

ORIGINAL

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VINCENT T. EARLY
(1922 - 2001)
JOSEPH J. BURGIE
(1926 - 1992)

June 15, 2005

Ms Marlene H Dortch
FCC Secretary
9300 E Hampton Dr
Capitol Heights MD 20743
Attn Office of the Secretary

RECEIVED-FPSC
JUN 20 AM 10:35
COMMISSION
CLERK

re: AXIUS, Inc. d/b/a AXIUS Communications

Dear Ms Dortch:

Please be advised that we are the attorneys for AXIUS, Inc. d/b/a AXIUS Communications ("AXIUS"). Enclosed for filing is the application of AXIUS for authority to discontinue long distance services in specified geographic areas pursuant to Section 214(A) of the Communications Act, as amended, and Part 63.71 of the Code of Federal Regulations.

An original and five (5) copies are enclosed, in accordance with 47 CFR 63.52(a). Per the Common Carrier Services Fee Filing Guide, no fee is associated with applications for reduction or discontinuance of services.

Please acknowledge receipt of this filing by date stamping the extra copy of this cover sheet and returning it to me in the self-addressed, stamped envelope provided.

CMP Should you have any questions or concerns relating to this matter, please contact me.

COM Very truly yours,
CTR
ECR EARLY, LENNON, CROCKER & BARTOSIEWICZ, P.L.C.
GCL
OPC
MMS Patrick D. Crocker
RCA PDC/jam
SCR Enclosures
SEC I
OTH

31 JUN 20 05 10:35

DOCUMENT NUMBER DATE
05822 JUN 20 05

FPSC COMMISSION CLERK

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.

In the Matter of)
Section 63.71 Application of)
AXIUS, Inc.) WCB Docket No. 05-_____
d/b/a AXIUS Communications)
For Authority to Discontinue)
Long Distance Services)

SECTION 63.71 APPLICATION

AXIUS, Inc. d/b/a AXIUS Communications (“AXIUS”) hereby files this Application requesting authority under Section 214 of the Communications Act of 1934, as amended and pursuant to Section 63.71 of the code of Federal Regulations to discontinue its domestic and international long distance service. These services are carried over underlying networks owned and operated by Qwest and Global Crossing. AXIUS is a nondominant reseller of long distance services.

I. Pursuant to Section 63.71 (b)(1) through (5) (47 C.F.R. § 63.71(b)(1) through (5)), AXIUS submits the following information:

1. Name and address of carrier:

AXIUS Inc
d/b/a AXIUS Communications
2300 N 10th St
Enid OK 73701

2. Date of planned service discontinuance:

The anticipated date for the discontinuance of the service described in paragraphs 3 and 4 below is June 10, 2005, or as soon thereafter as the necessary governmental approval can be obtained.

3. Points of geographic areas of service affected:

The proposed discontinuance will affect the provision of long distance services in the states of Arkansas, California, Colorado, Florida, Georgia, Illinois, Indiana, Kansas, Kentucky, Maryland, Michigan, Missouri, New Hampshire, New Jersey, North Carolina, Ohio, Oklahoma, Texas, Virginia, West Virginia and Wisconsin.

4. Brief description of the type of service affected:

Long distance services.

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

AXIUS provided written notice to its affected customers by regular mail on May 11, 2005.

6. Nondominance of the carrier with respect to the service being discontinued:

AXIUS is nondominant with respect to the services it proposes to discontinue.

7. Service:

In accordance with Section 63.71(a) of the Commission's rules, AXIUS has mailed a copy of this application to the Governors of the affected states, to all affected State public utility commissions and the Special Assistant for Telecommunications for the Secretary of the Defense.

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

AXIUS Inc
d/b/a AXIUS Communications
Patrick D Crocker, Attorney
900 Comerica Bldg
Kalamazoo MI 49007
Telephone: 269-381-8844
Facsimile: 269-381-8822
pcrocker@earlylennon.com

II. Circumstances of Discontinuance

AXIUS has determined the recent regulatory rulings have negatively impacted its ability to provide service to end-users and that it is not economically feasible to continue current service offerings.

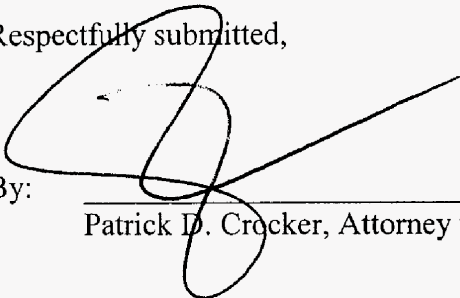
III. Conclusion

AXIUS believes that the proposed discontinuance of services is reasonable and necessary. For the foregoing reasons, AXIUS respectfully requests, pursuant to Section 241(a) of the

Communications Act of 1934, as amended 47 U.S.C. § 214(a) and Section 63.71 of the Commission's Rules that the Commission approve its Section 63.71 application to discontinue the provision of above-described services.

Respectfully submitted,

By:



Patrick D. Crocker, Attorney for

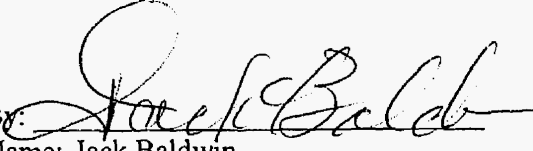
AXIUS, Inc.
d/b/a AXIUS Communications

Dated: June 8, 2005

CERTIFICATION OF APPLICANT

On behalf of AXIUS, Inc. d/b/a AXIUS Communications, 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 belief and are made in good faith.

AXIUS, Inc.
d/b/a AXIUS Communications

By: 

Name: Jack Baldwin

Title: President

Date:

Certificate of Service

I hereby certify that the June 8, 2005 version of the foregoing Section 63.71 Application of AXIUS, Inc. d/b/a AXIUS Communications was served on June 15, 2005 by mailing true and correct copies thereof, postage prepaid, to the following persons at the addresses appearing on the attached list.

Susan B. Bos

Date: June 15, 2005

Service List

Department of Defense

Office of the Secretary
US Department of Defense
Pentagon
Attn: Special Assistant for Telecommunications
Washington DC 20301

State Public Utilities Commissions

Diana Wilson
Secretary of the Commission
Arkansas Public Service Commission
1000 Center St
Little Rock AR 72201

Docket Office
California Public Utilities Commission
505 Van Ness Ave Rm 2001
San Francisco CA 94102-3298

M Michael Cooke
Executive Director
Colorado Public Utilities Commission
1580 Logan St OL2
Denver CO 80203

Blanca Bayo
Director
Florida Public Service Commission
Capitol Circle Office Center
2540 Shumard Oak Blvd
Tallahassee FL 32399-0850

Reece McAllister
Executive Secretary
Georgia Public Service Commission
244 Washington St SW
Atlanta GA 30334-5701

Elizabeth Rolando
Chief Clerk
Illinois Commerce Commission
527 E Capital Ave
Springfield IL 62701

Executive Secretary
Indiana Utility Regulatory Commission
302 W Washington St Ste E-306
Indianapolis IN 46204-2764

Susan Duffy
Executive Director
Kansas Corporation Commission
1500 SW Arrowhead Rd
Topeka KS 66604-2425

Thomas M Dorman
Executive Director
Kentucky Public Service Commission
211 Sower Blvd
Frankfort KY 40601

Felicia Greer
Executive Secretary
Maryland Public Service Commission
6 St Paul St
Baltimore MD 21202-6806

Mary Jo Kunkle
Executive Secretary
Department of Commerce
Michigan Public Service Commission
6545 Mercantile Way
Lansing MI 48911

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
Harry S Truman Office Bldg
301 W High St Rm 530
Jefferson City MO 65102

Thomas Getz
Secretary
New Hampshire Public Utilities Commission
8 Old Suncook Rd Bldg One
Concord NH 03301-7319

Sam Caldwell
Verizon New Jersey Inc
540 Broad St Rm 300
Newark NJ 07101

Geneva Thigpen
Chief Clerk
North Carolina Public Utilities Commission
430 N Salisbury St
Dobbs Bldg Rm 5082
Raleigh NC 27603

Renee Jenkins
Executive Secretary
Docketing Department
Public Utilities Commission of Ohio
180 E Broad St
Columbus OH 43215-3793

Sharon Steed
Chief Clerk
Oklahoma Corporation Commission
2101 N Lincoln Blvd
Oklahoma City OK 73105

Lane Lanford
Executive Director
Public Utility Commission of Texas
1701 N Congress Ave
Austin TX 78701

Joel Peck
Clerk of the Commission
Commonwealth of Virginia
State Corporation Commission
Tyler Bldg
1300 E Main St
Richmond VA 23219-3630

Sandra Squire
Executive Secretary
Public Service Commission of West Virginia
201 Brooks St
Charleston WV 25301

Lynda Dorr
Secretary to the Commission
Public Service Commission of Wisconsin
601 N Whitney Way
Madison WI 53705-2729

State Governors

The Honorable Mike Huckabee
Office of the Governor
State Capitol Rm 250
Little Rock AR 72201

The Honorable Arnold A Schwarzenegger
Office of the Governor
State Capitol
Sacramento CA 95814

The Honorable Bill Owens
Office of the Governor
136 State Capitol
Denver CO 80203-1792

The Honorable Jeb Bush
Office of the Governor
PL 05 The Capitol
400 S Monroe St
Tallahassee FL 32399

The Honorable Sonny Perdue
Office of the Governor
203 State Capitol
Atlanta GA 30334

The Honorable Rod Blagojevich
Office of the Governor
State Capitol
207 Statehouse
Springfield IL 62706

The Honorable Mitch Daniels
Office of the Governor
206 State House
Indianapolis IN 46204

The Honorable Kathleen Sebelius
Office of the Governor
State Capitol 2nd Fl
Topeka KS 66612-1590

The Honorable Ernie Fletcher
Office of the Governor
The Capitol Bldg
700 Capitol Avenue Suite 100
Frankfort KY 40601

The Honorable Robert Ehrlich
Office of the Governor
State House
100 State Cir
Annapolis MD 21401

The Honorable Jennifer Granholm
Office of the Governor
Governor's Office
PO Box 30013
Lansing MI 48909

The Honorable Matt Blunt
Office of the Governor
Missouri Capitol Building Rm 216
Jefferson City MO 65101

The Honorable John Lynch
Office of the Governor
State House Rm 208
107 N Main St
Concord NH 03301

The Honorable Richard Codey
Office of the Governor
125 W State St
PO Box 001
Trenton NJ 08625

The Honorable Michael Easley
Office of the Governor
20301 Mail Service Center
Raleigh NC 27699-0301

The Honorable Bob Taft
Office of the Governor
77 S High St 30th Fl
Columbus OH 43215-6117

The Honorable Brad Henry
Office of the Governor
State Capitol Bldg Ste 212
Oklahoma City OK 73105

The Honorable Rick Perry
Office of the Governor
PO Box 12428
Austin TX 78711

The Honorable Mark Warner
Office of the Governor
Executive Office Bldg 3rd Fl
111 E Broad St
Richmond VA 23219

The Honorable Joe Manchin III
Office of the Governor
State Capitol Complex
Charleston WV 25305-0370

The Honorable Jim Doyle
Office of the Governor
State Capitol
115 East
Madison WI 53702

Customer Notices

Urgent & Important Notice Regarding the Termination of Your Long Distance Services

Dear Customer:

Please be advised that Axius, Inc. located at 2300 N. 10th Street Enid OK, 73701, is terminating its Long Distance Services business. Therefore, it will no longer provide Long Distance Services to you effective June 10th, 2005. This letter serves as your 30-day notice of the discontinuation of Long Distance Services from Axius.

You will receive your last bill from Axius before or shortly after the end of June 2005 for the balance of the services used during the months of May and/or June. Please notice that AXIUS will not be able to release any of your telephone numbers unless the balance on your bill is paid in full.

We sincerely apologize for any inconvenience this may cause. Please call Axius at 1-888-355-3520 if you have questions regarding your current long distance bill or your final bill.

The FCC will normally authorize this proposed discontinuance of service (or reduction or impairment) unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments within 15 days of receipt of this notification. Address them to the Federal Communication Commission, Washington DC 20554 referencing the Section 63.71 Application of AXIUS. Comments should include specific information about the impact of this proposed discontinuance (or reduction or impairment) upon your company, including any inability to acquire reasonable substitute service.

The affected states are as followed; AR, CA, CO, FL, GA, IL, IN, KS, KY, MD, MI, MO, NC, NH, NJ, OH, OK, TX, VA, WI, WV

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We sincerely apologize for any inconvenience this may cause. We would like to inform you that Axius' sister company, Business Solutions, Inc., which offers Long Distance Service options from SBC, would welcome the opportunity to offer you SBC's Long Distance Services. An Account Manager will contact you soon to discuss the details of SBC's unique Long Distance programs and to answer all of your transition questions.

Meanwhile, please call Axius at 1-888-355-3520 if you have questions or inquiries about the termination of your service or establishing new services with SBC.

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Your sales agent of record is **GTI Associates, Inc.** Please contact GTI at 800-314-8440 as they will be glad to recommend and reconnect you with a new long distance provider.

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AXIUS, Inc.