

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

In the Matter of

Section 63.71 Application of

AT&T Services, Inc., on behalf of its affiliate
BellSouth Telecommunications, LLC, d/b/a
AT&T Florida and AT&T Tennessee.

Authority Pursuant to Section 214 of
The Communications Act of 1934, As Amended,
To Grandfather the Provision of Service

File No.

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COMMISSION
CLERK

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SECTION 63.71 APPLICATION OF AT&T

AT&T¹ applies for authority under Section 214(a) of the Communications Act, as amended, 47 U.S.C. § 214, and Section 63.71 of the Federal Communications Commission's ("Commission") rules, 47 C.F.R. § 63.71, to grandfather legacy DS1 service (the "Affected Service") for four customers in sections of two states who inadvertently may not have received notice of AT&T's November 16, 2023 Section 63.71 application to grandfather the same service (the "November 2023 Application").²

In connection with the November 2023 Application, AT&T mailed notice to customers of the Affected Service located in sections of five states where there is virtually no demand for the services. The November 2023 Application was deemed automatically granted on February 12,

¹ AT&T Services, Inc. files this application on behalf of its affiliate BellSouth Telecommunications, LLC, d/b/a AT&T Florida and AT&T Tennessee.

² See Section 63.71 Application of AT&T, WC Docket No. 23-397 (Nov. 16, 2023), <https://www.fcc.gov/ecfs/document/111604499413/1> ("November 2023 Application"); see also Errata to Section 63.71 Application of AT&T, WC Docket No. 23-397 (Dec. 14, 2023), <https://www.fcc.gov/ecfs/document/1214106665508/1>.

2024.³ As AT&T explained in that application, in the nine wire centers covered by that application, AT&T had received *no* new orders for the Affected Service in the preceding year.⁴

Recently, AT&T learned that a small percentage of the customers of the Affected Service in the area covered by the November 2023 Application inadvertently did not have customer notices associated with that application mailed to them (the “Omitted Customers”). The Omitted Customers comprise three DS1 wholesale customers (who subscribe to seven circuits) and one DS1 retail customer (who subscribes to four circuits), located in three wire centers in sections of two states (the “Affected Service Area”). A technical error associated with the identification of DS1 circuit locations in connection with AT&T’s ongoing database migration efforts resulted in the inadvertent exclusion of records for the Omitted Customers from the database AT&T relied on in preparing the November 2023 Application. After learning of these Omitted Customers, AT&T first adjusted its systems to ensure that the Omitted Customers were not actually subject to grandfathering (*i.e.*, they could still make changes to their service, including restarting their service after cancellation.) Then, AT&T carefully reviewed its records to confirm that there were no other Omitted Customers. Lastly, to help ensure such errors do not occur in the future, AT&T updated its processes for identifying and noticing customers impacted by proposed service changes.

On July 5, 2024, AT&T notified the Omitted Customers of the Affected Service in the Affected Service Area of the proposed grandfathering. The notices explain that, subject to regulatory approval, no changes to the Affected Service can be placed after September 1, 2024.

³ See FCC, Public Notice, WC Docket Nos. 23-397, 23-398, 23-399 (Jan. 12, 2024), <https://docs.fcc.gov/public/attachments/DA-24-42A1.pdf>.

⁴ November 2023 Application at 14.

A copy of the notices sent to customers of the Affected Service is included as Exhibit 1 to this application.

As AT&T explained in the November 2023 Application, grandfathering the Affected Service, which is outdated and prohibitively expensive for AT&T to maintain, will benefit the public and serve as an important step toward meeting both AT&T's and the Commission's goals of advancing the IP revolution. Businesses in the Affected Service Area have many cost-effective alternative options to choose from as replacements for the Affected Service if they do choose to unsubscribe to the Affected Service.⁵

APPLICATION

As required by Section 63.71 of the Commission's rules, AT&T provides the following information:

Name and Address of Carrier:

BellSouth Telecommunications, LLC, d/b/a AT&T Florida and AT&T Tennessee.

The address for purposes of this application is:

208 South Akard Street
Dallas, TX 75202

Date of Planned Service Grandfathering:

Pursuant to its earlier approved grandfathering application, AT&T ceased offering the Affected Service to new customers in the Affected Service Area as of February 12, 2024.

Effective on or after September 1, 2024, pending regulatory approval, AT&T will not permit the Omitted Customers to make new orders or changes to the Affected Service.

⁵ See generally November 2023 Application at 1-17, 19-20.

Points of Geographic Areas of Service Affected:

Except with respect to the Omitted Customers, AT&T has already obtained Commission authorization to grandfather the Affected Service in the Affected Service Area. The Omitted Customers currently receive service in the following locations:

Sections of Florida: Certain areas currently served by the following wire center: Fort Lauderdale (FTLDFLAP);

Sections of Tennessee: Certain areas currently served by the following wire centers: Nashville (NSVLTNAA), and Troy (TROYTNMT).

Brief Description of Type of Service Affected:

DS1 Service provides a point-to-point channel for the transmission of isochronous serial digital data at rates of 1.544 Mbps.⁶ Four Omitted Customers receive this service.

As explained in the Introduction and in the November 2023 Application, the public convenience and necessity will not be impaired by the grandfathering of the service. The Commission recognized over half a decade ago that DS1 technology would soon become “obsolete” in the face of significant advancement in competing services and changes in customer demand.⁷ The demand for the Affected Service is very low, and the Omitted Customers will not be losing service with this filing.

⁶ Depending on the location, DS1 Service may be sold under different names. In Florida and Tennessee, DS1s are sold as “DS1 (a.k.a BellSouth SPA DS1).”

⁷ Report and Order, *Business Data Services in an Internet Protocol Environment*, 32 FCC Rcd 3459, ¶ 3 (2017), *vacated in part on other grounds, Citizens Telecomms. Co. of Minn. v. FCC*, 901 F.3d 991 (8th Cir. 2018).

Brief Description of the Dates and Method of Notice to All Affected Customers:

Customer notices were sent via U.S. Mail on July 5, 2024 to the Omitted Customers.⁸ Copies of this Application are being sent via first class U.S. Mail to the governor, public utility commission, federally recognized tribes (if any) in the Affected Service Area, and to the Special Assistant for Telecommunications to the Secretary of Defense, as required by Section 63.71(a) of the Commission's rules.⁹

Regulatory Classification of Carrier:

AT&T offers the Affected Service pursuant to non-dominant carrier regulation.

Questions about this application may be addressed to Joshua Woodbridge, AT&T Services, Inc., Director – Federal Regulatory, 601 New Jersey Ave NW, Suite 400, Washington, DC, (202) 709-0554.

⁸ An example notice is attached at Exhibit 1.

⁹ Section 63.71(a) directs applicants to submit a copy of the application to the Secretary of Defense, Special Assistant for Telecommunications. However, due to restructuring within the Department of Defense, that position no longer exists. Commission staff has advised that a copy of the application be sent instead to the Department of Defense Chief Information Officer.

CONCLUSION

For the reasons identified above, the public convenience and necessity will not be adversely affected by the grandfathering of the Affected Service. AT&T respectfully requests the Commission approve its Section 63.71 Application to grandfather service.

By: /s/ Brett Farley

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Exhibit 1

July 5, 2024

*****SINGLE PIECE

[REDACTED]



**Important Notice Regarding Interstate DS1 Service
Change in Service Effective on or after September 1, 2024.**

Thank you for using AT&T¹ for your business service needs. We want to make you aware of planned changes to interstate DS1 service in certain AT&T wire centers (the "Affected Service").² Our records indicate that you currently purchase the Affected Service within at least one of the AT&T wire centers impacted by these changes.³

DS1 Service provides a point-to-point channel for the transmission of isochronous serial digital data at rates of 1.544 Mbps.

No New Orders: On February 12, 2024, AT&T stopped accepting new customers for the Affected Service in certain areas of Florida, Michigan, Ohio, Kentucky, and Tennessee, including in at least one area you receive the service.

Effective on or after September 1, 2024, pending regulatory approval, we will no longer accept changes to your AT&T DS1 Service. As a current AT&T customer, you may retain your existing service(s) subject to the following changes:

- **Effective on or after September 1, 2024, AT&T will no longer allow new orders, renewal of service agreements, or requests for physical changes to your service (including moves to different service addresses), unless your contract expressly allows such orders or changes. Following the expiration of your current term agreement, AT&T will provide service on a month-to-month basis. During any month-to-month service period, AT&T may change the rates, terms, and conditions of the service upon notification.**

AT&T offers AT&T Switched Ethernet Service, AT&T Dedicated Ethernet Service, AT&T Dedicated Internet, AT&T Business Fiber, and AT&T Wireless Broadband as replacements for DS1 service.

Your AT&T Service Representative will contact you to begin discussions regarding alternative solutions that meet your business communication needs.

(Over)

¹ The Affected Service is provided by the following AT&T entity: BellSouth Telecommunications, LLC, d/b/a AT&T Florida and AT&T Tennessee.

² Depending on the location, DS1 service may be sold under different names. In Florida and Tennessee, DS1s are sold as "DS1 (a.k.a BellSouth SPA DS1)."

³ Here is a full list of AT&T wire centers affected by this notice: **Florida:** Fort Lauderdale (FTLDFLAP); **Tennessee:** Nashville (NSVLTNAA), Troy (TROYTNMT). Please note that on October 31, 2023, AT&T notified customers in these wire centers of its plans to cease accepting new customers, moves, additions, and changes for DS1 Service. On February 12, 2024, AT&T stopped accepting new customers for DS1 service in these and other wire centers. The current notice applies to a small number of customers who did not receive that earlier notice.

We appreciate your understanding and look forward to serving your future business needs.

Sincerely,
AT&T Business Services
208 S. Akard Street
Dallas, TX 75202

Service Addresses in Areas Impacted by this Notice:

Service Address	City	State	Zip
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

AT&T is required by the FCC to provide the following statement:

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 15 days after the Commission releases public notice of the proposed discontinuance. You may file your comments electronically through the FCC's Electronic Comment Filing System using the docket number established in the Commission's public notice for this proceeding, or you may address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20554, and include in your comments a reference to the Section 63.71 Application of BellSouth Telecommunications, LLC, d/b/a AT&T Florida and AT&T Tennessee. 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.

CERTIFICATE OF SERVICE

I, **Kevin D. Horvitz**, certify that I have, on July 18, 2024, served a copy of the foregoing Section 63.71 Application of AT&T by U.S. Mail postage prepaid to the addresses below.

/s/ Kevin D. Horvitz
Kevin D. Horvitz

Florida Public Service
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The Capitol
Tallahassee, FL 32399

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