

ORIGINAL

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

_____)
In the Matter of)

Section 63.71 Application of)
Internet Commerce & Communications, Inc.)
For Authority Pursuant to Section 214 of the)
Communications Act of 1934, as Amended,)
to Discontinue the Provision of Services to)
Customers)

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SECTION 63.71 APPLICATION

Internet Commerce and Communications, Inc. ("ICC" or "Applicant"), through _____ attorneys, seeks authorization pursuant to section 214(a) of the Communications Act of 1934, as amended (the "Act"), and section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to discontinue its provision of telecommunications services.

I. IDENTIFICATION OF THE APPLICANT

1. ICC, a Delaware corporation, is authorized to provide frame relay and dedicated internet access services in numerous states throughout the United States. ICC's principal place of business is 7100 East Belleview, Greenwood Village, Colorado 80111.

2. Since receiving authorization from the regulatory agencies in those states, the Applicant until recently provided dial-up internet access services and, subsequent to the sale of its dial-up customers to Earthlink, has served predominantly small- to medium- sized business customers. Currently, ICC provides frame relay and dedicated internet access services to

customers in the following states: Alabama, Arizona, Colorado, Florida, Illinois, Iowa, Kansas,

- APP _____
- CAF _____
- CMP _____
- COM _____
- CTR _____
- ECR _____
- LEG _____
- OPC _____
- PAI _____
- RGQ _____
- SEC _____
- SER _____
- OTH _____

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Michigan, Mississippi, Missouri, Montana, New Jersey, New Mexico, New York, Ohio, Pennsylvania, South Carolina, Texas, Virginia, Washington, and Wisconsin. With respect to the services to be discontinued, ICC is considered to be a non-dominant carrier.

II. DESIGNATED CONTACTS

3. All correspondence, notices and inquiries regarding this Application should be addressed to:

Joel Laufer
Rubner, Padjen & Laufer LLC
1600 Broadway
Denver, Colorado 80202
(303) 830-3172 (telephone)
(303) 830-3135 (facsimile)

4. Copies of all correspondence, notices and inquiries also should be sent to:

Genevieve Morelli
Jennifer Kashatus
Kelley Drye & Warren LLP
1200 19th Street, NW
Suite 500
Washington, D.C. 20036
(202) 955-9600 (telephone)
(202) 955-9792 (facsimile)

III. REASON FOR REQUEST TO DISCONTINUE SERVICE/NOTIFICATION TO CUSTOMERS

5. ICC requests authority to withdraw from providing telecommunications services in all states in which it currently serves customers. On July 31, 2001, ICC filed for Chapter 11 bankruptcy protection. Subsequently, ICC and an unaffiliated company, ICC Speed Cell LLC ("ICC Speed Cell"), entered into an asset purchase agreement ("Agreement") whereby ICC Speed Cell would acquire certain assets of ICC, including part, but not all, of ICC's

customer base. On October 30, 2001, the bankruptcy court approved ICC Speed Cell's purchase of the assets as set forth in the Agreement.

6. On November 8, 2001, ICC provided those customers identified in *Attachment A* with a notice of discontinuance via email, followed by a written notification via U.S. mail sent on November 9, 2001. A copy of the notice is provided as *Attachment B*. The notification informed customers that their services would be terminated effective December 10, 2001. The notice further informed customers that they should seek an alternative service provider for the services provided to them by ICC.

7. ICC currently is providing frame relay and dedicated internet access services to its customers through ICC Speed Cell.

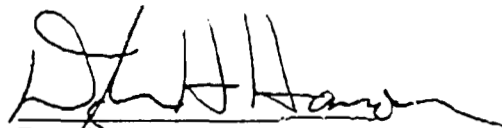
IV. CONCLUSION

8 WHEREFORE, ICC respectfully requests that the Commission grant it the authority to discontinue the provision of telecommunications services to its customers. In consideration of this request, ICC submits that the public convenience and necessity will not be adversely affected by the discontinuance of services to these customers. Indeed, customers may choose from numerous other carriers offering these services at competitive rates, and under reasonable terms and conditions.

Respectfully submitted,

Internet Commerce & Communications Inc

By:



Douglas Hanson

Internet Commerce & Communications, Inc
7100 East Belleview
Greenwood Village, Colorado 80111

Genevieve Morelli
Jennifer Kashatus
Kelley DRYE & WARREN LLP
1200 19th Street, NW
Suite 500
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(202) 955-9600 (telephone)
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November 9, 2001

CUSTOMER NOTIFICATION LIST

1ST PACIFIC FEDERAL CREDIT
AAA COMPUTER SUPPLY, INC.
ACS OF GREAT BEND, INC.
ALL-RITE SPRING COMPANY
BLAKE WEBBER
BUSINESS COMM
BUSINESS COMMUNICATIONS, INC. (BCI)
CBOSS COMMUNITY NETWORK
CHARTER COMMUNICATIONS
CHISMARK INFORMATION SERVICES
CLAYCOM
CLINTON INDEPENDENT SCHOOL
CYBERNET COMMUNICATIONS
DIXIENET, INC.
EAST TEXAS HOME HEALTH
GENESISTEMS INC.
HURON PUBLISHING COMPANY
IAW, INC.
INFORAMP INC.
INTERNET COLORADO, L.L.C.
KIRKER ENTERPRISES, INC.
L&W POWER CORPORATION
LAKE COUNTRY ONLINE
LRBCG.COM INC.
MANAGED INFORMATION SYSTEMS
MARINET, INC.
MARTY WILDFONG ASSOCIATES
MURRAY HILL INTERNATIONAL
NORTH MISSOURI INTERNET SERVICES
ORION DIGITAL SYSTEMS, INC.
PRACTICAL INTERNET SOLUTIONS
PRETRIAL SERVICES AGENCY
PROFESSIONAL COMPUTER SOL
RAPID GRANULATOR
RC& ASSOCIATES
RING ONLINE
SAGINAW COUNTY INFORMATION SYSTEMS
SALTY SERVER
SCOTT WACKER
SHIPLEY ENTERPRISES
SHIPLEY SYSTEMS, LLC
SIERRA COMMUNICATIONS
SPEEDY CIRCUITS.COM
ST. LABRE INDIAN SCHOOL
SURFNET, INC.
THE INTERNET PLACE
THIN AIR WEB COMPANY
VANION
VISION SOFTWARE
YK COMMUNICATIONS

INTERNET COMMERCE & COMMUNICATIONS, INC.

Important Information About Your Telecommunications Service

Dear Customer:

Internet Commerce and Communications, Inc. ("ICC") has filed for Chapter 11 bankruptcy protection, and will cease providing telecommunications services to all of its customers. The decision to discontinue providing services will not impact telecommunications services that you currently receive from other providers.

For uninterrupted service, you must select a new provider for those services currently provided to you by ICC (such as frame relay and dedicated internet access services) no later than December 10, 2001. The services currently provided to you by ICC will be disconnected effective December 10, 2001. A list of competitive telephone service providers can be found in your local telephone directory.

The FCC will normally authorize this proposed discontinuance of service 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 within 15 days after receipt of this notification. Address them to the Federal Communications Commission, Washington D.C. 20554, referencing the § 63.71 Application of ICC. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

Due to circumstances arising from issues in the bankruptcy proceeding, it appears likely that the telecommunications service your are currently receiving from us may be discontinued as early as November 9, 2001. However, we are working to find a solution that will enable us to provide service to you for the balance of the notice period, *i.e.*, until December 10, 2001. We will notify you if we are able to favorably resolve the situation, and if we can, we will provide you with instructions concerning your option to elect to receive service for the balance of the notice period. Alternatively, we will notify you if we are unable to resolve the situation and your service is discontinued. We apologize for any inconvenience this may cause, and appreciate the opportunity you have provided ICC by allowing us to be your telecommunications service provider. If you have any questions regarding the discontinuance of these services, please contact us at 1-800-864-4327.

Sincerely,

Douglas Hanson
President