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August 31, 2006

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
Washington, D.C. 20554

Attention: Wireline Competition Bureau

**CC Docket No. 02-33**

**RE: Notification of Discontinuance of Common-Carriage Tariffed Wireline Broadband Internet Access Service (WBIAS) and Initiation of Provision on a Permissive Detariffed Common-Carriage Basis by:**

**Smart City Telecommunications, LLC, d/b/a Smart City Telecom  
SAC 210330 FRN No. 0005-0260-75 Operating in Florida**

Dear Ms. Dortch:

John Staurulakis, Inc. (JSI), on behalf of Smart City Telecommunications, LLC d/b/a Smart City Telecom (Company), an issuing carrier for JSI Tariff F.C.C. No. 1, respectfully files the attached notice, pursuant to the *Wireline Broadband Order* of the intent of the Company to discontinue its Wireline Broadband Internet Access Service (WBIAS) offerings under JSI Tariff F.C.C. No. 1 effective September 30, 2006. See *Appropriate Framework for Broadband Access to the Internet over Wireline Facilities, Universal Service Obligations of Broadband Providers*, CC Docket No. 02-33, WC Docket No. 05-271, Report and Order and Notice of Proposed Rulemaking, 20 FCC Rcd 14853 (2005), FCC 05-150 (Rel. Sep 23, 2005), (*Wireline Broadband Order*). Upon discontinuance of the tariffed offerings, the Company will provide WBIAS on a common-carriage non-tariffed basis.

Any questions regarding the notice may be directed to me at the address and telephone number listed above or by email at [sduncan@jsitel.com](mailto:sduncan@jsitel.com).

Sincerely,

A handwritten signature in black ink, appearing to read 'Scott Duncan', is written over a horizontal line.

Scott Duncan  
Staff Director-Regulatory Affairs

Attachment

cc: Smart City Telecom  
Special Assistant for Telecommunications at the Department of Defense  
The Honorable Jeb Bush, Governor of Florida  
Florida Public Service Commission

9430 Research Boulevard, Austin, Texas 78759  
Phone: 512-338-0473  
Fax: 512-346-0822

Eagandale Corporate Center, Suite 310  
1380 Corporate Center Curve  
Eagan, Minnesota 55121  
Phone: 651-452-2660  
Fax: 651-452-1909

547 South Oakview Lane  
Bountiful, UT 84010  
Phone: 801-294-4576  
Fax: 801-294-5124

4625 Alexander Drive, Suite 135  
Alpharetta, Georgia 30022  
Phone: 770-569-2105  
Fax: 770-410-1608

**Notice of Discontinuance of Permissive Detariffing of  
Wireline Broadband Internet Access Transmission Service  
Effective September 30, 2006**

**SMART CITY TELECOMMUNICATIONS, LLC D/B/A SMART CITY TELECOM  
*Operating in Florida***

**P.O. Box 22555, Lake Buena Vista, FL 32830 (407) 827-2000**

**CC Docket No. 02-33**

August 31, 2006

Smart City Telecommunications, LLC d/b/a Smart City Telecom (“Company”) hereby provides notice that it plans to terminate provision of wireline broadband Internet access service (WBIAS) on a tariffed basis effective September 30, 2006 at which time it plans to offer permissive detariffed WBIAS on a Title II common-carriage basis pursuant to paragraph 94 of the Federal Communications Commission’s *Wireline Broadband Order*.<sup>1</sup> The Company currently offers WBIAS through Wholesale Digital Subscriber Line (“WDSL”) Access Service under John Staurulakis, Inc. (“JSI”) Tariff F.C.C. No. 1, for which the Company is an issuing carrier.

In order to effect the permissive detariffing, JSI plans to make a filing with the Federal Communications Commission on September 15, 2006 on 15-day notice to cancel the Company’s WDSL Access Service offerings.

**Impact on Customers**

The only customer for the Company’s WBIAS is the nonregulated Internet Service Provider (“ISP”) operation of the Company. The nonregulated operation of the Company purchases WBIAS for use as a component in its broadband Internet service sold to consumers and business customers. The discontinuance of the tariffed offering of WBIAS will have no effect on the end user broadband Internet service provided by the Company.

**Future Availability of WBIAS on a Permissive-Detariffed Common Carriage Basis**

The Company will continue to make WBIAS available on a common-carriage basis through posting of rates, terms and conditions on its Internet web-site in a manner similar to that required for interstate and international interexchange services under Section 42.10 of the FCC’s rules (47 C.F.R. § 42.10). As required by the Federal Communications Commission (“FCC”), the Company will continue to make available to its existing customer rates, terms and conditions consistent with the current tariffed rates on a grandfathered basis through November 15, 2006 or until such time as the customer orders WBIAS under the Company’s detariffed offering(s). Following is the timeline for permissive detariffing.

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<sup>1</sup> See *Appropriate Framework for Broadband Access to the Internet over Wireline Facilities, Universal Service Obligations of Broadband Providers*, CC Docket No. 02-33, WC Docket No. 05-271, Report and Order and Notice of Proposed Rulemaking, 20 FCC Rcd 14853 (2005), FCC 05-150 (Rel. Sep 23, 2005), (*Wireline Broadband Order*).

**SMART CITY TELECOM - OPERATING IN FLORIDA**

P.O. Box 22555, Lake Buena Vista, FL 32830 (407) 827-2000

**WBIAS DETARIFFING TIMELINE**

**August 31, 2006**

30-Day Notice filed with following:

Federal Communications Commission (under CC Docket No. 02-33).  
Special Assistant for Telecommunications at the Department of Defense  
The Honorable Jeb Bush, Governor of Florida  
Florida Public Service Commission

**August 31, 2006**

Notice to customers.

As indicated above, the only customer for the Company's wireline broadband Internet access service (WBIAS) is the nonregulated ISP operation of the Company. The 30-day notice to the nonregulated ISP division of the Company will be provided by interoffice memorandum cover with this notice attached.

**September 15, 2006**

Expected filing by John Staurulakis, Inc. ("JSI"), on 15-day notice, of a tariff transmittal to remove the Company's Wholesale DSL Access Service offerings from JSI Tariff F.C.C. No. 1 effective September 30, 2006.

**September 30, 2006**

Planned tariff filing to become effective. Beginning on this date the Company will no longer offer WBIAS under JSI Tariff F.C.C. No. 1.

**September 30, 2006 through November 15, 2006**

WBIAS available to customers with service in place prior to September 30, 2006 under rates, terms and conditions specified in National Exchange Carrier Association, Inc. Tariff F.C.C. No. 5 on a grandfathered basis through November 15, 2006.

**September 30, 2006 Forward**

WBIAS available on common-carriage permissive detariffed basis under rates, terms and conditions posted at [www.smartcitytelecom.com](http://www.smartcitytelecom.com).

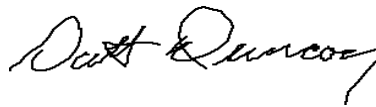
## **CERTIFICATE OF SERVICE**

I hereby certify that the foregoing Notification of Discontinuance of Common Carrier Wireline Broadband Internet Access Service was served this 31st day of August, 2006, by mailing true and correct copies thereof, postage prepaid, to the following persons:

Secretary of Defense  
Attn: Special Assistant for Telecommunications  
1000 Defense Pentagon  
Washington, D.C. 20301-1000

The Honorable Jeb Bush  
Office of the Governor  
The Capitol  
400 South Monroe Street  
Tallahassee, Fl. 32399

Charles H. Hill  
Deputy Executive Director  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

A handwritten signature in black ink, appearing to read "Scott Duncan", written over a horizontal line.

Scott Duncan

**Federal Communications Commission**

**The FCC Acknowledges Receipt of Comments From ...  
Smart City Telecommunications, LLC dba Smart City Telecom  
...and Thank You for Your Comments**

**Your Confirmation Number is: '2006831899737 '**

**Date Received: Aug 31 2006**

**Docket: 02-33**

**Number of Files Transmitted: 1**

**DISCLOSURE**

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