RECEIVED-FPSC

09 DEC 11 AM 9: 50



Ann D. Berkowitz Director – Federal Affairs COMMISSION CLERK

1300 | Street, NW Suite 400 West Washington, DC 20005 (202) 515-2539 (202) 336-7922 (fax) aberkowitz@verizon.com

December 8, 2009

090000-OT

# **VIA HAND DELIVERY**

Marlene H. Dortch Office of the Secretary Federal Communications Commission 445 12<sup>th</sup> Street, S.W. Washington, DC 20554

RE:

Section 63.71 Application of Verizon to Discontinue Fractional T1 and

Fractional DS1 Services

Dear Ms. Dortch:

Verizon submits the enclosed Application for authority under Section 214(a) of the Communications Act and Section 63.71 of the Commission's rules to discontinue Fractional T1 service in California, Florida, Idaho, Illinois, Indiana, Michigan, North Carolina, Ohio, Oregon, Pennsylvania, South Carolina, Texas, Virginia, Washington, and Wisconsin and to discontinue Fractional DS1 service in New York. As indicated in Verizon's application, on or after March 1, 2010, subject to the Commission's authorization, Verizon will no longer accept new orders for Fractional T1 or Fractional DS1 service in the above states. Verizon will continue to provide Fractional T1 and Fractional DS1 services to existing customers in the impacted states through the expiration of their current term or default month-to-month term or until the customer transitions to an alternative bandwidth service or discontinues service. A copy of the notice sent to customers impacted by this application is attached to Verizon's application.

Ms. Dortch December 8, 2008 Page 2

If you have any questions regarding this Application, please contact me at (202) 515-2539.

Sincerely,

Ann Berkowitz

and Buton

Attachments

cc: Secretary of Defense, Attn: Special Assistant for Telecommunications
Public Utilities Commission of Each Impacted State
Governor of Each Impacted State

# Before the FEDERAL COMMUNICATIONS COMMISSION Washington, D.C. 20554

| In the Matter of                                  | )          |
|---|------------|
| Section 63.71 Application of Contel of the South, | )          |
| Inc. (d/b/a Verizon North Systems); GTE           | )          |
| Southwest Incorporated (d/b/a Verizon             | )          |
| Southwest); Verizon California                    | )          |
| Inc.; Verizon Florida LLC; Verizon New York       | )          |
| Inc.; Verizon North Inc.; Verizon Northwest       | )          |
| Inc.; and Verizon South Inc.                      | ) File no. |
| For Authority Pursuant to Section 214 of          | )<br>)     |
| the Communications Act of 1934,                   | )          |
| To Discontinue the Provision of Service           | )          |
|   | )          |

SECTION 63.71 APPLICATION OF CONTEL OF THE SOUTH,
INC. (D/B/A VERIZON NORTH SYSTEMS); GTE SOUTHWEST INCORPORATED
(D/B/A VERIZON SOUTHWEST); VERIZON CALIFORNIA INC.; VERIZON
FLORIDA LLC; VERIZON NEW YORK INC.; VERIZON NORTH INC.; VERIZON
NORTHWEST INC.; AND VERIZON SOUTH INC.

Contel of the South, Inc. (d/b/a Verizon North Systems); GTE Southwest Incorporated (d/b/a Verizon Southwest); Verizon California Inc.; Verizon Florida LLC; Verizon New York Inc.; Verizon North Inc.; Verizon Northwest Inc.; and Verizon South Inc. (collectively "Verizon") hereby submit this Application for authority under Section 214(a) of the Communications Act and Section 63.71 of the Commission's rules to discontinue Fractional T1 and NYNEX Enterprise Fractional DS1 service ("Fractional DS1 service").

This application is related to the discontinuance application that Verizon filed for these same services on September 25, 2008, which the Commission placed on public notice on October 24, 2008 (WC Docket Number 08-215) ("September Application"). That application was automatically granted through the Commission's streamlined process on December 23, 2008.

Since filing its September 2008 application and receiving authorization to cease accepting new orders or changes to existing orders for Fractional T1 or Fractional DS1 services, Verizon has learned that approximately 100 retail customers that purchase Fractional T1 or Fractional DS1 service did not receive the customer notice that was mailed on September 24, 2008.

On August 6, 2009, Verizon notified the approximately 100 retail customers of its Fractional DS1 and Fractional T1 services of the proposed discontinuance. A copy of this notice is attached to this Application as Exhibit A. The August 6 notice to retail customers explains that Verizon would cease accepting new orders or changes to existing orders for Fractional T1 or Fractional DS1 services on or after December 16, 2009. The discontinuance date has since been pushed back to March 1, 2010.

As required by Sections 63.71(a) and (b) of the Commission's rules, Verizon provides the following information:

# 1. Name and Address of Carriers (47 C.F.R. §§ 63.71 (a)(1), (b)(2)):

Contel of the South, Inc. (d/b/a Verizon North Systems) 600 Hidden Ridge Irving, Texas 75038

GTE Southwest Incorporated (d/b/a Verizon Southwest) 600 Hidden Ridge Irving, Texas 75038

Verizon California Inc.
112 Lakeview Canyon Road
Thousand Oaks, California 91362

Verizon Florida LLC 201 North Franklin Street OneTampa City Center Tampa, Florida 33602 Verizon New York Inc. 140 West Street New York, New York 10007

Verizon North Inc. 8001 West Jefferson Boulevard Fort Wayne, Indiana 46804

Verizon Northwest Inc. 1800 41st Street Everett, Washington 98201

Verizon South Inc. 201 N. Franklin Street One Tampa City Center Tampa, Florida 33602

# 2. Date of Planned Service Discontinuance (47 C.F.R. §§ 63.71(a)(2), (b)(2)):

Subject to the Commission's authorization to discontinue service pursuant to Section 63.71(c) of the Commission's rules, effective on or after March 1, 2010, Verizon will no longer accept new orders or changes to existing orders for Fractional T1 or Fractional DS1 services. Existing term customers who wish to continue receiving Fractional T1 or Fractional DS1 service after the expiration of their current term will be placed on a month-to-month plan until the customer transitions to an alternative bandwidth service or discontinues service. Month-to-month customers will eventually be asked to transition their Fractional T1 and/or Fractional DS1 service to alternative bandwidth services or to discontinue service.

# 3. Points of Geographic Areas of Service Affected (47 C.F.R. §§ 63.71(a)(3), b(2)):

Verizon offers Fractional DS1 service in New York and subject to the Commission's authorization will discontinue that service in New York. Verizon offers Fractional T1 service in California, Florida, Idaho, Illinois, Indiana, Michigan, North Carolina, Ohio, Oregon, Pennsylvania, South Carolina, Texas, Virginia, Washington and Wisconsin and subject to the Commission's authorization will discontinue Fractional T1 service in those jurisdictions.

# 4. Brief Description of Type of Service Affected (47 C.F.R. §§ 63.71(a)(4), b(2)):

Fractional T1 service provides a special access termination of N x 56 Kbps and N x 64 Kbps where N=2, 4, or 6. Fractional T1 service can be designed to carry various DS0 combinations when customer applications require greater bandwidth than a traditional DS0 circuit, but less bandwidth than a traditional DS1 1.544 Mbps service. Verizon's Fractional DS1 service provides special access terminations of 128, 256, 384, 512 or 768 Kbps channel

Verizon's September Application and September 24, 2008 customer notice indicated that existing term customers would be disconnected at the end of their term. Consistent with this related Application, Verizon will not disconnect term customers impacted by the September Application at the expiration of their term and will instead transition them to month-to-month plans.

bandwidth delivered as a single bit rate. Fractional T1 and Fractional DS1 services can be used to provide two-way voice, data, and video communications between two points at bandwidths smaller than a full T1 or DS1 (e.g., 128, 256, or 384 Kbps).

Verizon is discontinuing these services because Verizon's vendor has discontinued the manufacture of Verizon-approved equipment for these services. The public convenience and necessity will not be impaired by these proposed service discontinuances because Verizon offers alternative services. While Verizon will cease accepting new orders and modifications to existing orders for these services from the customers impacted by this application on or after March 1, 2010, Verizon will continue providing these services to customers with term plans through the end of their term. Customers with month-to-month plans will eventually be asked to transition to alternative bandwidth services. Upon the discontinuation of these services, customers may choose from several alternative services, including full T1 and DS1 services (i.e., 1.544 Mbps service) and other services below a full DS1 or T1 (e.g., DS0 56 Kbps voice grade services, DDS 64 Kbps data services, and frame relay services).

# 5. Brief Description of the Dates and Methods of Notice to All Affected Customers (47 C.F.R. § 63.71 (b)(3)):

Notices were sent to the impacted retail customers via U.S. Mail on August 6, 2009. A copy of this notice is attached as Exhibit A.

Copies of this Application are being sent via first class U.S. Mail to the governor and public utilities commission for each affected state, and also to the Special Assistant for Telecommunications to the Secretary of Defense, as required by Section 63.71(a) of the Commission's rules.

# 6. Regulatory Classification of Carrier (47 C.F.R. § 63.71(b)(4)):

Verizon is considered dominant with respect to the services being discontinued.

# **CONCLUSION**

Verizon respectfully requests that the Commission approve this Application.

Respectfully submitted,

Michael Glover Of Counsel

Karen Zacharia Rashann R. Duvall Verizon 1320 N. Courthouse Rd. 9<sup>th</sup> Floor Arlington, VA 22201 (703) 351-3179

Counsel for Verizon

December 8, 2009

# **CERTIFICATE OF SERVICE**

I hereby certify that on this 8th day of December 2009, I served a copy of the foregoing Section 63.71 Application by U.S. Mail postage prepaid to the following on the attached list:

Rashann R. Duvall

#### **CALIFORNIA**

Public Utilities Commission 505 Van Ness Avenue Room 5218 San Francisco, CA 94102 The Honorable Arnold Schwarzenegger Office of the Governor State Capitol Building Sacramento, CA 95814

#### **FLORIDA**

Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 The Honorable Charles J. Crist, Jr. Office of the Governor The Capitol 400 S. Monroe Street Tallahassee, FL 32399

#### **IDAHO**

Public Utilities Commission P.O. Box 83720 Boise, ID 83720-0074 The Honorable C.L. Otter Office of the Governor P.O. Box 83720 Boise, ID 83720

#### **ILLINOIS**

Commerce Commission 527 East Capital Avenue Springfield, IL 62701 The Honorable Pat Quinn Office of the Governor 207 State House Springfield, IL 62706

# **INDIANA**

Consumer Affairs Division 302 West Washington Street Suite E-306 Indianapolis, IN 46204 The Honorable Mitch Daniels Office of the Governor Statehouse Indianapolis, IN 46204-2797

#### **MICHIGAN**

Public Service Commission 6545 Mercantile Way P.O. Box 30221 Lansing, MI 48909 The Honorable Jennifer Granholm Office of the Governor P.O. Box 30013 Lansing, MI 48909

#### **NEW YORK**

Office of Consumer Service 3 Empire State Plaza Albany, NY 12223-1350

The Honorable David A. Patterson Office of the Governor State Capitol Albany, NY 12224

# **NORTH CAROLINA**

Utilities Commission – Public Staff Consumer Services 4326 Mail Service Center Raleigh NC 27699-4326

The Honorable Michael Easley Office of the Governor 20301 Mail Service Center Raleigh, NC 27699-0301

#### OHIO

Public Utilities Commission of Ohio 180 East Broad Street Columbus, OH 43215-3793

The Honorable Ted Strickland Office of the Governor Riffe Center, 30th Floor 77 South High Street Columbus, OH 43215-6108

#### **OREGON**

Public Consumer Services Division Utility Commission 550 Capitol Street, NE P.O. Box 2148 Salem, OR 97308-2148 The Honorable Ted Kulongoski Office of the Governor 160 State Capital 900 Court Street Salem, Oregon 97301-4047

#### **PENNSYLVANIA**

Public Utility Commission P.O. Box 3265 Harrisburg, PA 17105-3265 The Honorable Edward Rendell Office of the Governor 225 Main Capitol Building Harrisburg, PA 17120

#### **SOUTH CAROLINA**

Consumer Services Department P.O. Box 11263 Columbia, SC 29211 The Honorable Mark Sanford Office of the Governor P.O. Box 12267 Columbia, SC 29211

#### **TEXAS**

1701 North Congress Avenue P.O. Box 13326 Austin, TX 78711 The Honorable Rick Perry Office of the Governor P.O. Box 12428 Austin, TX 78711

#### **VIRGINIA**

State Corporation Commission Division of Communications P.O. Box 1197 Richmond, VA 23218 The Honorable Tim Kaine Office of the Governor Patrick Henry Building 1111 East Broad Street 3<sup>rd</sup> Floor Richmond, VA 23219

#### **WASHINGTON**

Utilities & Transportation Commission 1300 S. Evergreen Park Drive SW P.O. Box 4750 Olympia, WA 98504 The Honorable Christine Gregoire Office of the Governor P.O. Box 40002 Olympia, WA 98504-0002

# **WISCONSIN**

Consumer Affairs Unit 610 North Whitney Way P.O. Box 7854 (53707-7854) Madison, WI 53705 The Honorable Jim Doyle Office of the Governor P.O. Box 7863 Madison, WI 53707

Secretary of Defense Attn: Special Asst. for Telecommunications Pentagon Washington, DC 20301 Verizon Business Customer Care 700 Hidden Ridge M/S W03E17 Irving, TX 75038



August 6, 2009



Re: Notice of Discontinuation of Verizon's Fractional T1 and DS1 Services

Dear Verizon Business Customer:

Effective on or after December 16, 2009, Verizon New York Inc. and the Verizon West operating Telephone companies<sup>1</sup> (collectively, "Verizon"), located at the addresses listed on Attachment 1, will no longer allow new orders for (or changes to existing) Fractional T1 Service offered in FCC Tariffs Nos. 14 and 16 or for NYNEX Enterprise Fractional DS1 Service ("Fractional DS1 Service") offered in FCC Tariff No. 11.<sup>2</sup>

Fractional T1 Service provides a special access termination of N x 56 kbps and N x 64 kbps, where N = 2, 4, and 6. Fractional T1 Service can be designed to carry various DS0 combinations when customer applications require greater bandwidth than a traditional single DS0 circuit, but less bandwidth than a traditional DS1 1.544 Mbps service. Fractional DS1 Service provides a special access termination of 128, 256, 384, 512, or 768 kbps channel bandwidth delivered as a single bit rate.

Verizon is discontinuing the Fractional T1 and DS1 services because the network equipment used to provide these services will no longer be manufactured or supported by Verizon's vendor. Therefore, Verizon customers are encouraged to transition their Fractional T1 and/or DS1 services to alternative bandwidth services and begin developing a transition plan as soon as possible.

Upon discontinuance, Verizon will not offer either Fractional T1 or DS1 services to new customers and will support existing service arrangements only under the following limitations: (1) new orders for these services, whether on a term or month-to-month plan, will not be allowed; (2) moves, rearrangements, or any other changes in the termination at a Customer Designated Location or Central Office will not be allowed; (3) renewal of term plans for Fractional T1 and DS1 services, as well as any associated mileage term plans, will not be allowed; (4), upon expiration of a term plan, the customer will be placed on a month-to-month plan until the service is disconnected; and (5) current month-to-month customers of Fractional T1 and DS1 services may continue on a month-to-month basis until they are transitioned to an alternate bandwidth service or until the Fractional T1 or DS1 is disconnected.

If you wish to make arrangements for alternative service or have questions about this letter, please contact your Verizon account team representative.

Sincerely,

Verizon Business

<sup>&</sup>lt;sup>1</sup> The Verizon West operating telephone companies are Verizon North Inc., Verizon California Inc., Verizon Florida LLC, Verizon Northwest Inc., Verizon South Inc., GTE Southwest Incorporated (d/b/a Verizon Southwest), and Contel of the South Inc.

<sup>&</sup>lt;sup>2</sup> Fractional T1 service is described in the applicable provisions of Verizon's tariffs, including but not limited to Section 5.1.1 of FCC Tariff No. 14 and Section 7.2.1 of FCC Tariff No. 16. Fractional DS1 Service is described in the applicable provisions of Verizon's tariffs, including but not limited to Section 7.2.13 of FCC Tariff No. 11.

IMPORTANT NOTE: The FCC will normally authorize this proposed discontinuance of service (or reduction or impairment) unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 30 days after the Commission releases public notice of the proposed discontinuance. Address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, D.C. 20054, and include in your comments a reference to the Sec. 63.71 Application of Verizon. Comments should include specific information about the impact of this proposed discontinuance (or reduction or impairment) upon you or your company, including any inability to acquire reasonable substitute service.

#### ATTACHMENT 1

This notice is provided on behalf of the following Verizon telephone operating companies located at the addresses listed below:

#### Verizon California Inc.

112 Lakeview Canyon Road Thousand Oaks, California 91362

# Verizon Florida LLC

201 North Franklin Street One Tampa City Center Tampa, Florida 33602

# Verizon New York Inc.

140 West Street New York, NY 10007

#### Verizon North Inc.

8001 West Jefferson Boulevard Fort Wayne, Indiana 46804

#### Verizon Northwest Inc.

1800 41st Street Everett, Washington 98201

#### Verizon South Inc.

201 N. Franklin Street One Tampa City Center Tampa, Florida 33602

# GTE Southwest Incorporated (d/b/a Verizon Southwest)

600 Hidden Ridge Irving, Texas 75038

# Contel of the South, Inc.

600 Hidden Ridge Irving, Texas 75038