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May 18, 2001

**VIA FEDERAL EXPRESS**

Federal Communications Commission  
445 12<sup>th</sup> Street SW  
Washington, DC 20554

RECEIVED - PSC  
01 MAY 21 AM 10:28  
REGULATORY AND  
REPORTING

Re: North American Telecommunications Corporation Section 63.71 Application to the Federal Communications Commission for Discontinuance of Service


Dear Sir/Madam:

Enclosed for filing please find an FCC 162 together with one original and five copies of North American Telecommunications Corporation's<sup>1</sup> ("NATELCO") Section 63.71 Application for Discontinuance of Line Services. Please stamp and return the "File Copy" in the enclosed prepaid Federal Express envelope.

Please note that processing of this application should be **EXPEDITED** in light of NATELCO's pending bankruptcy and corresponding unknown ability to provide continued service after June 21, 2001, as set forth in more detail in this Application.

Thank you for your attention to this matter. Please do not hesitate to contact me if you require any further information.

Very truly yours,



Karen Baldwin Kravetz

KBK/

cc: Joseph M. Pastore III, Esq.  
Fred E. Horton, Jr., Esq.  
Mr. Martin Schwimmer and Ms K. Michele Walters, FCC Common Carrier Bureau  
All parties listed on signature page of Application

North American Telecommunications Corporation is the parent company of Long Island Telephone Company which provides service in New York and does business in Florida as Southeast Telephone Company.

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FEDERAL COMMUNICATIONS COMMISSION  
REGULATORY AND REPORTING

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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C.

In the Matter of )  
)  
SECTION 63.71 APPLICATION FOR )  
DISCONTINUANCE OF LINE SERVICES OF )  
DOMESTIC CARRIER )  
)  
NORTH AMERICAN TELECOMMUNICATIONS )  
CORPORATION )

**I. REQUEST FOR RELIEF**

Pursuant to Section 214 of Title 47 of the United States Code and Section 63.71 of Title 47 of the Code of Federal Regulations, North American Telecommunications Corporation (“NATELCO”), a non-dominant carrier, hereby requests a certificate that neither the present nor future public convenience and necessity will be adversely affected by discontinuation of service to its customers.

**II. REQUIRED INFORMATION PURSUANT TO 47 C.F.R. § 63.71**

Name and Address of Carrier:

North American Telecommunications Corporation

875 Merrick Avenue

Westbury, New York 11590

Fred E. Horton, Jr., Esq.

516-512-5027 Direct line

516-512-5001 Fax

fhorton@natelco.net

### Earliest Date of Discontinuance of Service

June 21, 2001

### Geographical Areas Affected

Discontinuance of Service will affect payphone, residential and business customers in New York and business customers in Florida. See Schedule 1, attached hereto for the names under which NATELCO provides service and the area codes in which its current customers are located.

### Nature of Discontinuance

On February 23, 2001, NATELCO filed a petition in the United States Bankruptcy Court for the Southern District of New York (the "Bankruptcy Court")<sup>1</sup> for protection under Chapter 11 of the United States Bankruptcy Code. As part of its subsequent operation as a Debtor in Possession, NATELCO conveyed to its secured lender, MCG Finance Corporation (MCG) certain physical assets together with the authority to cause NATELCO to transfer its customer accounts in New York and Florida to qualified CLECs.

### New York Customers

NATELCO has been instructed by MCG to transfer the majority of NATELCO customer accounts in New York to Manhattan Telecommunications Corporation ("MetTel"). As is more fully described below, the customer accounts that cannot be transferred to MetTel within the period NATELCO's network will remain operational, currently estimated to be

no earlier than June 21, 2001, or are for any other reason not able to be migrated have been provided notices of discontinuance. NATELCO is working with Verizon and the New York Public Service Commission's Consumer Information Bureau to help customers subject to discontinuance of service make arrangements to transfer service to alternate carriers. Attached hereto as Schedule 8 is a List of New York Customers Who Will Not Be Transferred To or Contacted By MetTel. A Master List of all NATELCO's New York customers will be provided upon request.

MetTel is a privately held Competitive Local Exchange Carrier ("CLEC"), currently offering local exchange and interexchange telecommunications services at locations throughout the State of New York pursuant to a Certificate of Public Convenience and Necessity.<sup>2</sup> MetTel's principal business office is located at 44 Wall Street, 14<sup>th</sup> Floor, New York, New York 10005. In order to accomplish the transfer of customers, NATELCO and MetTel have filed a Joint Petition for Approval of Certain Asset Transfers with the New York Public Service Commission setting forth the nature of the transaction in detail and are awaiting approval. See NYPSJC Joint Petition, attached hereto as Schedule 6. MetTel has also obtained Anti-Slamming Waivers from the Federal Communications Commission. See Schedule 7, attached hereto. MetTel will continue service to these customers under the same terms and at rates no higher than those currently provided by NATELCO.

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<sup>1</sup> Case Nos. 01-10907, 01-10910, 01-10913-15.

<sup>2</sup> MetTel was authorized to provide competitive resold and facilities-based local and interexchange services in the State of New York pursuant to Certificate of Public Convenience and Necessity granted by the New York Public Service Commission on September 23, 1996, Case 96-C-0504; amendment to the Certificate approved on July 21, 1997, Case 97-C-0369.

### Florida Customers

MCH has directed NATELCO to transfer its Florida customer list to IDS Telecom, LLC (“LLC”) a certified Florida Alternative Local Exchange Carrier (“ALEC”) providing local and long-distance service to customers in several states in the Southeast.

NATELCO has and will continue working with IDS to contact all Florida customers in order to offer access to at least one qualified carrier able of completing the installation of comparable service by the earliest anticipated termination date. No Florida customer will be switched to another carrier automatically by NATELCO. Furthermore, it is our understanding that BellSouth acts as the carrier of last resort in Florida. NATELCO will notify BellSouth of this Application and that it may be required to pick up any customers that have not made other arrangements by the actual termination date.

### Customer Notification Program

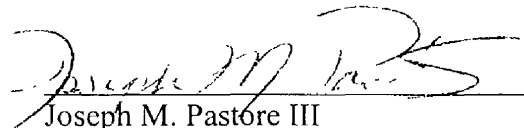
All NATELCO Customers have been notified, or will be notified simultaneously with the filing of this Application, of NATELCO’s discontinuation of service<sup>3</sup> by first class mail to each customer’s billing address. Each notice includes the information required by Section 63.71(1)-(5), clearly identifies the earliest termination date and references a toll-free customer service number and NATELCO’s website as a resource for more information. See Schedules 2, 3, 4 and 5 attached hereto.

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<sup>3</sup> New York customers were sent notices via first class mail between Wednesday May 16, 2001 and Friday May 18, 2001. See Schedules 2, 3, and 4 attached hereto. Three separate notices were sent to NATELCO’s New York customers depending on whether i) they are at risk for abandonment (Schedule 2); ii) they will be transferred to MetTel (Schedule 3), or; iii) they will be contacted by MetTel but not automatically transferred (Schedule 4). Florida customers were sent notices via first class mail on Friday May 11, 2001. See Schedule 5 attached hereto.

A copy of this application has been sent via first class mail to:

- Office of the Secretary of Defense, Chief of OSD Telecommunications Judy Mitchell;
- George E. Pataki, Governor of New York State;
- Jeb Bush, Governor of Florida;
- Janet Hand Deixler, Secretary to the Commission of the New York State Public Service Commission (Donald Burke, Maureen Maccauley, Patrice O'Connor);
- Blanco Bayo, Director of Records and Reporting of the Florida Public Service Commission (Thomas Williams III, Richard Moses, Beverlee DeMello), and;
- Martin Schwimmer and Michelle Walters of the Federal Communications Commission.



Joseph M. Pastore III  
Karen Baldwin Kravetz  
Brown Raysman Millstein  
Felder & Steiner LLP  
185 Asylum Street CityPlace II, 10<sup>th</sup> Floor  
Hartford, CT 06103  
Phone: 860-275-6400  
Fax: 860-275-6410  
jpastore@brownraysman.com  
kkravetz@brownraysman.com

\* \* \*

120 West 45<sup>th</sup> Street  
New York, NY 10036

Fred E. Horton, Jr., Esq.

North American Telecommunications  
Corporation  
875 Merrick Avenue  
Westbury, New York 11590  
Phone: 516-512-5027  
Fax: 516-512-5001

**SCHEDULE 1**

**CARRIER NAMES  
AND  
AREA CODES IN WHICH SERVICE IS PROVIDED**

**NEW YORK:**

North American Telecommunications Corporation

Long Island Telephone Company (Wholly owned subsidiary)

Area Codes 516, 631, 212, 718, and 914

**FLORIDA:**

Southeast Telephone Company (DBA)

100 North Biscayne Blvd.

Miami, FL

Area Codes 305, 561, and 954



**SCHEDULE 2**



**Long Island**  
Telephone Company

May 16, 2001

**NOTICE OF DISCONTINUANCE OF SERVICE BY NORTH AMERICAN  
TELECOMMUNICATIONS CORPORATION AND LONG ISLAND TELEPHONE  
COMPANY EFFECTIVE JUNE 21, 2001**

Dear Customer:

We regret to inform you that no earlier than June 21, 2001, North American Telecommunications Corporation ("NATELCO") and its subsidiary Long Island Telephone Company will no longer provide their New York customers with telecommunication services.\* This is the result of our recent bankruptcy filing.

**This means you must promptly select a new carrier for local and long distance telephone service. Installation of new service must be complete by June 21, 2001 or you may lose dial-tone and experience complications in opening a new account.**

If you require additional assistance, please contact our Customer Care Center at (866) 342-4944 or log on to our website at [www.natelco.net](http://www.natelco.net).

Customer accounts, including deposits and final bills will be reconciled by invoices sent to you within thirty (30) days of the termination date. You will be credited for any pre-paid services that you did not actually receive.

Thank you for being a valued customer, we very much appreciated the opportunity to serve your telecommunications needs.

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\* See attached Notice.

**NOTICE OF APPLICATION UNDER SECTION 63.71 FOR DISCONTINUANCE OF  
LINE SERVICES OF A DOMESTIC CARRIER**

North American Telecommunications Corporation has made application to the Federal Communications Commission to discontinue all operations in New York (doing business as North American Telecommunications Corporation and Long Island Telephone Company, et al), and Florida (doing business as Southeast Telephone Company). 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 fifteen (15) days after receipt of this notification. Address them to the Federal Communications Commission, Washington, DC 20554, referencing § 63.71 Application of NATELCO. 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.



**North American**  
T E L E C O M

North American Telecommunications Corporation  
875 Merrick Avenue  
Westbury, New York 11590

**SCHEDULE 3**

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**Long Island**  
Telephone Company

May 18, 2001

### **NOTICE OF TRANSFER OF SERVICE**

Dear Customer:

We regret to inform you that as early as the middle of June 2001, North American Telecommunications Corporation ("NATELCO") will no longer be able to provide its customers in New York with telecommunication services.\* This is the result of our recent bankruptcy filing. As part of that process we have arranged to transfer your account to Manhattan Telecommunications Corporation ("MetTel").

MetTel is one of the largest local, regional and long distance carriers in the New York Metropolitan area, and will be in contact with you very shortly regarding the change. If you prefer to contact MetTel directly please call 866-4METTEL (866-463-8835).

The transition process for our New York customers is underway and we expect it will be completed in the next several weeks. Please note that once your account is transferred to MetTel and subject to any applicable agreements, you are free to make arrangements to change your service to another telecommunications carrier.

If we can provide you additional information, please contact our Customer Care Center at **888-262-2518** or log on to our website at **[www.natelco.net](http://www.natelco.net)**.

Customer accounts, including deposits and final bills will be reconciled by invoices sent to you within thirty (30) days of the termination date. You will be credited for any pre-paid services that you did not actually receive. Thank you for being a valued customer, we very much appreciated the opportunity to serve your telecommunications needs.

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\* See attached Notice.

**NOTICE OF APPLICATION UNDER SECTION 63.71 FOR DISCONTINUANCE OF  
LINE SERVICES OF A DOMESTIC CARRIER**

North American Telecommunications Corporation has made application to the Federal Communications Commission to discontinue all operations in New York (doing business as North American Telecommunications Corporation and Long Island Telephone Company, et al), and Florida (doing business as Southeast Telephone Company). 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 fifteen (15) days after receipt of this notification. Address them to the Federal Communications Commission, Washington, DC 20554, referencing § 63.71 Application of NATELCO. 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.



**North American**  
T E L E C O M

North American Telecommunications Corporation  
875 Merrick Avenue  
Westbury, New York 11590



**SCHEDULE 4**



**Long Island**  
Telephone Company

May 18, 2001

**NOTICE OF DISCONTINUANCE OF SERVICE BY NORTH AMERICAN  
TELECOMMUNICATIONS CORPORATION AND LONG ISLAND TELEPHONE  
COMPANY EFFECTIVE JUNE 21, 2001**

Dear Customer:

We regret to inform you that no early than June 21, 2001, North American Telecommunications Corporation ("NATELCO") and its subsidiary Long Island Telephone Company will no longer provide their New York customers with telecommunication services.\* This is the result of our recent bankruptcy filing.

**This means you must promptly select a new carrier for local and long distance telephone service. Installation of new service must be complete by June 21, 2001 or you may lose dial-tone and experience complications in opening a new account.**

In order to assist you in this process, we are pleased to announce that we have made arrangements for Manhattan Telecommunications Corporation ("MetTel") to contact our NY customers. MetTel is one of the largest local, regional and long distance carriers in the New York Metropolitan area, and will be in contact with you very shortly regarding the change. If you prefer to contact MetTel directly, please call: residential customers--877-MetTel-1 (877-638-8351); business customers (800) 876 9823.

If we can provide you additional information, please contact our Customer Care Center at 866-342-4944 or log on to our website at [www.natelco.net](http://www.natelco.net).

Customer accounts, including deposits and final bills will be reconciled by invoices sent to you within thirty (30) days of the termination date. You will be credited for any pre-paid services that you did not actually receive. Thank you for being a valued customer, we very much appreciated the opportunity to serve your telecommunications needs.

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\* See attached Notice.

## NOTICE OF APPLICATION UNDER SECTION 63.71 FOR DISCONTINUANCE OF LINE SERVICES OF A DOMESTIC CARRIER

North American Telecommunications Corporation has made application to the Federal Communications Commission to discontinue all operations in New York (doing business as North American Telecommunications Corporation and Long Island Telephone Company, et al), and Florida (doing business as Southeast Telephone Company). 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 fifteen (15) days after receipt of this notification. Address them to the Federal Communications Commission, Washington, DC 20554, referencing § 63.71 Application of NATELCO. 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.



**North American**  
T E L E C O M

North American Telecommunications Corporation  
875 Merrick Avenue  
Westbury, New York 11590

**SCHEDULE 5**



May 11th, 2001

«CUSTOMER\_NAME»  
«CONTACT\_NAME»  
«SERVICE\_ADDRESS»  
Account#: «ACCOUNT»

**Re: NOTICE OF DISCONTINUANCE OF SERVICES BY SOUTHEAST  
TELEPHONE COMPANY EFFECTIVE JUNE 14 2001**

Dear Customer:

We regret to inform you that as early as June 14 2001, Southeast Telephone Company will no longer provide its customers in Florida with telecommunication services.\* This is the result of the recent bankruptcy filing by our parent, North American Telecommunications Corporation of Westbury, New York. **This means you must promptly select a new carrier for local and long distance telephone service. Installation of new service must be complete by June 14 2001 or you may lose dial tone and experience complications in opening a new account.**

In order to assist you in this process we are pleased to announce that we have made arrangements for **IDS Telecom LLC** to contact our Florida customers, so that they have access to a qualified carrier able to complete the installation of comparable service by mid-June.

IDS has a proven track record as a certified Competitive Local Exchange Carrier. The company has been providing quality telecommunication services since 1989. Currently, IDS provides local and long-distance services to thousands of customers in Florida, Georgia and throughout the Southeast U.S. IDS offers competitive pricing for long distance and considerable discounts over BellSouth's prices for local service. An IDS representative will be contacting you shortly, but if you prefer to contact a sales representative directly, please call (800) 698-8030.

Please be advised that you are under no obligation to accept IDS as your new carrier and are free to make arrangements with a different carrier at no cost to you. If you have any questions, please call our toll-free Customer Care Center at (888) 262-2518.

Customer accounts, including deposits and final bills will be reconciled by invoices sent to you within thirty (30) days of the termination date. You will be credited for any pre-paid services that you did not actually receive.

Thank you for being a valued customer of Southeast Telephone Company.

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\* See attached Notice.

**NOTICE OF APPLICATION UNDER SECTION 63.71 FOR DISCONTINUANCE OF  
LINE SERVICES OF A DOMESTIC CARRIER**

North American Telecommunications Corporation has made application to the Federal Communications Commission to discontinue all operations in New York (doing business as North American Telecommunications Corporation and Long Island Telephone Company, et al), and Florida (doing business as Southeast Telephone Company). 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 fifteen (15) days after receipt of this notification. Address them to the Federal Communications Commission, Washington, DC 20554, referencing § 63.71 Application of NAT. 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.

**SCHEDULE 6**



Before the  
NEW YORK STATE PUBLIC SERVICE COMMISSION  
Three Empire State Plaza, Albany, NY 12223

In the Matter of	)	
Joint Petition of Manhattan	)	
Telecommunications Corporation d/b/a	)	
Metropolitan Telecommunications and North	)	Docket No. _____
American Telecommunications Corporation	)	
for Approval of Certain Asset Transfers	)	

**JOINT PETITION FOR APPROVAL OF CERTAIN ASSET TRANSFERS**

Manhattan Telecommunications Corporation d/b/a Metropolitan Telecommunications (“MetTel”) and North American Telecommunications Corporation (“NATELCO”) respectfully submit this Petition for approval of the Commission of certain asset transfers from NATELCO to MetTel pursuant to a bankruptcy sale, as provided by *NY PUB SERV § 92-e* and *NY PUB SERV § 99*. MetTel and NATELCO desire to transfer NATELCO customers to MetTel, whereby MetTel will provide local exchange and interexchange service to certain customers currently pre-subscribed to NATELCO. As a result of this transfer, NATELCO Customers will continue receiving high quality telecommunications services subsequent to discontinuance of service by NATELCO. In support of that request, MetTel and NATELCO state as follows:

**I. Introduction and Identification of the Parties**

Metropolitan Telecommunications (MetTel) is a privately held, Delaware Corporation. It is a Competitive Local Exchange Carrier (“CLEC”), currently offering local exchange and interexchange telecommunications services at locations throughout the State of New York

pursuant to a Certificate of Public Convenience and Necessity.<sup>1</sup> MetTel's principal business office is located at 44 Wall Street, 14<sup>th</sup> Floor, New York, New York 10005.

North American Telecommunications Corporation (NATELCO) is a privately held, Delaware corporation providing both facilities-based and resale common carrier services in New York pursuant to a Certificate of Public Convenience and Necessity issued on March 27, 1998 in Case No. 98-C- 0109. NATELCO also does business in New York through its wholly owned subsidiary Long Island Telephone Company<sup>2</sup>. NATELCO's principal business office is located at 875 Merrick Avenue, Westbury, New York 11590.

On February 23, 2001, NATELCO filed a petition in the United States Bankruptcy Court for the Southern District of New York (the "Bankruptcy Court")<sup>3</sup> for protection under Chapter 11 of the United States Bankruptcy Code. As part of that process, NATELCO's secured lender purchased certain physical assets together with the authority to cause NATELCO to transfer its customer accounts in New York and Florida to qualified CLECs. MetTel has agreed to acquire a portion of the existing customer accounts in New York.

## **II. Acquisition of NATELCO Customers by MetTel**

The New York customer accounts acquired by MetTel can be divided into two categories based on the time when MetTel was able to consider their acquisition: (i) payphone customers, and (ii) residential and business customers. Originally, MetTel entered into an agreement with NATELCO to acquire payphone customers, whereas another CLEC entered into agreement with

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<sup>1</sup> MetTel was authorized to provide competitive resold and facilities-based local and interexchange services in the State of New York pursuant to Certificate of Public Convenience and Necessity granted by the New York Public Service Commission on September 23, 1996, Case 96-C-0504; amendment to the Certificate approved on July 21, 1997, Case 97-C-0369.

<sup>2</sup> Long Island Telephone Company, provides telecommunication services in New York pursuant to a Certificate of Public Convenience and Necessity issued August 4, 1994 in Case No. 98-C-0404.

NATELCO to acquire residential and business customers. Very shortly before the Bankruptcy Court hearing date the agreement for purchase of residential and business customers was cancelled. Therefore, it was only at that late date that MetTel was able to consider acquisition of residential and business customers in addition to payphone customers.

**A. NATELCO Payphone Customers**

On April 4, 2001, MetTel entered into an Asset Purchase Agreement with NATELCO whereby MetTel agreed to acquire the payphone customer base of NATELCO. Subsequently, a bankruptcy sale was scheduled for April 19, rescheduled for April 21 and ultimately held on April 25, 2001, at which time the Asset Purchase Agreement was approved by the Bankruptcy Court. At that point, financing for NATELCO as the Debtor in Possession was only in place through April 30, 2001, after which NATELCO would have no longer been able to operate its switch facilities or support the continuation of telecommunications services to its customers. Therefore, it was imperative that MetTel immediately migrate NATELCO customers in order to ensure continued service. These scheduling and financing difficulties created a unique situation where MetTel had less than six days to successfully migrate a large number of payphone lines or place customers at risk of service outages and substantial business losses.

**B. NATELCO Residential and Business Customers**

As stated above, another CLEC was contemplating an arrangement to acquire the residential and business customer base of NATELCO that was both on-net and off-net. The timetable proposed by the said CLEC for migrating customers from NATELCO was not acceptable to NATELCO's secured lender, as it would have required it to extend financing for

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<sup>3</sup> Case Nos. 01-10907, 01-10910, 01-10913-15.

NATELCO's operations for at least an additional two months. Consequently, as of April 19, 2001, there was no alternative carrier in place for NATELCO's business and residential customers. At the series of hearings from April 19, 2001 through April 25, 2001, all parties, including MetTel, attempted to deal with the event that all the on-net customers would lose service on April 30<sup>th</sup>, 2001 or shortly thereafter. Ultimately, NATELCO's secured lender acquired the right to transfer NATELCO's New York customer accounts, and agreed to continue to fund NATELCO as the Debtor in Possession for a period that would allow: i) adequate time to migrate a significant portion of the customers in New York and Florida to alternative carriers, and; ii) reasonable notice to customers who will not be transferred that they must secure alternative services within 30 days following issuance of NATELCO'S notice of discontinuance. NATELCO will more fully describe the affected customers in a subsequent communication to the Commission.

**C. Line Migration Required on an Expedited Basis**

MetTel will acquire all of NATELCO's New York customers with the exception of those customers which, for technical reasons, MetTel is unable to serve by means of its UNE-Platform. Even so, in order to meet NATELCO's funding deadline, over 7,000 business and residential lines must be transitioned in a very short period of time. In order to accomplish this complex task, MetTel has begun the line migration process by moving the payphone and residential accounts to its UNE-P base and working with Verizon to prepare for an expedited transition of lines currently resident in NATELCO's Westbury switch.

### III. MetTel's Petition for Waiver of Carrier Change Rules Approved by the FCC

MetTel filed Emergency Petitions for Limited Waiver of the of the customer authorization and verification requirements codified in the FCC rules, 47 C.F.R. §§ 64.1100 through 64.1190 (2000), and relevant FCC Orders to the extent necessary to permit it to transfer NATELCO customers<sup>4</sup> to MetTel's customer base without first obtaining the customers' authorization and verification. The Petitions were approved by the FCC on April 11, 2001 and April 23, 2001 (see Exhibit A and Exhibit B, respectively).

In conformance with the notification procedures previously approved by the FCC in the CC Docket No. 94-129, MetTel is implementing a two-step process to notify affected customers of the pending transfer of services and assure that these customers' rights are adequately protected. Specifically, MetTel will send a letter to each NATELCO customer prior to the migration. Said notification will: (1) notify them of the pending transfer of their telephone service to MetTel; (2) assure them that no charge or rate increase will be imposed as a result of the transaction; (3) advise them that they are free to change their local, regional and long distance preferred carrier, subject to the terms and conditions of any applicable service agreements; and (4) inform them that they may contact MetTel via a toll-free number with any questions regarding the pending transfer of their account to MetTel's customer base. Following the migration, MetTel will send another notification letter to NATELCO customers reiterating the information, advice, and assurances provided in the first letter.

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<sup>4</sup> On April 4, 2001, MetTel filed Petition for Waiver of the FCC carrier change rules in order to be able to acquire NATELCO payphone customers. On April 16, 2001, MetTel filed Petition for Waiver of the FCC carrier change rules in order to be able to acquire NATELCO's residential and non-residential customers.

**IV. NATELCO Notice of Abandonment of Service**

NATELCO will file with the Commission, the Florida Public Service Commission, and the Federal Communications Commission appropriate notifications/applications to allow it to discontinue all telecommunications services to its customers on or after the expiration of a 30 day notice period. NATELCO will provide notices of its intent to discontinue services that comply with the requirements of the Federal Communications Commission rules (Section 63.71 of the Code of Federal Regulations). Notices will be sent to both the customer group that is subject to the transfer to MetTel and to the group who must select an alternative carrier. (A draft copy of each of the proposed notices is attached as Exhibit C and D).

**V. Transfer of NATELCO Customers to MetTel Will Serve the Public Interest**

It is of paramount importance to MetTel, NATELCO and NATELCO's secured lender that the migration process is designed to ensure a seamless transition of NATELCO customers to MetTel without inconvenience or disruption of service. However, as NATELCO's present funding requires its network be shut down shortly after the abandonment notice period, MetTel must transfer the customer accounts it has acquired as soon as possible.

After the transfer of NATELCO customer accounts is effected, MetTel will work with these customers and the Commission Staff to investigate and attempt to resolve any outstanding customer complaints that may have been made prior to their transfer to MetTel, and to address all customer inquiries and concerns after the transfer. MetTel and NATELCO submit that the proposed notification processes and Met Tel's commitment to address customer complaints will adequately safeguard the rights of all customers affected by this transaction.

VI. Designated Contacts

The designated contacts for this proceeding are:

Andoni Economou  
Executive Vice President  
MetTel  
44 Wall St., 14<sup>th</sup> Floor  
New York, NY 1005  
212-607-2004 Direct Line  
212-635-5074 Fax  
[aeconomou@mettel.net](mailto:aeconomou@mettel.net)


Fred E. Horton, Jr., Esq.  
North American  
Telecommunications Corp.  
875 Merrick Ave.  
Westbury, NY 11590  
516-512-5027 Direct line  
516-512-5001 Fax  
[fhorton@natelco.net](mailto:fhorton@natelco.net)

**VII. Conclusion and Request For Expedited, Retro-Active Approval**

WHEREFORE, in view of the foregoing, MetTel and NATELCO respectfully request approval of the Commission of the transfer of NATELCO customers to MetTel's customer base on an expedited and *Nunc Pro Tunc* basis. The actions taken by MetTel to act promptly to close the transactions and begin an expedited line migration process were essential to meet the unique circumstances of NATELCO's termination of its business. Without such actions, there was a substantial risk that NATELCO customers would experience interruption of services which could have led to substantial business losses.

Respectfully submitted,

Manhattan Telecommunications Corporation  
d/b/a Metropolitan Telecommunications  
("MetTel")

  
~~Andoni Economou~~ *Anna Sokolin-Maimon*  
~~Executive Vice President~~ *Attorney for MetTel*

North American Telecommunications  
Corporation ("NATELCO")

  
Fred E. Horton, Jr.  
Attorney for  
North American Telecommunications Corporation

May 11, 2001



**SCHEDULE 7**

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Implementation of the Subscriber Carrier	)	
Selection Changes Provisions of the	)	CC Docket No. 94-129
Telecommunications Act of 1996	)	
	)	
Manhattan Telecommunications Corporation	)	
d/b/a Metropolitan Telecommunications a/k/a	)	
MetTel	)	

Emergency Petition for Limited Waiver

**ORDER**

**Adopted: April 23, 2001**

**Released: April 24, 2001**

By the Associate Chief, Accounting Policy Division, Common Carrier Bureau:

**I. INTRODUCTION AND BACKGROUND**

1. In its *Carrier Change Orders*,<sup>1</sup> the Commission adopted rules applicable to carriers changing a consumer's preferred carrier.<sup>2</sup> In this Order, we grant Manhattan Telecommunications Corporation d/b/a Metropolitan Telecommunications a/k/a MetTel (MetTel) a limited waiver of the authorization and verification requirements of the Commission's rules and

<sup>1</sup> *Implementation of the Subscriber Carrier Selection Changes Provisions of the Telecommunications Act of 1996 and Policies and Rules Concerning Unauthorized Changes of Consumers' Long Distance Carriers*, CC Docket No. 94-129, Further Notice of Proposed Rule Making and Memorandum Opinion and Order on Reconsideration, 12 FCC Rcd 10674 (1997), Second Report and Order and Further Notice of Proposed Rule Making, 14 FCC Rcd 1508 (1998) (*Section 258 Order*); *stayed in part*, *MCI WorldCom v. FCC*, No. 99-1125 (D.C. Cir. May 18, 1999); First Order on Reconsideration, 15 FCC Rcd 8158 (2000); *stay lifted*, *MCI World Com v. FCC*, No. 99-1125 (D.C. Cir. June 27, 2000); Third Report and Order and Second Order on Reconsideration, 15 FCC Rcd 15996 (2000); *amended*, Order, FCC 01-67 (rel. Feb. 22, 2001); *reconsideration pending*; *Policies and Rules Concerning Unauthorized Changes of Consumers' Long Distance Carriers*, CC Docket No. 94-129, Report and Order, 10 FCC Rcd 9560 (1995), *stayed in part*, 11 FCC Rcd 856 (1995); *Policies and Rules Concerning Changing Long Distance Carriers*, CC Docket No. 91-64, 7 FCC Rcd 1038 (1992), *reconsideration denied*, 8 FCC Rcd 3215 (1993) (*PIC Change Recon. Order*); Investigation of Access and Divestiture Related Tariffs, CC Docket No. 83-1145, Phase I, 101 F.C.C.2d 911 (*Allocation Order*), 101 F.C.C.2d 935 (*Waiver Order*), *reconsideration denied*, 102 F.C.C.2d 503 (1985) (*Reconsideration Order*) (the *Reconsideration Order* denied reconsideration of both the *Allocation Order* and the *Waiver Order*). We refer to these orders collectively as the *Carrier Change Orders*.

<sup>2</sup> 47 C.F.R. §§ 64.1100 - 64.1190.

*Carrier Change Orders.*<sup>3</sup> We grant this limited waiver to the extent necessary to enable MetTel to become the preferred carrier of consumers currently presubscribed to North American Telecommunications Corporation (NATELCO), without first obtaining the consumers' authorization and verification.

2. Section 258 of the Communications Act of 1934, as amended by the Telecommunications Act of 1996, makes it unlawful for any telecommunications carrier to "submit or execute a change in a subscriber's selection of a provider of telephone exchange service or telephone toll service except in accordance with such procedures as the Commission shall prescribe."<sup>4</sup> The goal of section 258 is to eliminate the practice of "slamming," the unauthorized change of a subscriber's preferred carrier. Pursuant to section 258, carriers are absolutely barred from changing a customer's preferred local or long distance carrier without first complying with the Commission's verification procedures.<sup>5</sup> In the *Section 258 Order*, the Commission revised its procedures to ensure that carriers obtain the requisite authority prior to changing a customer's preferred carrier. The Commission requires that carriers follow one of the Commission's prescribed verification procedures before submitting carrier changes on behalf of consumers.<sup>6</sup>

3. MetTel seeks a waiver of our verification rules to allow MetTel to be designated the preferred local, long distance, and intraLATA toll carrier for NATELCO customers without first obtaining each customer's authorization and verification. Because we conclude that, under the circumstances presented, it is in the public interest to do so, we grant MetTel a waiver, subject to the conditions represented in its filings.

## II. DISCUSSION

4. Generally, the Commission's rules may be waived for good cause shown.<sup>7</sup> As

<sup>3</sup> On April 16, 2001, Manhattan Telecommunications Corporation d/b/a Metropolitan Telecommunications a/k/a MetTel filed an Emergency Petition for Limited Waiver of the Commission's carrier change rules to permit it to acquire a portion of the North American Telecommunications Corporation customer base. (Waiver Petition).

<sup>4</sup> 47 U.S.C. § 258.

<sup>5</sup> The Commission's rules and orders clearly contemplate that a switchless reseller may be a customer's preferred carrier. Therefore, changes to a customer's preferred carrier that do not involve a change in the customer's underlying facilities-based carrier are nonetheless subject to the Commission's authorization and verification rules. See *Section 258 Order*, 14 FCC Rcd at 1593,1594, paras. 145-146; *WATS International Corp. v. Group Long Distance (USA), Inc.*, 12 FCC Rcd 1743, 1752 (1997) (citing *PIC Change Recon. Order*, 8 FCC Rcd at 3218).

<sup>6</sup> Pursuant to these procedures, a carrier must: (1) obtain the subscriber's written or electronically signed authorization in a form that meets the requirements of §64.1130; (2) obtain confirmation from the subscriber via a toll-free number provided exclusively for the purpose of confirming orders electronically; or (3) utilize an independent third party to verify the subscriber's order. See 47 C.F.R. § 64.1120(c).

<sup>7</sup> 47 C.F.R. § 1.3.

noted by the Court of Appeals for the D.C. Circuit, however, agency rules are presumed valid.<sup>8</sup> The Commission may exercise its discretion to waive a rule where the particular facts make strict compliance inconsistent with the public interest.<sup>9</sup> In addition, the Commission may take into account considerations of hardship, equity, or more effective implementation of overall policy on an individual basis.<sup>10</sup> Waiver of the Commission's rules is therefore appropriate only if special circumstances warrant a deviation from the general rule, and such a deviation will serve the public interest.<sup>11</sup>

5. We find that MetTel has demonstrated that good cause exists to justify a limited waiver of the Commission's authorization and verification requirements to the extent necessary to enable MetTel to transfer to its own customer base the affected NATELCO customers. According to the Waiver Petition, on February 23, 2001, NATELCO filed for bankruptcy protection under Chapter 11 in the United States Bankruptcy Court for the Southern District of New York.<sup>12</sup> Pursuant to a bankruptcy sale, MetTel entered into an Asset Purchase Agreement with NATELCO in which MetTel agreed to acquire a portion of the NATELCO customer base, namely payphone access lines.<sup>13</sup> On April 4, 2001 MetTel filed an Emergency Petition for Limited Waiver of the Commission's carrier change rules to permit it to acquire NATELCO payphone customers. The Commission approved the April 4<sup>th</sup> Petition on April 11, 2001.<sup>14</sup>

6. MetTel now states that, in addition to NATELCO payphone customers, MetTel would like to acquire those customers of NATELCO that have not been acquired by other entities as of April 19, 2001, the date of the auction of NATELCO's assets.<sup>15</sup> MetTel asserts that it will attempt to acquire these customers at the auction.<sup>16</sup> According to the Waiver Petition, NATELCO will continue to provide local, long distance, and intraLATA toll service to NATELCO customers for a short period of time.<sup>17</sup> In the April 16th Waiver petition, MetTel was seeking to transfer the affected customers to its customer base on April 20, 2001, in order to prevent the affected customers from experiencing any disruption in service. Ultimately, MetTel intends to provide local, long distance, and intraLATA toll service to the former NATELCO

<sup>8</sup> *WAIT Radio v. FCC*, 418 F.2d 1153, 1157 (D.C. Cir. 1969), *cert. denied*, 409 U.S. 1027 (1972).

<sup>9</sup> *Northeast Cellular Telephone Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990).

<sup>10</sup> *WAIT Radio*, 418 F.2d at 1157.

<sup>11</sup> *WAIT Radio*, 418 F.2d at 1159; *Northeast Cellular*, 897 F.2d at 1166.

<sup>12</sup> Waiver Petition at 3.

<sup>13</sup> Waiver Petition at 3.

<sup>14</sup> Manhattan Telecommunications Corporation a/k/a Metropolitan Telecommunications d/b/a MetTel, Emergency Petition for Limited Waiver, Order, DA 01-908 (rel. April 12, 2001).

<sup>15</sup> Waiver Petition at 3.

<sup>16</sup> Waiver Petition at 3.

<sup>17</sup> Waiver Petition at 3.

customers.<sup>18</sup>

7. We conclude that special circumstances exist to justify a waiver. Without this waiver, the service of some former NATELCO customers might temporarily be interrupted when NATELCO ceases providing presubscribed service to customers who fail to respond in a timely fashion to requests for preferred carrier change authorizations; those customers might also pay potentially higher casual calling rates after the discontinuance of presubscribed service. We conclude that a waiver of the Commission's carrier change rules and orders is necessary to provide a seamless transition with no disruption of service to the transferred customers.

8. We find that MetTel has demonstrated that a limited waiver of the authorization and verification rules is in the public interest because it will prevent consumers from temporarily losing service, and because MetTel has agreed to notify the affected customers as described below. According to the Waiver Petition, MetTel will undertake a two-step process to notify the affected customers of the transfer.<sup>19</sup> The first notification letter will inform the affected customers of the proposed transfer to MetTel and assure them that they will receive the same features, services, and rates that NATELCO currently provides.<sup>20</sup> This notification letter will also advise the affected customers that they may select a different preferred carrier, should they desire to do so. In addition, the affected customers will be given a toll-free number to call with any questions they may have about the transfer.<sup>21</sup>

9. According to MetTel, once the proposed transfer has been completed, MetTel will notify these customers of that event and reiterate the foregoing information, assurances, and advice.<sup>22</sup> In addition, MetTel states that it will take responsibility to investigate, respond, and attempt to cure any outstanding customer complaints regarding services provided by NATELCO.<sup>23</sup> We conclude that these conditions will adequately protect the rights of the NATELCO customers.

10. For the foregoing reasons, we grant MetTel a waiver of the authorization and verification requirements of our rules for the limited purposes described above. The grant of this waiver is conditioned upon the provision of customer notification and the handling of complaints, as described above and further detailed in the Waiver Petition.

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<sup>18</sup> Waiver Petition at 3-4.

<sup>19</sup> MetTel filed sample notification letters. See Waiver Petition, Exhibits A and B (Notification Letters).

<sup>20</sup> Waiver Petition at 4.

<sup>21</sup> See Notification Letters.

<sup>22</sup> See Waiver Petition at 4-5; Exhibit B.

<sup>23</sup> Waiver Petition at 5.

### III. ORDERING CLAUSES

11. Accordingly, pursuant to authority contained in Sections 1, 4, and 258 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 154, 258, and the authority delegated under sections 0.91, 0.291, and 1.3 of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, 1.3, the emergency waiver request filed by Manhattan Telecommunications Corporation d/b/a Metropolitan Telecommunications a/k/a MetTel on April 16, 2001 IS GRANTED to the extent indicated herein.

12. IT IS FURTHER ORDERED that this Order is effective upon release.

FEDERAL COMMUNICATIONS COMMISSION

K. Michele Walters  
Associate Chief, Accounting Policy Division  
Common Carrier Bureau

\*\*\*\*\*  
\*\*\* RX REPORT \*\*\*  
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RECEPTION OK

TX/RX NO	6437
CONNECTION TEL	
CONNECTION ID	
ST. TIME	05/18 12:07
USAGE T	04'40
PGS.	12
RESULT	OK

Before the  
Federal Communications Commission  
Washington, D.C. 20554

In the Matter of	)	
	)	
Implementation of the Subscriber Carrier	)	
Selection Changes Provisions of the	)	CC Docket No. 94-129
Telecommunications Act of 1996	)	
	)	
Manhattan Telecommunications Corporation	)	
d/b/a Metropolitan Telecommunications a/k/a	)	
MetTel	)	

Emergency Petition for Limited Waiver

**ORDER**

**Adopted: April 11, 2001**

**Released: April 12, 2001**

By the Associate Chief, Accounting Policy Division, Common Carrier Bureau:

**I. INTRODUCTION AND BACKGROUND**

1. In its *Carrier Change Orders*,<sup>1</sup> the Commission adopted rules applicable to carriers changing a consumer's preferred carrier.<sup>2</sup> In this Order, we grant Manhattan Telecommunications Corporation d/b/a Metropolitan Telecommunications a/k/a MetTel (MetTel) a limited waiver of the authorization and verification requirements of the Commission's rules and

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<sup>1</sup> *Implementation of the Subscriber Carrier Selection Changes Provisions of the Telecommunications Act of 1996 and Policies and Rules Concerning Unauthorized Changes of Consumers' Long Distance Carriers*, CC Docket No. 94-129, Further Notice of Proposed Rule Making and Memorandum Opinion and Order on Reconsideration, 12 FCC Rcd 10674 (1997), Second Report and Order and Further Notice of Proposed Rule Making, 14 FCC Rcd 1508 (1998) (*Section 258 Order*); *stayed in part*, *MCI WorldCom v. FCC*, No. 99-1125 (D.C. Cir. May 18, 1999); First Order on Reconsideration, 15 FCC Rcd 8158 (2000); *stay lifted*, *MCI World Com v. FCC*, No. 99-1125 (D.C. Cir. June 27, 2000); Third Report and Order and Second Order on Reconsideration, 15 FCC Rcd 15996 (2000); *amended*, Order, FCC 01-67 (rel. Feb. 22, 2001); *reconsideration pending*; *Policies and Rules Concerning Unauthorized Changes of Consumers' Long Distance Carriers*, CC Docket No. 94-129, Report and Order, 10 FCC Rcd 9560 (1995), *stayed in part*, 11 FCC Rcd 856 (1995); *Policies and Rules Concerning Changing Long Distance Carriers*, CC Docket No. 91-64, 7 FCC Rcd 1038 (1992), *reconsideration denied*, 8 FCC Rcd 3215 (1993) (*PIC Change Recon Order*); Investigation of Access and Divestiture Related Tariffs, CC Docket No. 83-1145, Phase I, 101 F.C.C.2d 911 (*Allocation Order*), 101 F.C.C.2d 935 (*Waiver Order*), *reconsideration denied*, 102 F.C.C.2d 503 (1985) (*Reconsideration Order*) (the *Reconsideration Order* denied reconsideration of both the *Allocation Order* and the *Waiver Order*). We refer to these orders collectively as the *Carrier Change Orders*.

<sup>2</sup> 47 C.F.R. §§ 64.1100 - 64.1190.



*Carrier Change Orders.*<sup>3</sup> We grant this limited waiver to the extent necessary to enable MetTel to become the preferred carrier of consumers currently presubscribed to North American Telecommunications Corporation (NATELCO), without first obtaining the consumers' authorization and verification.

2. Section 258 of the Communications Act of 1934, as amended by the Telecommunications Act of 1996, makes it unlawful for any telecommunications carrier to "submit or execute a change in a subscriber's selection of a provider of telephone exchange service or telephone toll service except in accordance with such procedures as the Commission shall prescribe."<sup>4</sup> The goal of section 258 is to eliminate the practice of "slamming," the unauthorized change of a subscriber's preferred carrier. Pursuant to section 258, carriers are absolutely barred from changing a customer's preferred local or long distance carrier without first complying with the Commission's verification procedures.<sup>5</sup> In the *Section 258 Order*, the Commission revised its procedures to ensure that carriers obtain the requisite authority prior to changing a customer's preferred carrier. The Commission requires that carriers follow one of the Commission's prescribed verification procedures before submitting carrier changes on behalf of consumers.<sup>6</sup>

3. MetTel seeks a waiver of our verification rules to allow MetTel to be designated the preferred local and intraLATA toll carrier for NATELCO customers without first obtaining each customer's authorization and verification. Because we conclude that, under the circumstances presented, it is in the public interest to do so, we grant MetTel a waiver, subject to the conditions represented in its filings.

## II. DISCUSSION

4. Generally, the Commission's rules may be waived for good cause shown.<sup>7</sup> As

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<sup>3</sup> On April 4, 2001, Manhattan Telecommunications Corporation d/b/a Metropolitan Telecommunications a/k/a MetTel filed an Emergency Petition for Limited Waiver of the Commission's carrier change rules to permit it to acquire a portion of the North American Telecommunications Corporation customer base. (Waiver Petition).

<sup>4</sup> 47 U.S.C. § 258.

<sup>5</sup> The Commission's rules and orders clearly contemplate that a switchless reseller may be a customer's preferred carrier. Therefore, changes to a customer's preferred carrier that do not involve a change in the customer's underlying facilities-based carrier are nonetheless subject to the Commission's authorization and verification rules. See *Section 258 Order*, 14 FCC Rcd at 1593, 1594, paras. 145-146; *WATS International Corp. v. Group Long Distance (USA), Inc.*, 12 FCC Rcd 1743, 1752 (1997) (citing *PIC Change Recon. Order*, 8 FCC Rcd at 3218).

<sup>6</sup> Pursuant to these procedures, a carrier must: (1) obtain the subscriber's written or electronically signed authorization in a form that meets the requirements of §64.1130; (2) obtain confirmation from the subscriber via a toll-free number provided exclusively for the purpose of confirming orders electronically; or (3) utilize an independent third party to verify the subscriber's order. See 47 C.F.R. § 64.1120(c).

<sup>7</sup> 47 C.F.R. § 1.3.

noted by the Court of Appeals for the D.C. Circuit, however, agency rules are presumed valid.<sup>8</sup> The Commission may exercise its discretion to waive a rule where the particular facts make strict compliance inconsistent with the public interest.<sup>9</sup> In addition, the Commission may take into account considerations of hardship, equity, or more effective implementation of overall policy on an individual basis.<sup>10</sup> Waiver of the Commission's rules is therefore appropriate only if special circumstances warrant a deviation from the general rule, and such a deviation will serve the public interest.<sup>11</sup>

5. We find that MetTel has demonstrated that good cause exists to justify a limited waiver of the Commission's authorization and verification requirements to the extent necessary to enable MetTel to transfer to its own customer base the affected NATELCO customers. According to the Waiver Petition, on February 23, 2001, NATELCO filed for bankruptcy protection under Chapter 11 in the United States Bankruptcy Court for the Southern District of New York.<sup>12</sup> Pursuant to a bankruptcy sale, MetTel entered into an Asset Purchase Agreement with NATELCO in which MetTel agreed to acquire a portion of the NATELCO customer base, namely payphone access lines, including the customer accounts and accounts receivable. Following the Bankruptcy Court's approval of the Asset Purchase Agreement, which is expected between April 15 and April 20, 2001, NATELCO will continue providing local and intraLATA toll service to these customers for a short period of time.<sup>13</sup> MetTel seeks to transfer the affected customers to its customer base the day after the Bankruptcy Court approves the Asset Purchase Agreement, in order to prevent the affected customers from experiencing any disruption in service. Ultimately, MetTel will provide local and intraLATA toll service to the former NATELCO customers.<sup>14</sup>

6. We conclude that special circumstances exist to justify a waiver. Without this waiver, the service of some former NATELCO customers might temporarily be interrupted when NATELCO ceases providing presubscribed service to customers who fail to respond in a timely fashion to requests for preferred carrier change authorizations; those customers might also pay potentially higher casual calling rates after the discontinuance of presubscribed service. We conclude that a waiver of the Commission's carrier change rules and orders is necessary to provide a seamless transition with no disruption of service to the transferred customers.

7. We find that MetTel has demonstrated that a limited waiver of the authorization

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<sup>9</sup> *Northeast Cellular Telephone Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990).

<sup>10</sup> *WAIT Radio*, 418 F.2d at 1157.

<sup>11</sup> *WAIT Radio*, 418 F.2d at 1159; *Northeast Cellular*, 897 F.2d at 1166.

<sup>12</sup> Waiver Petition at 2-3.

<sup>13</sup> Waiver Petition at 3.

<sup>14</sup> Waiver Petition at 3.

and verification rules is in the public interest because it will prevent consumers from temporarily losing service, and because MetTel has agreed to notify the affected customers as described below. According to the Waiver Petition, MetTel will undertake a two-step process to notify the affected customers of the transfer.<sup>15</sup> The first notification letter will inform the affected customers of the proposed transfer to MetTel and assure them that they will receive the same features, services, and rates that NATELCO currently provides.<sup>16</sup> This notification letter will also advise the affected customers that they may select a different preferred carrier, should they desire to do so. In addition, the affected customers will be given a toll-free number to call with any questions they may have about the transfer.<sup>17</sup>

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9. For the foregoing reasons, we grant MetTel a waiver of the authorization and verification requirements of our rules for the limited purposes described above. The grant of this waiver is conditioned upon the provision of customer notification and the handling of complaints, as described above and further detailed in the Waiver Petition.

### III. ORDERING CLAUSES

10. Accordingly, pursuant to authority contained in Sections 1, 4, and 258 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 154, 258, and the authority

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<sup>15</sup> MetTel filed sample notification letters. See Waiver Petition, Exhibits A and B (Notification Letters).

<sup>16</sup> Waiver Petition at 4.

<sup>17</sup> See Notification Letters.

<sup>18</sup> See Waiver Petition at 4; Exhibit B.

<sup>19</sup> Waiver Petition at 4.

delegated under sections 0.91, 0.291, and 1.3 of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, 1.3, the emergency waiver request filed by Manhattan Telecommunications Corporation d/b/a Metropolitan Telecommunications a/k/a MetTel on April 4, 2001 IS GRANTED to the extent indicated herein.

11. IT IS FURTHER ORDERED that this Order is effective upon release.

FEDERAL COMMUNICATIONS COMMISSION

*K. Michele Walters*

K. Michele Walters  
Associate Chief, Accounting Policy Division  
Common Carrier Bureau

**SCHEDULE 8**

## List of New York Customers Who Will Not Be Transferred To or Contacted By MetTel

CUSTOMER NAME	SERVICE ADDRESS	CITY STATE	HEADING
1050 Restaurant	735 10TH AVE	NEW YORK N Y 10019	NOTICE OF DISCONTINUANCE
14TH STREET FLORIST	338 E 14TH STREET	NEW YORK N Y 10003	NOTICE OF DISCONTINUANCE
A K A LEGAL SEARCH	729 7TH AVE	NEW YORK, NY 10019	NOTICE OF DISCONTINUANCE
ABOVE ALL	360-5 KNICKERBOCKER AVE	BOHEMIA NEW YORK 11716	NOTICE OF DISCONTINUANCE
Absolu	141 W 36TH STREET	NEW YORK N Y 10018	NOTICE OF DISCONTINUANCE
ACTIVE TRIMMING	250 W 39TH STREET	NEW YORK N Y 10018	NOTICE OF DISCONTINUANCE
ADDEO, JOSEPH	2408 6 AV EAST MEADOW, NY 11554		NOTICE OF DISCONTINUANCE
AERO VISION	350 MOTOR PARKWAY	HAUPPAUGE NEW YORK 11788	NOTICE OF DISCONTINUANCE
AG SYSTEMS	50 BROADWAY	NEW YORK NY 10004	NOTICE OF DISCONTINUANCE
AIGION/ O & A	25-38 31ST	ASTORIA NEW YORK 11102	NOTICE OF DISCONTINUANCE
AJ COHEN	50 OSER AVENUE	HAUPPAUGE, NEW YORK 11788	NOTICE OF DISCONTINUANCE
ALAN J JORDAN	14 PIERREPONT ST	BROOKLYN, NEW YORK 11201	NOTICE OF DISCONTINUANCE
ALL OUT CARPET CLEANING	160 ENGINEERS DR	HICKSVILLE, NEW YORK 11801	NOTICE OF DISCONTINUANCE
ALLAN H BADER	104 ELLIOT ST	MERRICK, NEW YORK 11586	NOTICE OF DISCONTINUANCE
ALLIANCE CARPET	11-49 50TH AVE	LONG ISLAND CITY, N Y 11101	NOTICE OF DISCONTINUANCE
AMERICA INC/FOUR SEASONS	1170 BROADWAY	NEW YORK, NY 10001	NOTICE OF DISCONTINUANCE
AMERICAN ECO BOARD INC	200 FINN CT FARMINGDALE, NY 11735		NOTICE OF DISCONTINUANCE
AMISH MARKET	130 CEDAR ST	NEW YORK, N Y 10006	NOTICE OF DISCONTINUANCE
ANNE PEACE	1038 NEW YORK AVE	HUNTINGTON STA, N Y 11746	NOTICE OF DISCONTINUANCE
ANTHONY'S CLOSET	1951 Ocean Ave Brooklyn NY 11779		NOTICE OF DISCONTINUANCE
Aphrodite French Cleaners	155 E 34TH ST	NEW YORK, N Y 10016	NOTICE OF DISCONTINUANCE
ATLANTIC FURNITURE	1250 ROUTE 110	FARMINGDALE, NY 11735	NOTICE OF DISCONTINUANCE
ATM	349 Broadway NY NY 10013		NOTICE OF DISCONTINUANCE
Aulo Connecton	1007 OLD COUNTRY RD	WESTBURY, N Y 11590	NOTICE OF DISCONTINUANCE
AUTOMATION, DELECTRONICS CORP	856-8 JOHNSON AVE	RONKONKOMA, NY 11779	NOTICE OF DISCONTINUANCE
AVALON ENTERPRISES	10 W 37TH STREET,	NEW YORK, N Y 10018	NOTICE OF DISCONTINUANCE
AWEB	41-16 29TH ST	LONG ISLAND CITY, NY 11001	NOTICE OF DISCONTINUANCE
AXE HOUGHTON ASSOCIATES	1100 KING ST PORT CHEST, NEW YORK 10573	NORTH CHESTER	NOTICE OF DISCONTINUANCE
BALDINGER & SONS, INC	19-02 STEINWAY ST	ASTORIA, NY 11105	NOTICE OF DISCONTINUANCE
BALFOUR TECHNOLOGIES	1055 STEWART AVE	BETHPAGE, NY 11714	NOTICE OF DISCONTINUANCE
BANK OF EAST ASIA	450 PARK AVENUE	NEW YORK, NY 10022	NOTICE OF DISCONTINUANCE
BARBIERE / DGN ARCHT	740 GLEN COVE AV	GLEN HEAD, NY 11545	NOTICE OF DISCONTINUANCE
BARRY ABDULAI	1225 BROADWAY	NEW YORK, N Y 10001	NOTICE OF DISCONTINUANCE
Barry Katzman	248 85 UNION TURNPIKE NEW HYDE PARK 10040		NOTICE OF DISCONTINUANCE
BEAUTIFUL SMILE DENTAL LAB	199 JERICHO TURNPIKE	FLORAL PARK, NY 11001	NOTICE OF DISCONTINUANCE
BECCA SWIMWEAR	214 W 39TH STREET 7TH FL STE #702 NEW YORK, N Y 10018		NOTICE OF DISCONTINUANCE
BENETTON CSW	ROOSEVELT FIELD MALL	GARDEN CITY, N Y 11530	NOTICE OF DISCONTINUANCE
BEST BUILT CONSTRUCTION	3828 FLATLANDS AVE	BROOKLYN, NY 11234	NOTICE OF DISCONTINUANCE
BIG FOUR PILE FABRICS	359 BROADWAY	NEW YORK, N Y 10018	NOTICE OF DISCONTINUANCE
BRADLEY BUSINESS FORMS	1 PENN PLAZA 45TH FL RM 4514	NEW YORK, N Y 10120	NOTICE OF DISCONTINUANCE
BROADWAY FLORAL EXCHANGE ON THE PARK	5 HANOVER SQ, MANHATTAN, NY 10004		NOTICE OF DISCONTINUANCE
BURK BURTON/DGN CHIROPRACTOR	70 OVERLOOK LANE	PLAINVIEW, NY 11803	NOTICE OF DISCONTINUANCE
BYTHWOOD DAVID A/ DGN ATTY	1305 FRANKLIN AVE	GARDEN CITY, NY 11530	NOTICE OF DISCONTINUANCE
CACCIOPPO, BETTY	1795 OSBORNE AVE	RIVERHEAD, NY 11901	NOTICE OF DISCONTINUANCE
California Dreams	1400 BROADWAY	NEW YORK, N Y 10018	NOTICE OF DISCONTINUANCE
CAMBRIDGE EXEC SEARCH	225 W 39TH ST	NEW YORK, N Y 10001	NOTICE OF DISCONTINUANCE
CAPELLINI SALON	964 BROADWAY	WOODMERE, N Y 11598	NOTICE OF DISCONTINUANCE
CARDINAL CLAIM	100 STEWART AVE	HICKSVILLE, N Y 11801	NOTICE OF DISCONTINUANCE
CARLTON TOWERS	340 E 46TH ST	NEW YORK, NY 10017	NOTICE OF DISCONTINUANCE
CARLYLE CONSTRUCTION	340 E 46TH ST NEW YORK, NY 10017		NOTICE OF DISCONTINUANCE
CARMICHAEL, JEAN	113-38 SPRINGFIELD BLVD	QUEENS VILLAGE, NY 11429	NOTICE OF DISCONTINUANCE
CELTIC FARE AKA PUCK FARE	298 LAFAYETTE ST	NEW YORK, N Y 10012	NOTICE OF DISCONTINUANCE
CENTURY 21	8300 W 8 St Miami FL 33144		NOTICE OF DISCONTINUANCE
CHAMPIGNON	120 Berry St Brooklyn NY 11211	NEW YORK, NY 10011	NOTICE OF DISCONTINUANCE
Chapel Auto	330 W 42 st NY NY 10036	PATCHOGUE, N Y 11772	NOTICE OF DISCONTINUANCE
CHRISTOPHER RICHEY	30-60 Steinway St Long Island City NY 11103	RONKONKOMA, NY 11779	NOTICE OF DISCONTINUANCE
CHRISTOPHER TSCHERNE	499-80 Sunnse Highway Patchouge NY 11772	MIDDLE VILLAGE, N Y 11379	NOTICE OF DISCONTINUANCE
CINQUE GALLERY	143 4 Ave NY NY 11103	NEW YORK, N Y 10012	NOTICE OF DISCONTINUANCE
CITIPLATE	330 W 42 st NY NY 10036	ROSLYN HEIGHTS, N Y 11577	NOTICE OF DISCONTINUANCE
CLASSIC AUTOMOBILES	275 7 th ave NY NY 10001	TUCKAHOE, N Y 10707	NOTICE OF DISCONTINUANCE
CLIFFORD M GOLUB	167 W 72 St NY NY 10023	HICKSVILLE, NEW YORK 11801	NOTICE OF DISCONTINUANCE
CMR	52 Duane St NY NY 10007	NEW YORK, N Y 10016	NOTICE OF DISCONTINUANCE
COLE, JESSICA	242 STATE AVE EAST MEADOW, NY 11554		NOTICE OF DISCONTINUANCE
COMFORT CONTROL AIR	2374 Grand Concourse Bronx NY 10475	HUNTINGTON, NY 11743	NOTICE OF DISCONTINUANCE
Compounsel Inc	1043 Montauk Highway West Babylon NY 11236		NOTICE OF DISCONTINUANCE
Compounsel Inc	32 BROADWAY, MANHATTAN, NY 10004		NOTICE OF DISCONTINUANCE
COMPUVISION	157 Remsen St Brooklyn NY 11236	MINEOLA, NEW YORK 11501	NOTICE OF DISCONTINUANCE
CONNECTION'S CO	104 E23rd St NY NY 10010	NEW YORK, N Y 10018	NOTICE OF DISCONTINUANCE
CRAFT, T	55 N Broadway Hicksville NY 11801	SHIRLEY, NY 11967	NOTICE OF DISCONTINUANCE
Cromwell	1225 Broadway NNY 10001	MINEOLA, N Y 11501	NOTICE OF DISCONTINUANCE
CROSSROADS MARKETING	27 E Hawthorne Ave Valley Stream NY 11580	NEW YORK, NY 10155	NOTICE OF DISCONTINUANCE
CROWN AUTO BODY	100 South Rd New Hyde Park NY 11040	LONG ISLAND CITY, N Y 11101	NOTICE OF DISCONTINUANCE
CRYSTAL CAR & LIMO	3500 Sunnse Highway Great River NY 11739	BROOKLYN, N Y 11201	NOTICE OF DISCONTINUANCE

CYBRA	1 EXECUTIVE BLVD	YONKERS, N Y 10701	NOTICE OF DISCONTINUANCE
DAILY SOUP	120 Berry St Brooklyn NY 11211		NOTICE OF DISCONTINUANCE
DANIEL DUNPHY	91 23 QUEENS BLVD	ELMHURST, NY 11373	NOTICE OF DISCONTINUANCE
DANIEL MC DONALD	155 2ND AVE	NEW YORK, N Y 10003	NOTICE OF DISCONTINUANCE
Darren Zuckerman	1622 BRENTWOOD ROAD,	BAYSHORE, N Y 11706	NOTICE OF DISCONTINUANCE
Dart Mechanical	74 MARINE STREET	E FARMINGDALE, N Y 11735	NOTICE OF DISCONTINUANCE
DC FEMIA	17 HAZEL STREET	HICKSVILLE, N Y 11801	NOTICE OF DISCONTINUANCE
DEGMAR	511 CANAL STREET.	NEW YORK, N Y 10013	NOTICE OF DISCONTINUANCE
DIAL A MATTRESS	31-10 44TH AVE	LONG ISLAND CITY, N Y 11101	NOTICE OF DISCONTINUANCE
DISABLED AMERICAN VETERANS	649 SAYVILLE AV	SAYVILLE, NY 11782	NOTICE OF DISCONTINUANCE
DISC GRAPHICS	100 GILPIN	HAUPPAUGE, NEW YORK 11788	NOTICE OF DISCONTINUANCE
DIVERSIFIED PHOTO SERVICE	30 WERMAN CT	PLAINVIEW, NY 11803	NOTICE OF DISCONTINUANCE
DOLPHIN	242 E 14TH STREET NEW YORK, N Y 10003	NEW YORK, N Y 10003	NOTICE OF DISCONTINUANCE
DONEWELL CLEANERS	976 MIDDLE COUNTRY RD SELDEN, NY 11784		NOTICE OF DISCONTINUANCE
DRYDEN C/O CARLYLE CONSTRUCCION	340 E 46TH ST	NEW YORK, NY 10017	NOTICE OF DISCONTINUANCE
DUERDEN, PETER	203 EATON LN WEST ISLIP, NY 11795		NOTICE OF DISCONTINUANCE
EARLE PALMER BROWN (FGD)	685 3 AV	NEW YORK, NY 11001	NOTICE OF DISCONTINUANCE
EAST COAST DECKING	17 A SEAMAN AVE	BETHPAGE, NY 11714	NOTICE OF DISCONTINUANCE
ECONOTEC	1025 Old Country Rd .	Westbury, NY 11590	NOTICE OF DISCONTINUANCE
Egyptex Trading	347 5TH AVE	NEW YORK, N Y 10016	NOTICE OF DISCONTINUANCE
EISEN, SUSAN	150 RIVER ROAD,	NEW YORK, N Y 07045	NOTICE OF DISCONTINUANCE
EKA PLANNING SERVICE, INC	939 PORT WASHINGTON BLVD	PORT WASHINGTON, NY 11050	NOTICE OF DISCONTINUANCE
E-LUCRE ONLINE COM INC	3500 SUNRISE HY	GREAT RIVER, NY 11739	NOTICE OF DISCONTINUANCE
EMERGENT	875 MERRICK AVENUE	WESTBURY, NEW YORK 11590	NOTICE OF DISCONTINUANCE
EPILSPSY FOUNDATION	550 STEWART AVE	GARDEN CITY, NEW YORK 11530	NOTICE OF DISCONTINUANCE
ERNEST LAWRENCE GROUP	192 LEXINGTON AVE NEW YORK, NEW YORK 10016		NOTICE OF DISCONTINUANCE
EYEGASSES FOR LESS	3210 LONG BEACH RD	OCEANSIDE, NY 11572	NOTICE OF DISCONTINUANCE
EZ RIDERS	225 HEMPSTEAD TPKE	WEST HEMPSTEAD, NY 11552	NOTICE OF DISCONTINUANCE
F&F ROOFING	311 JERICHO TPKE	FLORAL PARK, NY 11001	NOTICE OF DISCONTINUANCE
FALCON FUNDS, INC C/O PAYNE WEBBER	P O BOX 5575 NEW YORK, NY 10185		NOTICE OF DISCONTINUANCE
FARMINGDALE LANES INC	999 CONKLIN STREET	FARMINGDALE, N Y 11735	NOTICE OF DISCONTINUANCE
FEDERAL CONSTRUCTION	51-31 BROADWAY	WOODSIDE, NEW YORK 11377	NOTICE OF DISCONTINUANCE
FIRST CHOICE REALTY, INC	6143 186TH ST FRESH MEADOWS, NY 11365		NOTICE OF DISCONTINUANCE
FIRST LIGHT COMMUNICATIONS	55 JOHN ST	NEW YORK, NY 10038	NOTICE OF DISCONTINUANCE
FLOWERS OF THE WORLD	455 WORLD TRADE CENTER NEW YORK, NY 10048		NOTICE OF DISCONTINUANCE
Forman's Apparel	82 ORCHARD STREET	NEW YORK, N Y 10002	NOTICE OF DISCONTINUANCE
FOUR PAWS	50 WIRELESS BLVD	HAUPPAUGE, N Y 11788	NOTICE OF DISCONTINUANCE
Four Seasons Tours	143 JERICHO TPKE	MINEOLA, N Y 11501	NOTICE OF DISCONTINUANCE
FOUR SEASONS TOURS & TRAVEL	1170 BROADWAY	NEW YORK, NY 10001	NOTICE OF DISCONTINUANCE
FRANKLIN SQUARE CELLULAR	959 HEMPSTEAD TPKE	FRANKLIN SQUARE, NY 11010	NOTICE OF DISCONTINUANCE
FREDRICH PENTZEL GALLERY	535 W 22ND STREET	NEW YORK, N Y 10011	NOTICE OF DISCONTINUANCE
FURNITURE DESIGN	5-20 46TH RD LONG ISLAND CITY, NEW YORK 11101		NOTICE OF DISCONTINUANCE
FUTURE DIGITAL SCIENTIFIC - Spenser	1055 STEWART AVE	BETHPAGE, NY 11714	NOTICE OF DISCONTINUANCE
GABRIELLI TRUCK SALES	153-20 S CONDUIT,	JAMAICA, NY 11434	NOTICE OF DISCONTINUANCE
GENERAL VISION	330 W 42 st NY NY 10036		NOTICE OF DISCONTINUANCE
GENERAL VISION - STEINWAY	30-60 Steinway St Long Island City NY 11103		NOTICE OF DISCONTINUANCE
GENERAL VISION - SUNRISE	499-80 Sunnse Highway Patchogue NY 11772		NOTICE OF DISCONTINUANCE
GENERAL VISION/ 4 AV	143 4 Ave NY NY 11103		NOTICE OF DISCONTINUANCE
GENERAL VISION/42 ST	330 W 42 st NY NY 10036		NOTICE OF DISCONTINUANCE
GENERAL VISION/7 AV	275 7 th ave NY NY 10001		NOTICE OF DISCONTINUANCE
GENERAL VISION/72ND ST	167 W 72 St NY NY 10023		NOTICE OF DISCONTINUANCE
GENERAL VISION/DUANE ST	52 Duane St NY NY 10007		NOTICE OF DISCONTINUANCE
GENERAL VISION/GRAND CONC	2374 Grand Concourse Bronx NY 10475		NOTICE OF DISCONTINUANCE
GENERAL VISION/MONTAUK	1043 Montauk Highway West Babylon NY 11236		NOTICE OF DISCONTINUANCE
GENERAL VISION/REMSEN ST	157 Remsen St Brooklyn NY 11236		NOTICE OF DISCONTINUANCE
GENGARELLY INDUSTRIES	605 PENINSULA BL HEMPSTEAD, NY 11550		NOTICE OF DISCONTINUANCE
GEVER, GARFIELD	104 E23rd St NY NY 10010	WOODMERE, NY 11598	NOTICE OF DISCONTINUANCE
GOLDEN CUSP DENTAL	199 JERICHO TPKE	FLORAL PARK, NEW YORK 11001	NOTICE OF DISCONTINUANCE
GRACE CHURCH BKLYN	254 HICKS STREET	BROOKLYN, NEW YORK 11201	NOTICE OF DISCONTINUANCE
GRAND LEIGH	39 E MALL	PLAINVIEW, NEW YORK 11803	NOTICE OF DISCONTINUANCE
GRAY COWESTBORY	1025 OLD COUNTRY ROAD	WESTBURY, NEW YORK 11590	NOTICE OF DISCONTINUANCE
GREELEY HANSEN	115 BROAWAY	NEW YORK, N Y 10006	NOTICE OF DISCONTINUANCE
GRUMET & LEONARD	1991 SMITH	MERRICK, NY 11566	NOTICE OF DISCONTINUANCE
GUY & GALLARD	254 W 38TH ST	NEW YORK, N Y 10010	NOTICE OF DISCONTINUANCE
GUY & GALLARD III	475 PARK AVENUE	NEW YORK, N Y 10016	NOTICE OF DISCONTINUANCE
GUY & GALLARD/23RD ST	104 E23rd St NY NY 10010		NOTICE OF DISCONTINUANCE
HABERMAN, JOHN R/DGN ATTY	185 ISLIP AV ISLIP, NY 11751		NOTICE OF DISCONTINUANCE
Han Feng	333 W 39TH	NEW YORK, N Y 10018	NOTICE OF DISCONTINUANCE
HEALTH PLUS MARKETING SERVICES INC.	550 S BROADWAY	HICKSVILLE, NY 11801	NOTICE OF DISCONTINUANCE
HEALTH PRO STAFFING	76 N BROADWAY	HICKSVILLE, NEW YORK 11801	NOTICE OF DISCONTINUANCE
HEATHER FRANK	150 BROADWAY	NEW YORK N Y 10038	NOTICE OF DISCONTINUANCE
HECTOR KNITS	152 MADISON AVENUE	NEW YORK, N Y 10016	NOTICE OF DISCONTINUANCE
HOFFMAN GRAYSON	378 NEW YORK AVENUE	HUNTINGTON, N Y 11743	NOTICE OF DISCONTINUANCE
HORIZON NY	224 SHERWOOD AVENUE	FARMINGDALE, N Y 11735	NOTICE OF DISCONTINUANCE

HOROWITZ FAMILY CHIRO	1 MAIDEN LANE	NEW YORK, N Y 10038	NOTICE OF DISCONTINUANCE
HOTEL STANFORD	42 W 32nd Street	NEW YORK, NY 10001	NOTICE OF DISCONTINUANCE
HUNTINGTON ATRIUM	775 PARK AV.	HUNTINGTON, NY 11743	NOTICE OF DISCONTINUANCE
ICS	1650 Islip Ave .	Brentwood, NY 11717	NOTICE OF DISCONTINUANCE
INEZ MORICE	98 STIRRUP LN LEVITTOWN, NY 11756		NOTICE OF DISCONTINUANCE
INSURANCE REGULATORY	55 JOHN ST	NEW YORK, N Y 10039	NOTICE OF DISCONTINUANCE
INTEGRATED TRAVEL	61 BROADWAY	NEW YORK, NY 10006	NOTICE OF DISCONTINUANCE
INTELDYNE	1055 STEWART AVE	BETHPAGE, NY 11714	NOTICE OF DISCONTINUANCE
INTELLIGENT OFFICE	1225 FRANKLIN AVE	GARDEN CITY, NY 11530	NOTICE OF DISCONTINUANCE
INTERAMERICAN MORTGAGE GROUP	641 N RAILROAD AV	STATEN ISLAND, NY 10304	NOTICE OF DISCONTINUANCE
INTERNATIONAL IMMIGRANTS	1435 BROADWAY	NEW YORK, N Y 10018	NOTICE OF DISCONTINUANCE
INTUITIVE VISION NETWORK, INC	108 FRANKLIN AV	VALLEY STREAM, NY 11580	NOTICE OF DISCONTINUANCE
INYC CORP	3040 NOSTRAND AVE	BROOKLYN, NY 11229	NOTICE OF DISCONTINUANCE
ISI DBA KIDDIE ACADEMY	3680 rte 112	CORAM, NY 11727	NOTICE OF DISCONTINUANCE
Island Transportation	1220 WELLWOOD AVE, BABYLON, NY 11704		NOTICE OF DISCONTINUANCE
J & B Travel	55-11 43RD	WOODSIDE, N Y 11377	NOTICE OF DISCONTINUANCE
J & D TEXTILES	501 7TH AVENUE	NEW YORK, N Y 10018	NOTICE OF DISCONTINUANCE
J & M SERVICES	18-12 ASTORIA BLVD ASTORIA, NEW YORK 11102		NOTICE OF DISCONTINUANCE
J T STUDIOS	11 N MONTAGUE ST 1ST FL ENT VALLEY STREAM, N Y 11580		NOTICE OF DISCONTINUANCE
JAGUAR ADVANCED	198 GRUMMAN RD,	BETHPAGE, NY 11714	NOTICE OF DISCONTINUANCE
JAMES DIBENEDITTO	5 18TH ST	MILLER PLACE, NY 11764	NOTICE OF DISCONTINUANCE
JESSIE'S ATLANTIC	402 ATLANTIC AVENUE	BROOKLYN, NEW YORK 11217	NOTICE OF DISCONTINUANCE
JIFFY LUBE/ I CITY	50-H CORBIN AVENUE BAY SHORE, NEW YORK 11706		NOTICE OF DISCONTINUANCE
Jiffy Lube	598 Merck Rd . Baldwin NY 11510		NOTICE OF DISCONTINUANCE
Jiffy Lube	375 West Hempstead Tpke . West Hempstead NY 11552		NOTICE OF DISCONTINUANCE
JOE ADDEO	2408 6TH AV EAST MEADOW, NY 11554		NOTICE OF DISCONTINUANCE
KAUFMAN FUND	17 E BATTERY PL	NEW YORK, NY 10004	NOTICE OF DISCONTINUANCE
KELGROUP MARINE CORP	2748 TERRELL AVE	OCEANSIDE, NY 11572	NOTICE OF DISCONTINUANCE
KENSINGTON GROUP	1 MAIDEN LANE	NEW YORK . N Y 10038	NOTICE OF DISCONTINUANCE
KESHTGAR MARKETING	1727 VETERANS MEMORIAL HY	CENTRAL ISLIP, NY 11722	NOTICE OF DISCONTINUANCE
KEVIN MILLER	31 TULIP AV	FARMINGDALE, NY 11735	NOTICE OF DISCONTINUANCE
KEYSPAN	201 OLD CONTRY ROAD,	MELVILLE, NY 11747	NOTICE OF DISCONTINUANCE
KIDDIE ACADEMY	144 KROEMER AVE	RIVERHEAD, NY 11901	NOTICE OF DISCONTINUANCE
KIDDIE ACADEMY	187 MILLER PLACE RD	MILLER PLACE, NY 11764	NOTICE OF DISCONTINUANCE
Kimberly Hotel	145 E 50TH	NEW YORK, N Y 10022	NOTICE OF DISCONTINUANCE
KITCHENS BY DESIGN	120 COMMERCIAL	PLAINVIEW, NY 11803	NOTICE OF DISCONTINUANCE
KNICKERBOCKER	55 KNICKERBOCKER	BOHEMIA, NEW YORK 11716	NOTICE OF DISCONTINUANCE
KRITZER MARKETING	245 5TH AVENUE	NEW YORK, N Y 10016	NOTICE OF DISCONTINUANCE
L L WEANS	2233 RTE 110	FARMINGDALE, NEW YORK 11735	NOTICE OF DISCONTINUANCE
L I COMMONS COM	1055 STEWART AVE	BETHPAGE, NY 11714	NOTICE OF DISCONTINUANCE
Law Offices of Mark Z	1065 OLD COUNTRY ROAD WESTBURY, NEW YORK 11590		NOTICE OF DISCONTINUANCE
LE ZINC	139 DUANE STREET	NEW YORK, N Y 10013	NOTICE OF DISCONTINUANCE
LEATHER & SHOE	22 W 8TH STREET NEW YORK, NEW YORK 10011		NOTICE OF DISCONTINUANCE
LEVIFORD INFORMATION SYSTEMS	1055 STEWART AVE	BETHPAGE, NY 11714	NOTICE OF DISCONTINUANCE
LG ACCESSORIES	389 5TH AVENUE	NEW YORK, N Y 10016	NOTICE OF DISCONTINUANCE
Lincoln Hallmark	30-19 STEINWAY	ASTORIA, NEW YORK 11106	NOTICE OF DISCONTINUANCE
LONG ISLAND COPY SERVICE	2 Old Dock RD	YAPHANK, NY 11980	NOTICE OF DISCONTINUANCE
LYNK SERVICES, INC	532 BROAD HOLLOW RD	MELVILLE, NY 11747	NOTICE OF DISCONTINUANCE
MAILO MARBLE & GRANITE	566 UNION AVENUE	WESTBURY, N Y 11590	NOTICE OF DISCONTINUANCE
MAJOR AUTOMOTIVE GROUP	43-40 NORTHERN BLVD	LONG ISLAND CITY, NY 11101	NOTICE OF DISCONTINUANCE
MALIBU TAN & TONE	691 MONTAUK HWY	SHIRLEY, NY 11967	NOTICE OF DISCONTINUANCE
MARCH OF DIMES	233 PARK AVE	NEW YORK, NY 10003	NOTICE OF DISCONTINUANCE
MARIANNE BOESKY GALLERY	535 22ND ST	NEW YORK, N Y 10011	NOTICE OF DISCONTINUANCE
MARK FLECKNER	520 FRANKLIN AVENUE	GARDEN CITY, N Y 11530	NOTICE OF DISCONTINUANCE
MD FAÇADE	176 GRAND	NEW YORK, NEW YORK 10013	NOTICE OF DISCONTINUANCE
MENU 4 ORDER COM	1055 STEWART AVE	BETHPAGE, NY 11714	NOTICE OF DISCONTINUANCE
MESHMAKER COM	1055 STEWART AVE	BETHPAGE, NY 11714	NOTICE OF DISCONTINUANCE
METRO MODEL MANAGEMENT	220 FIFTH AVENUE	NEW YORK, NY 10001	NOTICE OF DISCONTINUANCE
MICHAEL MARICH	36-18 30TH AVE	ASTORIA, NEW YORK 11103	NOTICE OF DISCONTINUANCE
MICKEY CELLULAR	143 JERICH TPKE	MINEOLA, NEW YORK 11501	NOTICE OF DISCONTINUANCE
MICRO FORMS PRODUCTS	40 NEWTON PLAZA MAIN FLOOR	PLAINVIEW, N Y 11803	NOTICE OF DISCONTINUANCE
MID ISLAND THERAPY ASSOCIATION INC	28-18 STEINWAY	ASTORIA, NY 11103	NOTICE OF DISCONTINUANCE
MIDDLE VILLAGE PODIATRY	61-08 80 ST	MIDDLE VILLAGE, NY 11379	NOTICE OF DISCONTINUANCE
MIKE SAIDLER	912 LIBERTY ST	BOHEMIA NY 11716	NOTICE OF DISCONTINUANCE
MILLENIUM ZIPPER	105 BROAD ST	NEW YORK, N Y 10005	NOTICE OF DISCONTINUANCE
MINI EXPRESS/ROMAN SHOE	105 BROAD ST NEW YORK, NEW YORK 10005		NOTICE OF DISCONTINUANCE
MISSING CHILDREN	75 BLOOMINGDALE RD HICKSVILL, NEW YORK 11801	MAIN OFFICE IN FLORIDA	NOTICE OF DISCONTINUANCE
MISSING CHILDREN HEALTH	75 BLOOMINGDALE RD HICKSVILL, NEW YORK 11801	MAIN OFFICE IN FLORIDA	NOTICE OF DISCONTINUANCE
MISSION OF IRAQ TO UN	14 E 79TH ST	NEW YORK, NY 10021	NOTICE OF DISCONTINUANCE
MITSUOGO SHIMMYO	345 E 37TH ST	NEW YORK, N Y 10016	NOTICE OF DISCONTINUANCE
MUNICIPAL TEST/NEW SOUTH RD	102 NEW SHORE RD	HICKSVILLE, N Y 11801	NOTICE OF DISCONTINUANCE
Morganstern & Quate	310 OLD COUNTRY RD	GARDEN CITY, NEW YORK 11530	NOTICE OF DISCONTINUANCE
MS FOUNDATION FOR WOMEN	120 WALL ST	NEW YORK, NY 10005	NOTICE OF DISCONTINUANCE
MTV NETWORKS	35 ADAMS PL	HAUPPAUGE, NY 11788	NOTICE OF DISCONTINUANCE



MUCCA DESIGN	176 GRAND ST.	NEW YORK, N Y 10013	NOTICE OF DISCONTINUANCE
MYRTLE AVENUE CAR AND LIMOUSINE SERVICES	525 MYRTLE AVENUE	BROOKLYN, NY 11205	NOTICE OF DISCONTINUANCE
N & S CONCORDE TRAVEL	55 N Broadway Hicksville NY 11801		NOTICE OF DISCONTINUANCE
N Y INSTITUTE OF BUSINESS	401 PARK AVE S	NEW YORK, N Y 10016	NOTICE OF DISCONTINUANCE
NATIONAL WHOLESALE	525 OLD COUNTRY RD	WESTBURY, N Y 11590	NOTICE OF DISCONTINUANCE
NATIONAL WHOLESALE/UTRECHT	4806 NEW UTRECHT AVE	BROOKLYN, NEW YORK 11219	NOTICE OF DISCONTINUANCE
NATIONAL WHOLESALE-BROADH	2100 BROADHOLLOW RD	FARMINGDALE, N Y 11735	NOTICE OF DISCONTINUANCE
NATIONAL DOCUMENTS	27 C INDUSTRIAL BLVD MEDFORD, NY 11763		NOTICE OF DISCONTINUANCE
NEW CENTURIES	286 MADISON AV.	NEW YORK, NY 10017	NOTICE OF DISCONTINUANCE
NEXT GENERATION RADIOLOGY	4 MEDICAL DR	PORT JEFFERSON STATION, NY 11776	NOTICE OF DISCONTINUANCE
NEXTEK POWER SYSTEMS	990 S 2	RONKONKOMA, NY 11779	NOTICE OF DISCONTINUANCE
NISSAN COMMERCIAL	176-4 CENTRAL AVE	FARMINGDALE, N Y 11735	NOTICE OF DISCONTINUANCE
Nva	70 GAZZA BLVD	FARMINGDALE, N Y 11735	NOTICE OF DISCONTINUANCE
NORMAN DIMSON C/O CARLYLE CONSTRUCTION	340 E 46TH ST	NEW YORK, NY 10017	NOTICE OF DISCONTINUANCE
NUTRALIFE INC	89 F CABOT CT	HAUPPAUGE, NEW YORK 11788	NOTICE OF DISCONTINUANCE
NY FRATERNAL ORDER	911 POLICE PLAZA	HICKSVILLE, NEW YORK 11801	NOTICE OF DISCONTINUANCE
NY INSTITUTE OF BUSINESS TECHNOLOGY	401 PARK AVE	NEW YORK, NY 10016	NOTICE OF DISCONTINUANCE
NY METRO AREA POSTAL	350 W 31ST	NEW YORK, N Y 10001	NOTICE OF DISCONTINUANCE
OAU - BARRY ABDULAI	1225 Broadway NY NY 10001		NOTICE OF DISCONTINUANCE
ONE WAY SALON	226 SHERWOOD AVE FARMINGDALE, NEW YORK 11735		NOTICE OF DISCONTINUANCE
ONE WAY SALON SYSTEMS INC	226 SHERWOOD AVE	FARMINGDALE, NY 11735	NOTICE OF DISCONTINUANCE
OUT TO LUNCH/PAM INC	43 MILBAR BLVD	FARMINGDALE, NEW YORK 11735	NOTICE OF DISCONTINUANCE
OUTDOOR SOLUTIONS	225 W 57TH STREET	NEW YORK, N Y 10019	NOTICE OF DISCONTINUANCE
PARADIGM	12 E 49TH ST.	NEW YORK, NY 10017	NOTICE OF DISCONTINUANCE
PEERLESS AEROSPACE	141 EXECUTIVE DR.	FARMINGDALE, NY 11735	NOTICE OF DISCONTINUANCE
PETER MARC STERN	330 W 42ND STREET	NEW YORK, N Y 11036	NOTICE OF DISCONTINUANCE
PETROCELLI CONSTRUCTION CORP	100 COMACK ST	RONKONKOMA, NY 11779	NOTICE OF DISCONTINUANCE
PHILKENOLUS LABS	195 CENTRAL AVENUE	FARMINGDALE, NEW YORK 11735	NOTICE OF DISCONTINUANCE
PILOT EMPLOYMENT AGENCY THE	129 N MADA AV	STATEN ISLAND, NY 10310	NOTICE OF DISCONTINUANCE
POSTGRADUATE, CENTER FOR MENTAL HEALTH	344 W 36	NEW YORK, NY 10018	NOTICE OF DISCONTINUANCE
POW WOW, INC	250 39TH ST	NEW YORK, NY 10018	NOTICE OF DISCONTINUANCE
POWER DRIVE COMPONENTS	40 NEWTON PLAZA MAIN BLDG	PLAINVIEW, N Y 11803	NOTICE OF DISCONTINUANCE
PRIME LABORATORIES	1386 E 21ST	BROOKLYN, NEW YORK 11210	NOTICE OF DISCONTINUANCE
PROFESSIONAL RADIOLOGY	142 JORALEMON STREET	BROOKLYN, NEW YORK 11201	NOTICE OF DISCONTINUANCE
PROJECT RETURN(R)	10 ASTOR PL	NEW YORK, NY 10003	NOTICE OF DISCONTINUANCE
Q-T'S SCREEN PRINTING	89A MARINE FARMINGDALE, NY 11735		NOTICE OF DISCONTINUANCE
QUALITY BREAD	2457 BELLMORE AV BELLMORE, NY 11710		NOTICE OF DISCONTINUANCE
R & M RICHARDS	1400 BROADWAY	NEW YORK, N Y 10018	NOTICE OF DISCONTINUANCE
R & S COMPETITION MACHINES SERVICE	48 B LAMAR ST	BABYLON, NY 10016	NOTICE OF DISCONTINUANCE
RAINBOW COMMUNICATIONS	91-23 QUEENS BLVD	ELMHURST, NY 11373	NOTICE OF DISCONTINUANCE
RASKIN & BECKELMAN	27 E Hawthorne Ave Valley Stream NY 11580		NOTICE OF DISCONTINUANCE
RASPBERRY INTERNATIONAL	38 E 23RD STREET	NEW YORK, N Y. 10010	NOTICE OF DISCONTINUANCE
REACH HOME COM	3500 SUNRISE HY	GREAT RIVER, NY 11739	NOTICE OF DISCONTINUANCE
REGENCY TOWER	340 E 46TH ST	NEW YORK, NY 10017	NOTICE OF DISCONTINUANCE
RENAISSANCE MOLDING & CABINETRY	2300 SHAMES DR	WESTBURY, NY 11590	NOTICE OF DISCONTINUANCE
ROBERT COUTURIER	69 MERCER STREET	NEW YORK, N Y 10012	NOTICE OF DISCONTINUANCE
ROBERT VALDERAMA	100 South Rd New Hyde Park NY 11040		NOTICE OF DISCONTINUANCE
ROSICKI & ASSOCS/DGN ATTY	213 BEDFORD AVE.	BROOKLYN NY 11211	NOTICE OF DISCONTINUANCE
ROSICKI & ASSOCS/DGN ATTY	1 OLD COUNTRY RD	CARLE PLACE, NY 11514	NOTICE OF DISCONTINUANCE
ROSICKI & ASSOCS/DGN ATTY	150 KING RD	ROCKY POINT NY 11778	NOTICE OF DISCONTINUANCE
RUDEN MANAGEMENT	1330 AVENUE OF AMERICAS	NEW YORK, NY 10019	NOTICE OF DISCONTINUANCE
RUDEN MANAGEMENT	3500 SUNRISE HY	GREAT RVR, NY 11739	NOTICE OF DISCONTINUANCE
SABRETT'S	978 BROADWAY MALL HICKSVILLE, NEW YORK 11801		NOTICE OF DISCONTINUANCE
SALADOR, FRED	55 CHEROKEE AV	WEST ISLIP, NY 11795	NOTICE OF DISCONTINUANCE
SAMTEX	501 7TH AVENUE	NEW YORK, N Y 10018	NOTICE OF DISCONTINUANCE
SCHNEIDER, STEVEN / DGN CHRIPRCTR	289 JACKSON AV	SYOSSET, NY 11791	NOTICE OF DISCONTINUANCE
SHARIN & LIPSHIE	200 GARDEN CTY PLZ.	GARDEN CITY, N Y 11530	NOTICE OF DISCONTINUANCE
SHARP TRANSPORTATION	330 MIDDLE ISLAND RD	MEDFORD, NY 11763	NOTICE OF DISCONTINUANCE
SHOOTERS	90 HERRICKS ROAD	MINEOLA, NY 11501	NOTICE OF DISCONTINUANCE
SHOP 50 COM INC	3500 SUNRISE HY	GREAT RVR, NY 11739	NOTICE OF DISCONTINUANCE
SIGN DEPOT	994 BROADWAY	HICKSVILLE, N Y 11801	NOTICE OF DISCONTINUANCE
SIMON & SIMON CPA PC	170 GREAT NECK RD	GREAT NECK, NY 11021	NOTICE OF DISCONTINUANCE
Sinnrech	1700 BROADWAY	NEW YORK, N Y 10019	NOTICE OF DISCONTINUANCE
SMITH MAZURE	111 JOHN ST	NEW YORK, NY 10038	NOTICE OF DISCONTINUANCE
SOLUTION IN COMMUNICATION	1115 WILCOX AVE	BRONX, NY 10465	NOTICE OF DISCONTINUANCE
SONIC TRADING	1333 BROADWAY	NEW YORK, NY 10018	NOTICE OF DISCONTINUANCE
SPACELY	3500 Sunnse Highway Great River NY 11739		NOTICE OF DISCONTINUANCE
STARS 121	1055 STEWART AVE	BETHPAGE, NY 11714	NOTICE OF DISCONTINUANCE
STEINWAY AWNINGS CORP	42-30 24TH ST, LONG ISLAND CITY, NY 11101		NOTICE OF DISCONTINUANCE
STEINWAY FAMILY SERVICES INC	41-36 27 ST	LONG ISLAND CITY, NY 11101	NOTICE OF DISCONTINUANCE
STEVEN BLANK	62 CrestRD	NEW HYDE PARK, NY 10040	NOTICE OF DISCONTINUANCE
STREAMLINE STAFFING	1375 BROADWAY	NEW YORK, N Y 10018	NOTICE OF DISCONTINUANCE
SUBLIME DESIGN INC	1055 STEWART AVE	BETHPAGE, NY 11714	NOTICE OF DISCONTINUANCE
SUNECO	40 W 29TH STREET	NEW YORK, N Y 10001	NOTICE OF DISCONTINUANCE

SUPERIOR RESTORATION	1314 JERICHO TPKE	NEW HYDE PARK, N Y 11040	NOTICE OF DISCONTINUANCE
SWIFT	34 E 4TH STREET	NEW YORK, N Y 10003	NOTICE OF DISCONTINUANCE
SYNERGY GOLD GROUP INC	31-00 47th AV	LONG ISLAND CITY, NY 11101	NOTICE OF DISCONTINUANCE
SYSTEC COMPUTER ASSOCIATES	28 COUNTRY RD.	MOUNT SINAI, NY 11766	NOTICE OF DISCONTINUANCE
THCG	512 7TH AV.	NEW YORK, NEW YORK 10018	NOTICE OF DISCONTINUANCE
THE BUYERSNET COM	3500 SUNRISE HY	GREAT RVR, NY 11739	NOTICE OF DISCONTINUANCE
THE CHRISTOPHERS	12 E 48TH	NEW YORK, N.Y 10017	NOTICE OF DISCONTINUANCE
THE INDEPENDENT	74 MONTAUK HWY	EASTPORT, NY 11937	NOTICE OF DISCONTINUANCE
THE JEWELRY JUDGE LTD	320 OLD COUNTRY ROAD	GARDEN CITY, N Y 11530	NOTICE OF DISCONTINUANCE
THE PYRAMID	560 BROADHOLLOW RD	MELVILLE, NEW YORK 11747	NOTICE OF DISCONTINUANCE
Thinkers Group	3500 SUNRISE HWY STE D-11	GREAT RIVER, N Y 11739	NOTICE OF DISCONTINUANCE
TOOLS FOR INDUSTRY	P O BOX 378	LAKE GROVE, NEW YORK 11779	NOTICE OF DISCONTINUANCE
TOURNEAU, INC	488 MADISON AVE	NEW YORK, NY 10022	NOTICE OF DISCONTINUANCE
TOURNEAU, INC	3 E 54TH ST	NEW YORK, NY 10022	NOTICE OF DISCONTINUANCE
TOURO COLLEGE	27 W 23RD ST	NEW YORK, NY 10010	NOTICE OF DISCONTINUANCE
TOWNE ASSOCIATES	340 E 46TH ST	NEW YORK, NY 10017	NOTICE OF DISCONTINUANCE
TRAIN FACTORY	180 SMITH STREET FARMINGDALE, NEW YORK 11735		NOTICE OF DISCONTINUANCE
TRANSIT NETWORKS	90 JOHN ST	NEW YORK, NY 10038	NOTICE OF DISCONTINUANCE
TRULITE	148 SWEET HOLLOW RD	BETHPAGE, N Y 11714	NOTICE OF DISCONTINUANCE
TSSCO INC	25 DEFOREST AV	AMITYVILLE, NY 11701	NOTICE OF DISCONTINUANCE
TUFF WEAR	844 6TH AVENUE	NEW YORK, N Y 10001	NOTICE OF DISCONTINUANCE
UNIONDALE CHAMBER OF COMMERCE	336 UNIONDALE AV	UNIONDALE, NY 11553	NOTICE OF DISCONTINUANCE
Unique Dental	75 FRANKLIN AVENUE	FRANKLIN SQUARE, N Y 11010	NOTICE OF DISCONTINUANCE
UNIVERSAL PLUS/EUNS CHUNG	34 W 32ND	NEW YORK, N Y 10001	NOTICE OF DISCONTINUANCE
UNIVERSAL DIAGNOSTIC	1414 NEWKIRK AVE	BROOKLYN, NY 11226	NOTICE OF DISCONTINUANCE
URBAHN ASSOC	1250 BROADWAY	NEW YORK, NY 10001	NOTICE OF DISCONTINUANCE
VALI CERT	61 BROADWAY	NEW YORK, N Y 10006	NOTICE OF DISCONTINUANCE
VERSATECH/MILLENIUM	225 W 39TH STREET	NEW YORK, N Y 10018	NOTICE OF DISCONTINUANCE
VESTED SOFTWARE LLC	3500 SUNRISE HY	GREAT RVR, NY 11739	NOTICE OF DISCONTINUANCE
VUE REPRESENTS	580 BROADWAY	NEW YORK, N Y 10012	NOTICE OF DISCONTINUANCE
WALDRON	275 MADISON AVENUE.	NEW YORK, N Y 10016	NOTICE OF DISCONTINUANCE
WEIL MEDICAL	100 BROADWAY	NEW YORK, NY 10005	NOTICE OF DISCONTINUANCE
WELLS FARGO	500 BI-COUNTY BLVD	FARMINGDALE, NEW YORK 11753	NOTICE OF DISCONTINUANCE
Westway Medallion	657 10TH AVENUE	NEW YORK, N Y 10036	NOTICE OF DISCONTINUANCE
WHEELS AMERICA	141 CENTRAL AV FARMINGDALE, NY 11735		NOTICE OF DISCONTINUANCE
WIRELESS CONNECTION	955 WILLIS AV	ALBERTSON, NY 11507	NOTICE OF DISCONTINUANCE
WIRING PLUS [U]	P O BOX 106 NA	ISLIP, NY 11751	NOTICE OF DISCONTINUANCE
WOLF INVESTMENT	26 BROADWAY	NEW YORK, NY 10004	NOTICE OF DISCONTINUANCE
WOLFF INVESTMENT GROUP, INC	535 ROUTE 110	MELVILLE, NY 11747	NOTICE OF DISCONTINUANCE
WORL CYBERLINKS	700 OR 500 KEOHLER AVE	RONKONKOMA, N Y 11779	NOTICE OF DISCONTINUANCE
XAVERIAN HIGH SCHOOL	7100 SHORE RD	BROOKLYN, NY 11209	NOTICE OF DISCONTINUANCE
Z PLY	41-16 29TH STREET LONG ISLAND CITY, NEW YORK 11101		NOTICE OF DISCONTINUANCE
ZEMI COMMUNICATIONS	99 MADISON AVEUE	NEW YORK, N Y 10016	NOTICE OF DISCONTINUANCE
ZETEK	47 MALL DR ,	COMMACK, NY 11725	NOTICE OF DISCONTINUANCE