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SWIDLER BERLIN SHEREFF FRIEDMAN, LLP

THE WASHINGTON HARBOUR
3000 K STREET, NW, SUITE 300
WASHINGTON, DC 20007-5116
TELEPHONE (202) 424-7500
FACSIMILE (202) 424-7647
WWW.SWIDLAW.COM

NEW YORK OFFICE
THE CHRYSLER BUILDING
405 LEXINGTON AVENUE
NEW YORK, NY 10174
TEL. (212) 973-0111
FAX (212) 891-9598

June 13, 2002

VIA HAND DELIVERY

Marlene H. Dortch, Secretary
Federal Communications Commission
The Portals
445 12th Street, S.W.; TW-A325
Washington, D.C. 20554

Cert. 7681
020617-TX

2002 JUN 26 AM 10:48
DIVISION OF
COMPETITIVE SERVICES

Re: Section 63.71 Application of Sphera Optical Networks N.A., Inc. for Authority to Discontinue Telecommunications Services

Dear Ms. Dortch:

On behalf of Sphera Optical Networks N.A., Inc., ^{d/b/a Sphera Networks} transmitted herewith are an original and six (6) copies of an application for authority to discontinue the provision of telecommunications services in California, District of Columbia, Florida, Illinois, Massachusetts, New Jersey, New York, Texas, Virginia, and Washington.

Please date-stamp the enclosed extra copy of this filing and return it in the envelope provided. Should you have any questions with respect to this matter, please do not hesitate to contact the undersigned.

Respectfully submitted,



Kathleen L. Greenan

This is a request to cancel Sphera's ALEC certificate; open docket.

TX 515

- C) (via electronic delivery)
- a) (via electronic delivery)
- KDW) (via electronic delivery)

Thanks,
Brenda Hawkins

DOCUMENT NUMBER-DATE
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COMMISSION CLERK

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

In the Matter of)
)
Sphera Optical Networks N.A., Inc.)
)
Section 63.71 Application)

APPLICATION FOR AUTHORITY TO DISCONTINUE SERVICE

Sphera Optical Networks N.A., Inc. (“Sphera” or “Company”), through its undersigned counsel, hereby requests authority to discontinue telecommunications services pursuant to §63.71 of the Rules of the Federal Communications Commission (hereinafter, “FCC” or “Commission”) and 47 U.S.C. § 214(a) of the Communications Act of 1934, as amended (the “Act”). On February 11, 2002, the Company filed for protection under Chapter 11 of the U.S. Bankruptcy Code. On May 2, 2002, the U.S. District Court for the District of New Jersey (“Bankruptcy Court”) approved the immediate transfer of the majority of Sphera’s assets and all customer contracts to OnFiber Carrier Services, Inc. (“OnFiber”). As a result, Sphera has no customers at this time and its discontinuance of service will not be unduly disruptive to the present or future public convenience and necessity.

I. Information Pursuant to Section 63.71

Pursuant to Section 63.71 of the Commission’s Rules, 47 C.F.R. § 63.71, Sphera offers the following information:

A. Name and address of carriers

Sphera Optical Networks N.A., Inc.
245 Park Avenue, 24th Floor
New York, New York 10167

B. Date of planned service discontinuance

Sphera's customers were transferred to OnFiber as explained above. None of the customers were end user subscribers of local, intraLATA toll or long distance services. Rather, the affected customers were telecommunications service providers or Internet Service Providers.

C. Points of geographic areas of service affected

The areas affected are all locations previously served by Sphera in the states of California, District of Columbia, Florida, Illinois, Massachusetts, New Jersey, New York, Texas, Virginia, and Washington.

D. Brief description of the type of service affected

Sphera provided broadband connectivity services primarily to other carriers and Internet Service Providers over fiber optic networks in major metropolitan areas.

E. Brief description of the dates and methods of notice to all affected customers

Sphera does not have any customers and, therefore, the Company did not provide notice.

F. Non-dominance of the carrier with respect to the service to be discontinued

Sphera is non-dominant with respect to the telecommunications services that it proposes to discontinue.

G. Service

In accordance with Sections 63.71 and 63.90(d) and (e) of the Commission's Rules, Sphera is mailing a copy of this application to the Governor and state utility commission of each of the affected jurisdictions, and to the Special Assistant for

Telecommunications for the Secretary of Defense, concurrently with the filing of this Application.

H. Additional questions regarding this application may be addressed to:

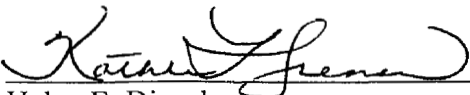
Kathleen L. Greenan
Swidler Berlin Shereff Friedman, LLP
3000 K Street, N.W., Suite 300
Washington, DC 20007
(202) 945-6922

II. Conclusion

Sphera hereby states that this termination of service is reasonable, necessary and not unduly disruptive to the present or future public convenience and necessity. Sphera does not currently serve any customers; therefore, the public will not be unduly harmed by Sphera's withdrawal. Moreover, other carriers and ISPs have access to other telecommunications carriers that have the ability to provide these customers with comparable telecommunications services at competitive prices.

For the foregoing reasons, Sphera respectfully requests, pursuant to Section 214(a) of the Act, 47 U.S.C. § 214(a), and Section 63.71 of the Commission's Rules, 47 C.F.R. § 63.71, that the Commission approve its Section 63.71 Application to discontinue the provision of U.S. domestic telecommunications services.

Respectfully submitted,

By: 
Helen E. Disenhaus
Kathleen L. Greenan
Swidler Berlin Shereff Friedman, LLP
3000 K Street, N.W., Suite 300
Washington, DC 20007
(202) 945-6922 (tel.)
(202) 424-7645 (fax)
KLGrean@swidlaw.com (email)

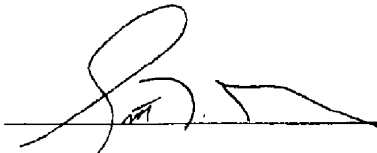
Counsel for Sphera Optical Networks N.A., Inc.

Dated: June 13, 2002

CERTIFICATION OF APPLICANT

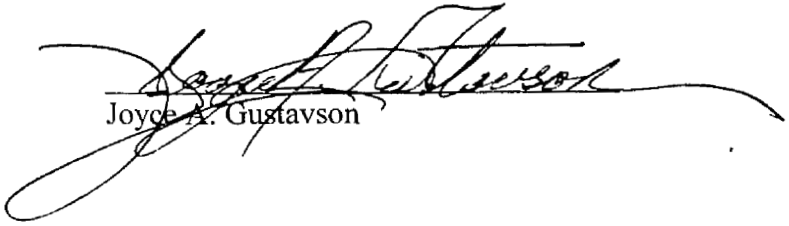
On behalf of Sphera Optical Networks N.A., Inc., I hereby certify that the statements in the foregoing Application for Section 63.71 authority are true, complete, and correct to the best of my knowledge and are made in good faith.

SPHERA OPTICAL NETWORKS N.A., INC.

By:  _____
Name: Scott T. Ryan _____
Title: General Counsel _____
Date: 6/13/02 _____

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Section 63.71 Application of Sphera Optical Networks N.A., Inc. was served this 13th day of June 2002, by mailing true and correct copies thereof, postage prepaid, to the following persons at the addresses listed on the attached.



Joyce A. Gustavson

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

Docket Office, Room 2001
California Public Utilities Commission
State Building
505 Van Ness Avenue, Suite 100
San Francisco, CA 94102-3298

The Honorable Gray Davis
Office of the Governor
State Capitol
Sacramento, CA 95814

Sanford M. Speight, Acting Commission Secretary
District of Columbia Public Service Commission
1333 H Street, N.W.
2nd Floor, West Tower
Washington, D.C. 20005

Mayor Anthony A. Williams
Government of the District of Columbia
John A. Wilson Building
1350 Pennsylvania Avenue, N.W.
Washington, DC 20004

Blanca S. Bayo
Commission Clerk and Administrator Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

The Honorable Jeb Bush
Office of the Governor
The Capitol
Tallahassee, FL 32399-0001

Donna Caton, Chief Clerk
Illinois Commerce Commission
527 E. Capitol Avenue
Springfield, IL 62701

The Honorable George Ryan
Office of the Governor
207 Statehouse
Springfield, IL 62706

Mary Cottrell, Secretary
Massachusetts Department of
Telecommunications and Energy
One South Station
Boston, MA 02110

The Honorable Jane Swift
Office of the Governor
State House
Room 360
Boston, MA 02133

Kristi Izzo
Board of Public Utilities
2 Gateway Center
Newark, NJ 07102

The Honorable James McGreevey
Office of the Governor
125 West State Street
P.O. Box 001
Trenton, NJ 08625

Janet Hand Deixler, Secretary
New York Public Service Commission
Agency Building 3
Three Empire State Plaza
Albany, N.Y. 12223-1350

The Honorable George Pataki
Office of the Governor
State Capitol

Albany, NY 12224

Ann Bowen, Filing Clerk
Public Utility Commission of Texas
1701 N. Congress Avenue
Austin, TX 78711-3326

The Honorable Rick Perry
Office of the Governor
P.O. Box 12428
Austin, TX 78711

Joel H. Peck, Clerk
Virginia State Corporation Commission
Tyler Building
1300 East Main Street
Richmond VA 23219

The Honorable Mark Warner
Office of the Governor
State Capitol
Richmond, VA 23219

Carole J. Washburn, Executive Secretary
Washington Utilities and Transportation Commission
1300 South Evergreen Park Drive, S.W.
Olympia, WA 98504

The Honorable Gary Locke
Office of the Governor
P.O. Box 40002
Olympia, WA 98504-0002