves, adds, or changes for these customers with at least sixty days' written notice. See Application at 2.

¹⁰ See Comment of Pan Am Railways, WC Docket No. 13-247 (Dec. 10, 2013). Pan Am Railways' opposition was filed outside of the standard comment period but nevertheless raises significant issues of public safety that will be considered.

¹¹ See 47 U.S.C. § 214(a); 47 C.F.R. § 63.71; see also *Policy and Rules Concerning Rates for Competitive Common Carrier Services and Facilities Authorizations Therefor*, First Report and Order, CC Docket No. 79-252, 85 FCC 2d 1, 49 (1980) (*Competitive Carrier First Report and Order*) ("we have retained the right to delay grant of a discontinuance authorization if we believe an unreasonable degree of customer hardship would result."); *Federal Communications Comm'n v. RCA Communications, Inc.*, 346 U.S. 86, 90 (1953). See, e.g., *AT&T Application to*

Because the comment filed by Pan Am Railways requires further analysis to determine whether Applicant's proposed discontinuance would serve the public interest, Verizon Business is notified by this public notice that its application to discontinue domestic telecommunications services will not be granted automatically.¹²

For further information, contact Carmell Weathers, (202) 418-2325 (voice), Carmell.Weathers@fcc.gov, or Gregory Kwan, (202) 418-1191 (voice), Gregory.Kwan@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 –

Discontinue Interstate Sent-Paid Coin Service Not Automatically Granted, Public Notice, NSD File No. W-P-D-497 (Aug. 3, 2001).

¹² See 47 C.F.R. § 63.71(c) (“The application to discontinue . . . shall be automatically granted on the 31st day . . . unless the Commission has notified the applicant that the grant will not be automatically effective.”).