

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

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In the Matter of)
)
Section 63.71 Application of)
)
BellSouth Telecommunications, Inc. d/b/a)
AT&T Southeast)
)
For Authority Pursuant to Section 214 of)
The Communications Act of 1934, As Amended,)
To Discontinue the Provision of Service)

File No.

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COMMISSION
CLERK

SECTION 63.71 APPLICATION OF AT&T SOUTHEAST

AT&T Inc., on behalf of its incumbent local exchange carrier affiliate, BellSouth Telecommunications, Inc. d/b/a AT&T Southeast applies for authority under Section 214(a) of the Communications Act, as amended ("the Act"), 47 U.S.C. § 214 and Section 63.71 of the Federal Communications Commission's ("Commission") rules, 47 C.F.R. § 63.71, to discontinue offering Dry Fiber service throughout its nine state territory, which includes the states of Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina and Tennessee.¹

As required by Section 63.71(a) and (b) of the Commission's rules, AT&T Southeast provides the following information:

Name and Address of Carrier (47 C.F.R. §§ 63.71(a)(1), (b)(2)):

BellSouth Telecommunications, Inc. d/b/a AT&T Southeast

¹ AT&T Southeast's Dry Fiber service is offered pursuant to AT&T Southeast FCC Tariff No. 1, Section 7.2.10. AT&T Southeast will continue to offer "Dark Fiber" to telecommunications carriers on an unbundled basis as required by paragraph 385 of the Commission's *Triennial Review Order*.

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FPSC-COMMISSION CLERK

675 West Peachtree St. NE, Atlanta, Georgia 30375

Date of Planned Service Discontinuance (47 C.F.R. §§ 63.71(a)(2), (b)(2)):

AT&T Southeast plans to discontinue offering this service to *new* customers pursuant to tariff effective January 1, 2011 subject to Commission approval of this application.

Current customers of Dry Fiber service will continue to receive this service pursuant to the rates, terms and conditions of the tariff until the customer migrates to an alternative service arrangement or until AT&T Southeast discontinues Dry Fiber services, which will occur no sooner than January, 2012. In order to ensure customers have ample opportunity to migrate from their Dry Fiber service, AT&T Southeast will provide customers with 12 months notice prior to discontinuing their Dry Fiber service.

Points of Geographic Areas of Service Affected (47 C.F.R. §§ 63.71(a)(3), (b)(2)):

The services will be discontinued in the AT&T Southeast service territories in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina and Tennessee.

Brief Description of Type of Service Affected (47 C.F.R. §§ 63.71(a)(3), (b)(2)):

AT&T Southeast's Dry Fiber service is a point-to-point arrangement between two customer premises using four optical fibers and is offered without optical signal regeneration to compensate for signal losses. AT&T Southeast's Dry Fiber service is currently offered via AT&T Southeast's FCC Tariff No. 1, Section 7.2.1.0.

The public convenience and necessity will not be adversely affected by the discontinuance of this service because there are many providers of fiber services in the AT&T Southeast region, including American Fiber Systems, Allied Fiber and Synesys.

Brief Description of the Dates and Methods of Notice to All Affected Customers (47 C.F.R. § 63.71(b)(3)):

On March 25, 2010, AT&T Southeast notified their customers of the planned discontinuance by letter sent by U.S. Mail. A copy of the customer notification is attached hereto as Attachment B.

Copies of this Application are being sent, first class U.S. Mail, to the public utilities commission and governor of each state in which discontinuance is proposed and also to the Special Assistant for Telecommunications to the Secretary of Defense, as required by Section 63.71(a) of the Commission's rules.

Regulatory Classification of Carrier (47 C.F.R. § 63.71(b)(4)):

AT&T Southeast asserts that it is non-dominant in the provision of Dry Fiber service, but acknowledges that this Application will be processed using the Commission's rules for dominant carriers.

Questions about this application may be addressed to Toni Acton, AT&T Services, Inc., Director, Federal Regulatory, 1120 20th Street N.W., Suite 1000, Washington, D.C. 20036, (202) 457-3039.

Conclusion:

The public convenience and necessity will not be adversely affected by the discontinuance of this service since existing customers will continue to receive Dry Fiber service pursuant to the terms and conditions contained in AT&T Southeast's tariff for the foreseeable future and subject to a one year notice of termination. Further, there are comparable services offered by other providers. Therefore, AT&T Southeast respectfully requests the Commission to approve its Section 63.71 Application to discontinue the provision of Dry Fiber service.

Respectfully submitted,

AT&T Inc.

By: /s/Terri L. Hoskins

Terri L. Hoskins
Gary L. Phillips
Paul K Mancini

AT&T Services, Inc.
1120 20th Street NW
Suite 1000
Washington, DC 20036

Its Attorneys

Dated: July 2, 2010

CERTIFICATE OF SERVICE

I do certify that I have, this 2nd day of July 2010, served a copy of the foregoing Section 63.71 Application by U.S. Mail postage prepaid to the following:

/s/Lacretia Hill
Lacretia Hill

Alabama Public Service Commission
100 N. Union Street
Suite 850
Montgomery, AL 36104

Governor Bob Riley
State Capitol
600 Dexter Avenue
Montgomery, AL 36130

Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Governor Charlie Crist
Office of the Governor
The Capitol
Tallahassee, FL 32399-0001

Georgia Public Service Commission
244 Washington Street, SW
Atlanta, GA 30334

Office of the Governor
Georgia State Capitol
Atlanta, GA 30334

Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, KY 40602

Governor Ernie Fletcher
700 Capital Avenue
Suite 100
Frankfort, KY 40601

Louisiana Public Service Commission
Galvez Building, 12th Floor
602 North Fifth Street
P.O. Box 91154
Baton Rouge, LA 70821

Secretary of Defense
Attn: Special Asst. for Telecommunications
Pentagon
Washington, D.C. 20301

Office of the Governor
P.O. Box 94004
Baton Rouge, LA 70804-9004

Mississippi Public Utilities Commission
Woolfolk Building
501 North West Street
Jackson, MS 39201-1174

Governor Haley Barbour
P.O. Box 139
Jackson, MS 39205

North Carolina Utilities Commission
430 North Salisbury Street
Dobbs Building
Raleigh, NC 27603-5918

Governor Michael F. Easley
Office of the Governor
20301 Mail Service Center
Raleigh, NC 27699-0301

Public Service Commission of South
Carolina,
101 Executive Center Dr., Suite 100
Columbia, SC 29210

Governor Mark Sanford
Office of the Governor
P.O. Box 12267
Columbia, SC 29211

Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243-0505

Governor Phil Bredesen
Governor's Office
Tennessee State Capitol
Nashville, TN 37243-0001

ATTACHMENT A



AT&T Southeast - Discontinuance of Dry Fiber

March 25, 2010

Category: Special Access

Contact: AT&T Account Manager

Effective January 1, 2011, pending Federal Communications Commission (FCC) approval, Dry Fiber, [Tariff F.C.C. No. 1, Section 7.2.10], will be grandfathered. After that date, new Dry Fiber arrangements will no longer be available to new or existing customers of BellSouth Telecommunications, Inc. (d/b/a AT&T Southeast) in the states of Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee. Dry Fiber on order or in service prior to January 1, 2011 will remain in service pursuant to the grandfathered tariff until the customer migrates to an alternative service arrangement or until AT&T Southeast ceases to provide Dry Fiber. *AT&T Southeast will not cease to provide Dry Fiber earlier than January 1, 2012. AT&T Southeast will provide customers with 12 months notice prior to the elimination of Dry Fiber service.*

The FCC will normally authorize this proposed discontinuance of service (or reduction or impairment) unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 30 days after the Commission releases public notice of the proposed discontinuance. Address them to the *Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20554*, and include in your comments a reference to the §63.71 Application of AT&T Southeast. Comments should include specific information about the impact of this proposed discontinuance (or reduction or impairment) upon you or your company, including any inability to acquire reasonable substitute service.

AT&T Southeast reserves the right to make any modifications to or to cancel the above information prior to the proposed filing or effective date. Should any modifications be made to the information, these modifications will be reflected in a subsequent letter sent at the time of the filing. AT&T Southeast will incur no liability to the subscriber of Dry Fiber if such information, mentioned above, is cancelled by AT&T Southeast or is not ultimately put into effect.

Please refer your questions to your AT&T Account Manager.

AT&T Southeast
675 W. Peachtree St. NE
Atlanta, GA 30375