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October 10, 2012

COPY

BY HAND DELIVERY

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, D.C. 20554

RECEIVED FPSC  
12 OCT 18 AM 8:55  
COMMISSION  
CLERK

Re: Absolute Home Phones, Inc. Section 63.71 Application

Dear Ms. Dortch:

On behalf of Absolute Home Phones, Inc. and pursuant to Section 63.71 of the Federal Communications Commission's rules, 47 C.F.R. § 63.71(b), enclosed please find an original and four copies of the Company's Section 63.71 Application for the discontinuance of selected domestic telecommunications services.

Also enclosed is a duplicate of this filing. Kindly date-stamp the duplicate and return it to the courier.

Respectfully submitted,



Winafred Brantl

Counsel to Absolute Home Phones, Inc.

Enclosures

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DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

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

In the Matter of )  
 )  
Section 63.71 Application of )  
Absolute Home Phones, Inc. )

**SECTION 63.71 APPLICATION**

Absolute Home Phones, Inc. (“Absolute,” the “Company” or “Applicant”) hereby seeks authorization pursuant to Section 214(a) of the Communications Act of 1934, as amended (the “Act”), 47 U.S.C. § 214, and Section 63.71 of the Commission’s rules, 47 C.F.R. § 63.71, to discontinue its provision of selected domestic telecommunications within the Company’s service territory – specifically, prepaid local exchange and long distance services that the Company currently provides to customers on a resale basis in Alabama, Florida, Kentucky, Louisiana, North Carolina and Tennessee, using AT&T as its underlying carrier.

Absolute, a Florida corporation, operates as a provider of domestic competitive telecommunications services in the southeastern United States. Currently, Absolute offers its customers a prepaid wireline package of residential local exchange and interexchange<sup>1</sup> services in these states.<sup>2</sup> Absolute does not provide international services.

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<sup>1</sup> Absolute provides both intrastate and interstate long distance services.

<sup>2</sup> At this time, Absolute has no customers for these services in Alabama, Louisiana and Tennessee.

In response to changing market conditions, Absolute has determined that it is no longer feasible to offer its current resold wireline service package in the AT&T territories.<sup>3</sup> The proposed discontinuance will not result in harm to the affected customers because they are being provided with ample notice of the discontinuance and equivalent service offerings are available from other carriers. One or more other carriers in each state provide similar prepaid packages and many more carriers, including the incumbent carrier, AT&T, provide these services on a post-paid basis.

The Applicant provides the following information pursuant to Section 63.71 of the Commission's Rules:

1. Name and Address of Carrier: Applicant's name and address is Absolute Home Phones, Inc. P.O. Box 830010, Ocala, FL 34483.

2. Date of Planned Service Discontinuance, Reduction or Impairment: Subject to receipt of necessary federal and state regulatory authorizations<sup>4</sup>, the proposed discontinuance is scheduled to take place on December 6, 2012.

3. Points of Geographic Areas of Service Affected: Absolute proposes to discontinue the provision of prepaid (wireline) local exchange and interexchange services delivered using AT&T as the underlying carrier in Alabama, Florida, Kentucky, Louisiana, North Carolina, and Tennessee.

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<sup>3</sup> Following implementation of this decision, Absolute will undertake a strategic re-assessment of the intrastate and national communications markets and determine in what manner the Company can most effectively compete with other service offerings.

<sup>4</sup> Absolute understands that this application will be granted automatically on the 31<sup>st</sup> day after public notice of filing unless the Commission notifies the Company to the contrary.

4. Brief Description of Type of Service Affected: The communications services affected by the proposed discontinuance consist of prepaid (wireline) residential local exchange and interexchange services.

5. Brief Description of the Dates and Methods of Notice to All Affected Customers: On October 10, 2012, Absolute sent written notice to affected customers by first-class mail in accordance with the requirements of Section 63.71(a) of the Commission's rules, informing them that the Company will cease provision of prepaid residential local and long distance services effective December 6, 2012. The notice clearly underscores that customers must make arrangements with another carrier to avoid loss of service and provides a toll-free telephone number that customers may call to reach Absolute service representatives for assistance with this transition. A sample copy of the notice sent to Absolute's customers is appended as *Exhibit A*.<sup>5</sup>

6. Whether the Carrier is Considered Dominant or Non-Dominant with Respect to the Service to Be Discontinued, Reduced or Impaired: Applicant is considered non-dominant with respect to the affected services.

In accordance with Section 63.71 of the Commission's Rules and concurrent with this filing, a copy of this Application is being mailed to (i) the Governors and Public Service Commissions (or equivalent) of Alabama, Florida, Kentucky, Louisiana, North Carolina, and Tennessee and (ii) to the Special Assistant for Telecommunications for the Secretary of Defense.


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<sup>5</sup> Absolute's customer notice incorrectly refers (in a footnote) to discontinuance in all nine BellSouth states. The Company is not discontinuing services in Georgia, Mississippi or South Carolina; however, because Absolute currently has no customers in those three states, there is no risk of customer confusion arising from this error.

Additional questions regarding this application should be addressed to the undersigned.

Respectfully submitted,

**Absolute Home Phones, Inc.**

By: \_\_\_\_\_

John J. Heitmann  
Winifred R. Brantl  
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Washington, DC 20007  
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Its Attorneys

Dated: October 10, 2012

**Exhibit A**  
**Sample Customer Notice**



Home Phone Service

P.O. Box 831327 - Ocala, FL 34483-1327



Customer Name  
Address  
Address

October 8, 2012

## Notice of Discontinuance of Your Telephone Service by Absolute Home Phones, Inc.

Dear Customer:

Absolute Home Phones, Inc. ("Absolute") regrets to inform you that it is preparing to cease providing prepaid local and long distance service to customers in a significant part of its service area.<sup>1</sup> **In order to avoid a disruption in telephone service, you must make arrangements for service with a new telephone company before the cut-off date noted below.** The names and telephone numbers of local telephone service companies, which also typically provide long distance service, are listed in your telephone directory. Customer service representatives at these companies will help you to select services to most effectively replace your current Absolute service. If you arrange for new service before your Absolute service is terminated and wish to keep your current telephone number(s), please be sure to address this with your new service provider.

**Subject to regulatory approvals, your service cut-off date is December 6, 2012.** If you do not arrange to have your telephone service provided by a new telephone company prior to **December 6, 2012**, you may lose telephone service (which means that you will be unable to make local calls including 911) and you may not be able to keep your current telephone number(s) with the new service provider. Effective with this notice, Absolute will no longer make any changes to or reconnect existing service and will not accept orders for new service.

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<sup>1</sup> This discontinuance affects customers for Absolute's prepaid wireline local and long distance service in those parts of Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee where AT&T is the incumbent local exchange carrier.

The Federal Communications Commission requires us to provide you with the following notice in connection with its review of the proposed discontinuance:

*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 as soon as possible, but no later than 15 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 Absolute Home Phones, 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.*

We thank you for being an Absolute customer and wish you well with your new provider. Should you have any questions, please contact Absolute at 800-495-5765.

Sincerely,

Absolute Home Phones, Inc.  
PO Box 831327  
Ocala, FL 34483



## CERTIFICATE OF SERVICE

I hereby certify that the foregoing Section 63.71 Application was served this 10th day of October, 2012, by mailing true and correct copies thereof, postage prepaid, to the following persons at the addresses listed below.

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

Alabama  
Office of Governor Robert Bentley  
State Capitol  
600 Dexter Avenue  
Montgomery, AL 36130-2751

Florida  
Office of Governor Rick Scott  
PL 05 The Capitol  
400 South Monroe Street  
Tallahassee, FL 32399-0001

Kentucky  
Office of Governor Steven L. Beshear  
700 Capitol Ave., Suite 100  
Frankfort, KY 40601

Louisiana  
Office of Governor Bobby Jindal  
P. O. Box 94004  
Baton Rouge, LA 70804-9004

North Carolina  
Office of Governor Beverly Perdue  
Office of the Governor  
20301 Mail Service Center  
Raleigh, NC 27699-0301

Tennessee  
Office of Governor Bill Haslam  
Tennessee State Capitol  
Nashville, TN 37243-0001

Mr. Walter L. Thomas, Jr.  
Commission Secretary  
Alabama Public Service Commission  
Suite 850  
100 North Union Street  
Montgomery, AL 36104

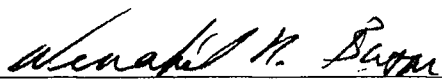
Ms. Ann Cole  
Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399

Mr. Jeff R. Derouen  
Executive Director  
Kentucky Public Service Commission  
211 Sower Boulevard  
Frankfort, KY 40601

Eve Kahao Gonzalez  
Secretary  
Louisiana Public Service Commission  
602 North 5th Street  
Baton Rouge, LA 70802

Ms. Renne Vance  
Chief Clerk  
North Carolina Utilities Commission  
430 North Salisbury Street  
Raleigh, NC 27603-5918

Ms. Sharla Dillon  
Dockets & Records  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37243

  
Winafred R. Brantl