



# PUBLIC NOTICE

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

News Media Information 202 / 418-0500  
Internet: <http://www.fcc.gov>  
TTY: 1-888-835-5322

DA 15-316  
Released: March 11, 2015

## COMMENTS INVITED ON APPLICATION OF TW TELECOM HOLDINGS, LLC ON BEHALF OF CERTAIN OF ITS LICENSED OPERATING SUBSIDIARIES TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES

WC Docket No. 15-49  
Comp. Pol. File No. 1205

Comments Due: March 26, 2015

### Section 214 Application

**Applicant:** tw telecom holdings, llc on behalf of tw telecom data services llc; tw telecom of alabama llc; tw telecom of arizona llc; tw telecom of arkansas llc; tw telecom of california l.p.; tw telecom of colorado llc; tw telecom of d.c. llc; tw telecom of florida l.p.; tw telecom of georgia l.p.; tw telecom of hawaii l.p.; tw telecom of idaho llc; tw telecom of illinois llc; tw telecom of indiana l.p.; tw telecom of iowa llc; tw telecom of kentucky llc; tw telecom of louisiana llc; tw telecom of maryland llc; tw telecom of minnesota llc; tw telecom of mississippi llc; tw telecom of nevada llc; tw telecom of new jersey l.p.; tw telecom of new mexico llc; tw telecom of new york l.p.; tw telecom of north carolina l.p.; tw telecom of ohio llc; tw telecom of oklahoma llc; tw telecom of oregon llc; tw telecom of south carolina llc; tw telecom of tennessee llc; tw telecom of texas llc; tw telecom of utah llc; tw telecom of virginia llc; tw telecom of washington llc; and tw telecom of wisconsin l.p.

On February 25, 2015, tw telecom holdings, llc (TW Telecom or Applicant), a Level 3 company located at 1025 Eldorado Boulevard, Broomfield, Colorado 80021, filed an application with the Federal Communications Commission (FCC or Commission) on behalf of itself and certain of its licensed operating subsidiaries, tw telecom data services llc; tw telecom of alabama llc; tw telecom of arizona llc; tw telecom of arkansas llc; tw telecom of california l.p.; tw telecom of colorado llc; tw telecom of d.c. llc; tw telecom of florida l.p.; tw telecom of georgia l.p.; tw telecom of hawaii l.p.; tw telecom of idaho llc; tw telecom of illinois llc; tw telecom of indiana l.p.; tw telecom of iowa llc; tw telecom of kentucky llc; tw telecom of louisiana llc; tw telecom of maryland llc; tw telecom of minnesota llc; tw telecom of mississippi llc; tw telecom of nevada llc; tw telecom of new jersey l.p.; tw telecom of new mexico llc; tw telecom of new york l.p.; tw telecom of north carolina l.p.; tw telecom of ohio llc; tw telecom of oklahoma llc; tw telecom of oregon llc; tw telecom of south carolina llc; tw telecom of tennessee llc; tw telecom of texas llc; tw telecom of utah llc; tw telecom of virginia llc; tw telecom of washington llc; and tw telecom of wisconsin l.p. (TW Telecom Subsidiaries)(collectively, Applicant), 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 where they are currently offered throughout the

United States.<sup>1</sup> On March 4, 2015, TW Telecom filed an amendment to correct certain deficiencies in its application and update the record regarding the notice provided to customers.<sup>2</sup>

TW Telecom indicates that TW Telecom and the TW Telecom Subsidiaries currently offer Calling Card Services (Affected Services) throughout the United States excluding the states of Alaska and Iowa, and any of the offshore U.S. territories (collectively, Service Areas). According to TW Telecom, these Calling Card Services allow customers to place telephone calls when they are away from their established location using a company-issued calling card and a company-provided personal identification number. TW Telecom states, however, that TW Telecom and the TW Telecom Subsidiaries now plan to discontinue the Affected Services in the Service Areas on or after March 31, 2015, or as soon thereafter as any necessary regulatory approvals are obtained.<sup>3</sup> TW Telecom maintains 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, giving them ample time to arrange substitute services which are readily available. TW Telecom specifies that Applicant sent written notice of the proposed discontinuance to affected customers on February 24, 2015, and that it sent written notice in compliance with the Commission's rules on March 4, 2015.<sup>4</sup> Applicant 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, TW Telecom'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 TW Telecom that the grant will not be automatically effective. In the notices to customers, TW Telecom and the TW Telecom Subsidiaries indicate that they plan to discontinue the Affected Services in the Service Areas on or after March 31, 2015, subject to Commission authorization. Accordingly, pursuant to section 63.71(c) and the terms of the amended Application, absent further Commission action, TW Telecom and the TW Telecom Subsidiaries may discontinue Calling Card Services in the Service Areas on or after **April 11, 2015**, in accordance with TW Telecom'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 **March 26, 2015**. Such comments should refer to **WC Docket No. 15-49 and Comp. Pol. File No. 1205**. 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

---

<sup>1</sup> See Section 63.71 Application of tw telecom holdings, llc For Authority Pursuant to Section 214 of the Communications Act of 1934, to Discontinue the Provision of Calling Card Services, WC Docket No. 15-49 (filed Feb. 25, 2015), <http://apps.fcc.gov/ecfs/comment/view?id=60001020665> (Application).

<sup>2</sup> See Letter from R. Edward Price, Associate General Counsel, Regulatory Affairs, Level 3 Communications, to Marlene H. Dortch, Secretary, Federal Communications Commission (filed Mar. 4, 2015).

<sup>3</sup> Discontinuance of international service is governed by section 63.19 of the Commission's rules. See 47 C.F.R. § 63.19.

<sup>4</sup> Counsel for TW Telecom has confirmed that notice was sent by U.S. Mail to all affected customers on the dates indicated.

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>5</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 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), (202) 418-0432 (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 (202) 418-0484.

---

<sup>5</sup> 47 C.F.R. §§ 1.1200 *et seq.*

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).

– FCC –