

November 8, 2002



Blanca S. Bayo
Director, Division of Records & Reporting
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Re: Lightyear Communications, Inc. – Notification of the Discontinuance of the Provision of Certain Telecommunication Services To a Certain Discrete Group of Subscribers

Dear Ms. Bayo:

The purpose of this letter is to provide this Commission with a copy of the Section 63.71 Application (“Application”) that Lightyear Communications, Inc. (“Lightyear”) has filed with the Federal Communications Commission regarding the discontinuance of the provision of certain telecommunication services provided to a discrete group of Lightyear subscribers. This discontinuance will affect less than one percent (1%) of Lightyear’s customer base, or one (1) customer in Florida .

The service to be discontinued is Lightyear’s Private Line Service, Frame Relay and 1+ Dedicated services currently provided to a select group of customers over the network of Williams Communications (“Williams’ Network”), one of Lightyear’s underlying carriers. Lightyear also provides these same services over the network of its other underlying carriers. This service was designed for use by business Customers.

As stated in the Application, in order to ensure the seamless transition of customers to an alternative service with Lightyear or with an alternative provider, Lightyear has developed a customer notification and transfer plan that is intended to provide the greatest opportunity for customer awareness and the informed exercise of customer choice with no service interruption. Lightyear customers will receive adequate written notices regarding the discontinuance of this particular Lightyear service, and the need to elect a new service provider, or select to move their service to an alternative Lightyear underlying carrier. The date of the planned partial service discontinuance is on or about December 31, 2001.

If you have any questions or need additional information please contact me at 800.805.8383 Ext. 1019.

Sincerely,

Linda Hunt
Manager of Regulatory Affairs and
Paralegal to General Counsel

- AUS _____
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LH:
Enclosure

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

In the Matter of the Application of)
)
LIGHTYEAR COMMUNICATIONS, INC.)
)
For Authority to Discontinue the Provision)
of Certain U.S. Domestic Telecommunications)
Service)
)

File No. _____

SECTION 63.71 APPLICATION

Lightyear Communications, Inc. ("Lightyear" or "Applicant"), hereby requests authority pursuant to Section 63.71 of the Commission's Rules, 47 C.F.R. § 63.71, and 47 U.S.C. § 214(a) of the Communications Act of 1934, as amended by the Telecommunications Act of 1996, to discontinue the provisioning of certain of its U.S. domestic telecommunications services. This discontinuance will affect less than one percent (1%) of Lightyear's customer base (approximately 15 business customers) targeting a certain discrete group of subscribers in the states of California, Colorado, Florida, Illinois, Indiana, Louisiana, Massachusetts, Michigan, Texas, Tennessee and Utah. The services to be discontinued are Lightyear's private line service, frame relay and 1+ dedicated services currently provided to this select group of customers over the network of Williams Communications ("Williams' Network"). Lightyear is currently realigning its business operations to assure efficiency and profitability. Lightyear requests expedited processing of this application so that it may discontinue this service over the Williams' Network as soon as practical.

Lightyear will continue to offer private line services, frame relay and 1+ dedicated services using the networks of carriers other than Williams Communications. Lightyear may, in some circumstances, encourage its current customers that are receiving services over the Williams' Network to move to another underlying carrier of Lightyear. Lightyear respectfully requests Commission approval for the discontinuance of service to those customers that cannot be transferred off the Williams' Network by December 31, 2002. The affected customers will receive notice of the discontinuance at least thirty-one (31) days prior to the date of the discontinuance. To ensure the seamless transition of customers to an alternative underlying carrier of Lightyear, or with an alternative provider if desired by the customer, Lightyear has developed a customer notification and transfer plan that is intended to provide the greatest opportunity for customer awareness and the informed exercise of customer choice with no service interruption. Lightyear customers will receive adequate written notice regarding the discontinuance of the applicable Lightyear service, and the need to elect a new service provider, or select to move their service to an alternative underlying carrier.

Applicant provides the following information in support of this Application pursuant to Section 63.71 of the Commission's Rules.

I. SECTION 63.71(a) INFORMATION

(1) Name and address of carrier:

Lightyear Communications, Inc.
1901 Eastpoint Parkway
Louisville, Kentucky 40223
800.805.8383 Ext. 1019

(2) Date of planned service discontinuance, reduction or impairment:

On or about December 31, 2002.

(3) Points of geographic areas affected:

The areas affected are specifically identified customers of Lightyear's private line service, frame relay and 1+ dedicated services currently provided to customers

over the Williams' Network. These customers are located in the States of California, Colorado, Florida, Indiana, Illinois, Louisiana, Massachusetts, Michigan, Tennessee, Texas, Utah, and Washington.

(4) Brief description of type of service affected:

Lightyear seeks authority to discontinue providing its private line service, frame relay and 1+ dedicated services currently provided to customers over the Williams' Network. These services are designed for use by business customers.

II. NOTIFICATION REQUIREMENTS

Individual written notice in conformance with the Commission's rules will be provided to each customer impacted by the proposed discontinuance via first class mail on November 8, 2002. Customer-specific notification will be sent to those customer(s) affected by this discontinuance depending on whether they have chosen to remain with Lightyear or move to another carrier. These notices are being sent in compliance with FCC rules regarding disconnection. A copy of the two versions of the notices are attached hereto as Exhibits A and Exhibit B.

In compliance with Section 63.71 (a) of the Commission's Rules, 47 C.F.R. § 63.71(a), the notice will include the following information: (1) Lightyear's name and address; (2) the date of planned service discontinuance; and (3) the affected service and service areas. The notice will also include the following statement:

The FCC will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments within 15 days after receipt of this notification. Address them to the Federal Communications Commission, Washington, DC 20554, referencing the § 63.71 Application of Lightyear Communications, Inc. 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.

Lightyear certifies that concurrent with the filing of this Application, Lightyear is submitting a copy of the Application to the public utility commissions and governors of the states listed above and to the Secretary of Defense as required by Section 63.71(a) of the Commission's Rules, 47 C.F.R. § 63.71(a). (See attached Certificate of Service.)

III. REGULATORY STATUS

Lightyear is regulated as a non-dominant carrier with respect to each domestic interstate telecommunications service which it seeks authority to discontinue.

IV. CONCLUSION

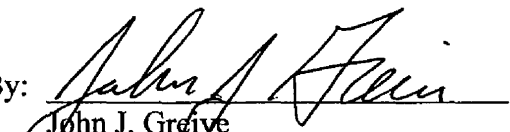
Lightyear hereby states that the discontinuance of the above-described customers is reasonable, necessary and not unduly disruptive to the present or future public convenience and necessity. The public will not be unduly harmed by the discontinuance because the public has access to other telecommunications carriers that have the ability to provide these customers with comparable telecommunications services at competitive prices. Furthermore, as indicated above, Lightyear is undertaking a comprehensive customer notification initiative that is aimed at providing its customers with sufficient notice and opportunity to migrate to an alternative underlying provider or select another provider and thereby minimize service interruptions. For the foregoing reasons, Lightyear respectfully requests, pursuant to 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 certain of its U.S. domestic telecommunications services.

Respectfully submitted,

Lightyear Communications, Inc.

By:



John J. Greive

Vice President and General Counsel

1901 Eastpoint Parkway

Louisville, Kentucky 40223

Telephone: (502) 244-6666

Facsimile: (502) 515-4138

Dated: November 8, 2002

Exhibit A
Sample Customer Notification
If Customer Is Remaining With Lightyear

November 7, 2002

«Contact», «Title»
«Customer»
«Billing_Address»
«City», «State» «Zip»

**Re: DISCONTINUANCE OF CERTAIN SERVICES
PLEASE DO NOT DISREGARD THIS NOTICE
CIRCUIT LOCATION: «Circuit_Location» CIRCUIT ID: «Circuit_ID»**

Dear Mr. or Ms.....:

Within the last month or so, you were contacted by «Rep_Name_In_Letter» regarding the private line, voice or frame relay service you currently have with Lightyear that are provisioned over the network of Williams Communications ("Williams' Network"), one of Lightyear's underlying carriers.

At the time of your conversation with Lightyear, you decided that you wanted to remain with Lightyear, and were willing to have your services moved to another of Lightyear's underlying carriers. It is my understanding that someone here at Lightyear is working with you to complete that transition, and the employees and management of Lightyear would like to thank you for the opportunity to continue to provide communications services to your company.

It is very important that you remain in close contact with Lightyear during this transition period due to the fact that as of December 31, 2002, Lightyear will no longer be able to provide you service on your circuit(s) that are currently on the Williams' Network. Lightyear wants to make your transition to the new carrier as seamless as possible with no disruptions in your service. However, if there are any delays in moving your service, by December 31, 2002, it will be subject to discontinuance. Accordingly, if your service is not migrated by this date, Lightyear cannot provide any assurance that service will continue over the Williams' Network after December 31, 2002. Please note that if you are also purchasing services from Lightyear that are not on the Williams' Network (i.e. WorldCom, Sprint, Broadwing or Qwest), those services will not be affected by this change.

In addition to the above, this letter is also to advise you that the Federal Communications Commission ("FCC") permits customers to object to discontinuance of their service by a telecommunications provider. As provided in the FCC's rule 47 CFR 63.71:

**EXHIBIT A
LETTER TO CUSTOMERS
STAYING WITH LIGHTYEAR**

The FCC will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments within 15 days after receipt of this notification. Address them to the Federal Communications Commission, Washington, DC 20554, referencing the Section 63.71 Application of Lightyear Communications, Inc. 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.

If you have any questions regarding this matter, please feel free to contact me at 800.805.8383 Ext. 1019. In the meantime, if you have any questions regarding your services, please contact «Letter_Contact_Person» who is working with you during this transition at 800.805.8383 Ext. «Ext»

Sincerely,

Linda Hunt
Manager of Regulatory Affairs and
Paralegal to General Counsel

Exhibit B
Sample Customer Notification
If Customer Is Going To Another Provider

November 7, 2002

«Contact», «Title_»
«Customer»
«Billing_Address»
«City», «State» «Zip»

Re: **DISCONTINUANCE OF CERTAIN SERVICES**
PLEASE DO NOT DISREGARD THIS NOTICE
CIRCUIT LOCATION: «Circuit_Location» CIRCUIT ID: «Circuit_ID»

Dear Customer:

Within the last month or so, you were contacted by «Rep_Name_In_Letter» regarding the private line, voice or frame relay service you currently receive from Lightyear that are provisioned over the network of Williams Communications, one of Lightyear's underlying carriers. At that time, it was explained to you that Lightyear was going to have to move your circuit(s) off of the current underlying carrier, Williams Communications, and move them to another underlying carrier of Lightyear. In the alternative, you were informed that you could move the circuit(s) to another carrier of your choice.

It is Lightyear's understanding that you have decided to move your circuit(s) to another provider and therefore the services currently provided by Lightyear will be discontinued. In order to ensure continuity of service, you must select a new service provider immediately. Lightyear will continue to provide service through December 31, 2002, but we cannot provide any assurance that service will continue after that date. Accordingly, **please do not delay** in arranging for a new carrier. To help avoid service disruption, please check carefully that all the circuits you currently have with Lightyear are moved to your new carrier. A list of carriers serving your area can generally be found in the front of your local telephone book. It is imperative that you do not delay in moving your circuit(s) off of Lightyear by December 31, 2002. Please note that if you are also purchasing services from Lightyear that are not on the Williams' Network (i.e. WorldCom, Sprint, Broadwing or Qwest), those services will not be affected by this change.

The Federal Communications Commission ("FCC") permits customers to object to discontinuance of their service by a telecommunications provider. As provided in the FCC's rule 47 CFR 63.71:

EXHIBIT B
LETTER TO CUSTOMERS
LEAVING LIGHTYEAR

Name
Company
Date
Page 2

The FCC will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments within 15 days after receipt of this notification. Address them to the Federal Communications Commission, Washington, D.C. 20554, referencing the Section 63.71 Application of Lightyear Communications, Inc.. 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.

Lightyear appreciates the opportunity we have had to serve you. Again we urge you to act immediately to obtain service from another carrier. If we can provide assistance in the transition of service to another carrier or you have questions about the discontinuance process, please call «Letter_Contact_Person» at 800.805.8383 Ext. «Ext_».

Sincerely,

Linda Hunt
Manager of Regulatory Affairs and
Paralegal to General Counsel

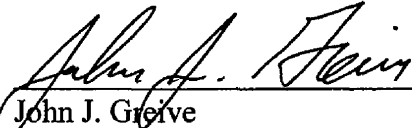
**EXHIBIT B
LETTER TO CUSTOMERS
LEAVING LIGHTYEAR**

CERTIFICATION

On behalf of Lightyear Communications, Inc. I hereby certify that the statements in the foregoing *Section 63.71 Application* are true, complete and correct to the best of my knowledge and are made in good faith.

Lightyear Communications, Inc.

By:



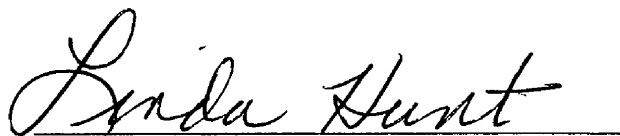
John J. Greive

Title: Vice President and General Counsel

Date: November 8, 2002

CERTIFICATE OF SERVICE

I, Linda Hunt, hereby certify that on this 8th day of November, 2002, I served a copy of the foregoing document via First Class Mail, postage pre-paid to the persons listed below:



Linda Hunt

SECRETARY OF DEFENSE:

Attn: Special Assistant for
Telecommunications
Pentagon
Washington, DC 20301

**FEDERAL COMMUNICATIONS
COMMISSION:**

Johanna Mikes
Federal Communications Commission
Common Carrier Bureau
The Portals
445 12th Street, S.W.
Washington, D.C. 20054

Martin L. Schwimmer
Federal Communications Commission
Common Carrier Bureau
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Justin Connor
Federal Communications Commission
International Bureau
The Portals
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Washington, D.C. 20054

CALIFORNIA:

California Gov. Gray Davis
Office of the Governor
State Capitol
Sacramento, CA 95814

Docket Clerk
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San Francisco, CA 94102

COLORADO:

Colorado Gov. Bill Owens
Office of the Governor
136 State Capitol
Denver, CO 80203-1792

Bruce N. Smith, Director
Colorado Public Utilities Commission
1580 Logan Street
Suite 2
Denver, CO 80203

FLORIDA:

Florida Gov. Jeb Bush
Office of the Governor
The Capitol
Tallahassee, FL 32399-0001

Blanca S. Bayo
Director, Division of Records & Reporting
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

ILLINOIS:

Illinois Gov. George Ryan
Office of the Governor
State Capitol
207 Statehouse
Springfield, IL 62701

Donna Caton, Chief Clerk
Illinois Commerce Commission
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Springfield, IL 62701

INDIANA:

Indiana Gov. Frank O'Bannon
Office of the Governor
206 State House
Indianapolis, IN 46204

Joseph M. Sutherland, Executive Secretary
Indiana Utility Regulatory Commission
302 West Washington Street
Suite E306
Indianapolis, IN 46204

LOUISIANA

M. J. "Mike" Foster, Jr., Governor
Attn: Constituent Services
State Capitol
P.O. Box 94004
Baton Rouge, LA 70804-7099
(225) 342-7015

Lawrence C. St. Blanc, Executive Secretary
Louisiana Public Service Commission
One American Place, Suite 1630
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Baton Rouge, LA 70821
(225) 342-4427

MASSACHUSETTS:

Massachusetts Gov. Jane Swift
Office of the Governor
State House
Room 360
Boston, MA 02133

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

MICHIGAN:

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George W. Romney Bldg.
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Dorothy Wideman, Executive Secretary
Michigan Public Service Commission
6545 Mercantile Way, Suite 7
Lansing, MI 48911
(517) 241-6160

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Don Sundquist, Governor
1st Floor, State Capitol
Nashville, TN 37243-0001
(615) 741-2001

David Waddell, Executive Secretary
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243-0505
(615) 741-2904

TEXAS:

Texas Gov. Rick Perry
Office of the Governor
P.O. Box 12428
Austin, TX 78711

Garvis Cunningham, Filing Clerk
Texas Public Utility Commission
1701 N. Congress Avenue
Austin, TX 78711

UTAH:

Michael O. Leavitt, Governor
210 State Capitol
Salt Lake City, UT 84114
(801) 538-1000

Julie P. Orchard, Secretary
Public Service Commission of Utah
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Salt Lake City, UT 84111
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Carole J. Washburn, Executive Secretary
Washington Utilities and Transportation
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