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April 5, 2013

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## By Hand Delivery

Ms. Marlene H. Dortch Secretary Federal Communications Commission 445 12th Street, SW Washington, D.C. 20554

Re: Absolute Home Phones, Inc. Section 63.71 Application

Dear Ms. Dortch:

On behalf of Absolute Home Phones, Inc. and pursuant to Section 63.71 of the Federal Communications Commission's rules, 47 C.F.R. § 63.71(b), enclosed please find an original and four copies of the Company's Section 63.71 Application for approval to discontinue all domestic wireline telecommunications services.

Also enclosed is a duplicate of this filing. Please date-stamp the duplicate and return it to the courier.

Respectfully submitted,

Wilmolled Brown

Winafred Brantl

Counsel to Absolute Home Phones, Inc.

**Enclosures** 

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

In the Matter of	)
	)
Section 63.71 Application of	)
Absolute Home Phones, Inc.	)

### SECTION 63.71 APPLICATION

Absolute Home Phones, Inc. ("Absolute," the "Company" or "Applicant") hereby seeks authorization pursuant to Section 214(a) of the Communications Act of 1934, as amended (the "Act"), 47 U.S.C. § 214, and Section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to entirely discontinue its provision of domestic wireline telecommunications. Absolute has no customers for these services to be affected by the proposed discontinuance.

Absolute, a Florida corporation, operates as a provider of domestic competitive telecommunications services in the southeastern United States. Until December, 2012, Absolute offered its customers a prepaid wireline package of residential local exchange and interexchange services in these states. Absolute did not provide international services.

In December, 2012, pursuant to Commission approval of its Section 63.71 application, Absolute discontinued provision of its prepaid service offering in Alabama, Florida, Kentucky,

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Absolute provides both intrastate and interstate long distance services.

Louisiana, North Carolina and Tennessee.<sup>2</sup> In its filing, Absolute noted its intention to review the telecommunications market and evaluate the viability of alternative service models.

After considered review, Absolute has determined that it is not feasible for the Company to continue as a wireline service provider. Consequently, the Company now requests approval to formally shut down its wireline services and surrender its blanket domestic wireline interstate authority. The Company has no wireline service customers to be affected by this discontinuance. Moreover, Absolute's withdrawal from the wireline services market will not adversely affect consumers generally, as a full range of competitive wireline service offerings are available from other carriers. Numerous carriers in each state provide either prepaid and/or postpaid residential service offerings, including the incumbents in each area.

The Applicant provides the following information pursuant to Section 63.71 of the Commission's Rules:

- 1. <u>Name and Address of Carrier</u>: Applicant's name and address is Absolute Home Phones, Inc., P.O. Box 830010, Ocala, FL 34483.
- Date of Planned Service Discontinuance, Reduction or Impairment: Absolute will implement the proposed discontinuance immediately following approval of this request by the Commission.<sup>3</sup> The Company wishes to complete this process as expeditiously as possible and noting that there are no customers to be adversely affected by the discontinuance, requests that this application be placed on public notice as soon as possible and no later than April 19, 2013 so that the Company may effectuate the discontinuance on or before May 20, 2013.

At the time, Absolute had no customers for these services in Alabama, Louisiana and Tennessee. Absolute did not file to discontinue these services in Georgia, Mississippi or South Carolina, where it had not begun to offer its prepaid services.

Absolute understands that this application will be granted automatically on the 31<sup>st</sup> day after public notice of filing unless the Commission notifies the Company to the contrary.

- 3. <u>Points of Geographic Areas of Service Affected</u>: Absolute proposes to discontinue its offering of domestic interstate wireline services throughout its operating territory, consisting of the states of: Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina and Tennessee. By this filing, the Company also surrenders its blanket domestic wireline operating authority, which encompasses interstate operations throughout the United States.
- 4. <u>Brief Description of Type of Service Affected</u>: The communications services affected by the proposed discontinuance consist of domestic wireline residential local exchange and interexchange services.
- 5. <u>Brief Description of the Dates and Methods of Notice to All Affected Customers:</u>
  As noted, Absolute has no customers for its wireline services in any state and thus there are no customers to be notified.
- 6. Whether the Carrier is Considered Dominant or Non-Dominant with Respect to the Service to Be Discontinued, Reduced or Impaired: Applicant is considered non-dominant with respect to the affected services.

In accordance with Section 63.71 of the Commission's Rules and concurrent with this filing, a copy of this Application is being mailed to (i) the Governors and Public Service Commissions (or equivalent) of Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina and Tennessee and (ii) to the Special Assistant for Telecommunications for the Secretary of Defense.

Additional questions regarding this application should be addressed to the undersigned.

Respectfully submitted,

Absolute Home Phones, Inc.

y: almafied M. Bevan

John J. Heitmann Winafred R. Brantl

Kelley Drye & Warren LLP 3050 K Street, NW – Suite 400 Washington, DC 20007

Tel: (202) 342-8819

E-Mail: wbrantl@kelleydrye.com

Its Attorneys

Dated: April 5, 2013

### CERTIFICATE OF SERVICE

I hereby certify that the foregoing Section 63.71 Application was served this 5<sup>th</sup> day of April, 2013, by mailing true and correct copies thereof, postage prepaid, to the following persons at the addresses listed below.

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

Alabama
Office of Governor Robert Bentley
State Capitol
600 Dexter Avenue
Montgomery, AL 36130-2751

Florida Office of Governor Rick Scott PL 05 The Capitol 400 South Monroe Street Tallahassee, FL 32399-0001

Georgia Office of Governor Nathan Deal 203 State Capitol Atlanta, GA 30334

Kentucky Office of Governor Steven L. Beshear 700 Capitol Ave., Suite 100 Frankfort, KY 40601

Louisiana Office of Governor Bobby Jindal P. O. Box 94004 Baton Rouge, LA 70804-9004

Mississippi Office of Governor Phil Bryant P.O. Box 139 Jackson, MS 39205 North Carolina Office of Governor Beverly Perdue Office of the Governor 20301 Mail Service Center Raleigh, NC 27699-0301

South Carolina Office of Governor Nikki R. Haley 1205 Pendleton Street Columbia, SC 29201

Tennessee Office of Governor Bill Haslam Tennessee State Capitol Nashville, TN 37243-0001

Mr. Walter L. Thomas, Jr. Commission Secretary Alabama Public Service Commission Suite 850 100 North Union Street Montgomery, AL 36104

Ms. Ann Cole Commission Clerk Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399

Mr. Reece McAlister Executive Secretary Georgia Public Service Commission 244 Washington Street Atlanta, GA 30334 Mr. Jeff R. Derouen Executive Director Kentucky Public Service Commission 211 Sower Boulevard Frankfort, KY 40601

Eve Kahao Gonzalez Secretary Louisiana Public Service Commission 602 North 5th Street Baton Rouge, LA 70802

Mr. Brian U. Ray Executive Secretary Mississippi Public Service Commission P.O. Box 1174 Jackson, MS 39215-1174

Ms. Renne Vance Chief Clerk North Carolina Utilities Commission 430 North Salisbury Street Raleigh, NC 27603-5918

Jocelyn Boyd Executive Director South Carolina Public Service Commission PO Drawer 11649 Columbia, SC 29211

Ms. Sharla Dillon Dockets & Records Tennessee Regulatory Authority 460 James Robertson Parkway Nashville, TN 37243

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