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

In the Matter of	)	100000	)-0	T
Section 63.71 Application of	) ) File No.		10	R
BellSouth Telecommunications, Inc. d/b/a AT&T Southeast	) ) )	COXM CLI	DEC 20	ECEIVE
For Authority Pursuant to Section 214 of The Communications Act of 1934, As Amended, To Discontinue the Provision of Service	) ) )	ERK	AM 9: 58	D-FPSC

## SECTION 63.71 APPLICATION OF AT&T SOUTHEAST

AT&T Inc., on behalf of its incumbent local exchange carrier affiliate, BellSouth Telecommunications, Inc. d/b/a AT&T Southeast, applies for authority under Section 214(a) of the Communications Act, as amended ("the Act"), 47 U.S.C. § 214 and Section 63.71 of the Federal Communications Commission's ("Commission") rules, 47 C.F.R. § 63.71, to discontinue offering Dedicated Metro Ethernet service throughout its nine state territory, which includes the states of Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.

As required by Section 63.71(a) and (b) of the Commission's rules, AT&T Southeast provides the following information:

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

BellSouth Telecommunications, Inc. d/b/a AT&T Southeast Director – Product Marketing 3535 Colonnade Pkwy - North W1F1 Birmingham, AL 35243

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

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AT&T Southeast plans to discontinue offering this service to new customers on or after January 31, 2011 and to existing customers on or after June 30, 2011 based on contract requirements and subject to Commission approval of this application.

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

The services will be discontinued in the AT&T Southeast service territories in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.

### Brief Description of Type of Service Affected (47 C.F.R. §§ 63.71(a)(3), (b(2)):

AT&T Southeast's Dedicated Metro Ethernet service provides physical and logical pointto-point Ethernet connectivity over dedicated facilities between two customer locations. AT&T provisions this service utilizing equipment that was discontinued in 2009. Based on the limited availability of spare equipment, AT&T cannot continue to offer this service.

The public convenience and necessity will not be adversely affected by the discontinuance of this service because AT&T Southeast offers other Ethernet connectivity services in the same geographic areas where Dedicated Metro Ethernet is offered.

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

AT&T Southeast notified its customers by letter sent via U.S. Mail on December 13, 2010.

Copies of this Application are being sent, first class U.S. Mail, to the public utilities commission and governor of each state in which discontinuance is proposed 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.

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

AT&T Southeast is non-dominant in the provision of Dedicated Metro Ethernet as provided in *Petitions of AT&T Inc. & BellSouth Corp. for Forbearance, Memorandum Opinion and Order*, 22 FCC Rcd 18705 (2007).

Questions about this application may be addressed to Toni Acton, AT&T Services, Inc., Director, Federal Regulatory, 1120 20th Street N.W., Suite 1000, Washington, D.C. 20036, (202) 457-3039.

### **Conclusion:**

The public convenience and necessity will not be adversely affected by the discontinuance of this service because any future needs for comparable service can be met with . AT&T Southeast's other Ethernet products. Therefore, AT&T Southeast respectfully requests the Commission to approve its Section 63.71 Application to discontinue the provision of Dedicated Metro Ethernet service.

Respectfully submitted,

AT&T Inc.

By: /s/Terri L. Hoskins

Terri L. Hoskins Gary L. Phillips Paul K Mancini

AT&T Services, Inc. 1120 20<sup>th</sup> Street NW Suite 1000 Washington, DC 20036

Its Attorneys

Dated: December 14, 2010

### CERTIFICATE OF SERVICE

I do certify that I have, on this 14<sup>th</sup> day of December 2010, served a copy of the foregoing

Section 63.71 Application by U.S. Mail postage prepaid to the following:

/s/Lacretia Hill Lacretia Hill

Alabama Public Service Commission 100 N. Union Street Suite 850 Montgomery, AL 36104

Governor Bob Riley State Capitol 600 Dexter Avenue Montgomery, AL 36130

Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850

Governor Charlie Crist Office of the Governor The Capitol Tallahassee, FL 32399-0001

Georgia Public Service Commission 244 Washington Street, SW Atlanta, GA 30334

Office of the Governor Georgia State Capitol Atlanta, GA 30334

Kentucky Public Service Commission 211 Sower Boulevard Frankfort, KY 40602

Governor Ernie Fletcher 700 Capital Avenue Suite 100 Frankfort, KY 40601 Louisiana Public Service Commission Galvez Building, 12th Floor 602 North Fifth Street P.O. Box 91154 Baton Rouge, LA 70821

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

Office of the Governor P.O. Box 94004 Baton Rouge, LA 70804-9004

Mississippi Public Utilities Commission Woolfolk Building 501 North West Street Jackson, MS 39201-1174

Governor Haley Barbour P.O. Box 139 Jackson, MS 39205

North Carolina Utilities Commission 430 North Salisbury Street Dobbs Building Raleigh, NC 27603-5918

Governor Michael F. Easley Office of the Governor 20301 Mail Service Center Raleigh, NC 27699-0301 Public Service Commission of South Carolina, 101 Executive Center Dr., Suite 100 Columbia, SC 29210

Governor Mark Sanford Office of the Governor P.O. Box 12267 Columbia, SC 29211

Tennessee Regulatory Authority 460 James Robertson Parkway Nashville, TN 37243-0505

Governor Phil Bredesen Governor's Office Tennessee State Capitol Nashville, TN 37243-0001