

Suite 800  
1919 Pennsylvania Avenue NW  
Washington, DC 20006-3401**Michael C. Sloan**  
202.973.4227 (Tel)  
202.973.4499 (Fax)

michaelsloan@dwt.com

**VIA OVERNIGHT DELIVERY**

October 26, 2018

Braulio L. Baez  
Executive Director  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850RECEIVED-PPSC  
2018 OCT 29 AM 10: 02  
COMMISSION  
CLERK**RE: *Momentum Telecom, Inc. Notice of Discontinuance of Telecommunications Services in Florida and Request to cancel Certificate of Public Convenience and Necessity (Certificate No. 8057)***

Dear Mr. Baez:

Momentum Telecom, Inc. (f/k/a Momentum Business Solutions, "Momentum"), through undersigned counsel, hereby provides notice to the Commission of its intent to cease providing telecommunications services in Florida on or after December 15, 2018, pending receipt of all regulatory approvals. In connection with this planned discontinuance, Momentum also requests cancellation of the Certificate of Authority to Operate granted by the Commission to provide the telecommunications services.<sup>1</sup> Momentum provides the information below in support of this Notice and Request.

Momentum currently provides retail local exchange service (via resale arrangements with AT&T) to approximately nineteen (19) customer accounts in Florida. These customers were formerly "UNE-P" service customers who were transferred to AT&T resale arrangements in the mid-2000s. Since UNE-P was discontinued, Momentum has continued to provide retail local exchange service customers to its customer via resale arrangements with AT&T. Unfortunately this customer base is dwindling and Momentum has determined that the provision of such service is no longer economical nor a part of its business model going forward.

<sup>1</sup> The Commission granted Momentum Certificate No. 8057 to provide telecommunications services in the state of Florida. See *In re: Application for Certificate to provide interexchange telecommunications service by Momentum Business Solutions, Inc.*, Docket No. 020057-TI, Order No. PSC-02-0390-PAA-TI, Consummating Order No. PSC-02-0525-CO-TI, Certificate No. 8057 (April 16, 2002); Order Acknowledging Name Change, Docket No. 040508-TX, Order No. PSC-04-06-82-FOF-TX (July 15, 2004).

Because the affected customers are all served via the AT&T network, these customers should have AT&T retail service available to them when the Momentum service is discontinued, as well as other service options such as cable voice over Internet protocol (“VoIP”) services and wireless services. Consequently, Momentum’s customers will not be unduly inconvenienced as they will be able to transition to new providers.

On or before October 12, 2018, Momentum provided written notice of the planned discontinuance to all of its customers. The notice clearly underscored that customers must make arrangements with another carrier to avoid loss of service, and provided a toll-free telephone number that customers may call to reach Momentum service representatives for assistance with this transition. A copy of the notice that customers were sent, which also complies with the requirements of the Federal Communications Commission (“FCC”), is included with this Notice.<sup>2</sup>

The public convenience and necessity will not be adversely affected by the discontinuance of the services described herein. As a result of the discontinuance, effective December 15, 2018, Momentum will no longer have any telecommunications service customers in the state of Florida.

Momentum also provides notice of the Application to Discontinue Service that it filed with the FCC on October 23, 2018. A copy of the Application is attached.<sup>3</sup>

Questions or inquiries regarding this Notice and Application and may be directed to the undersigned. An extra copy of this letter is enclosed, as is one copy for stamp and return purposes. Please date-stamp and return in the self-addressed envelope included with this filing.

Respectfully submitted,



Michael C. Sloan  
*Counsel to Momentum Telecom, Inc.*

---

<sup>2</sup> See Exhibit A.

<sup>3</sup> See Exhibit B.

**EXHIBIT A**

**CUSTOMER NOTICE**





October 12, 2018

## **YOU MUST CHOOSE A NEW LOCAL AND LONG-DISTANCE TELEPHONE SERVICE PROVIDER**

Dear Valued Momentum Customer,

Thank you for being a valued Momentum customer. This letter is to inform you that Momentum is changing its telephone service offerings and that effective on or shortly after December 15, 2018, Momentum will no longer be providing its current phone service in your community.

**Your action is required!** Because Momentum will discontinue all phone service as of December 15, 2018, you need to select a new telephone service plan as soon as possible if you wish to retain your current telephone number and assure continuity of service. You must also select a new long distance provider if you use Momentum for your long distance service. You do have the option to purchase local and long distance telephone service from other service providers in your area. A list of alternate service providers may be found in the front of your local telephone directory.

The proposed discontinuance of your local telephone service is subject to regulatory approval by the Federal Communications Commission (FCC). 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 Momentum Telecom. 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.

### **TAKE ACTION NOW**

Please take immediate action to select a telephone service provider on your choice. **If you do not switch your service to another provider before December 15, 2018, your service will be terminated and you may not be able to retain your current telephone number.** Please take action **NOW** to avoid interruption in your service. If you would like to transfer your service to AT&T you can contact them at (800) 288-2020.

If you have any questions, please call Momentum Customer Service at (800) 466-2210.

Sincerely,  
Momentum Telecom, Inc.

**EXHIBIT B**

**FCC SECTION 63.71 APPLICATION OF MOMENTUM TELECOM, INC.**

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

*In the Matter of* )  
 )  
Section 63.71 Application of ) WC Docket No. \_\_\_\_\_  
 )  
Momentum Telecom, Inc. )  
 ) File No. \_\_\_\_\_  
For Authority Pursuant to Section 214 of )  
The Communications Act of 1934, As )  
Amended, To Discontinue the Provision of )  
Service )

**SECTION 63.71 APPLICATION OF MOMENTUM TELECOM, INC**

Momentum Telecom, Inc. ("Momentum") applies for authority under Section 214(a) of the Communications Act, as amended ("the Act")<sup>1</sup>, and Section 63.71 of the Commission's rules,<sup>2</sup> to discontinue Momentum's provision of local exchange telecommunications services in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, South Carolina, and Tennessee.

Momentum provides the following information pursuant to Section 63.71 of the Commission's rules:

1. *Name and Corporate Headquarters Address of Carrier*

Momentum Telecom, Inc.  
880 Montclair Road, Suite 400  
Birmingham, Alabama 35242

FRN: 0005075403

---

<sup>1</sup> 47 U.S.C. § 214.

<sup>2</sup> 47 CFR § 63.71.

Correspondence concerning this Application should be sent to:

Michael C. Sloan  
Davis Wright Tremaine LLP  
1919 Pennsylvania Ave. NW  
Suite 800  
Washington, DC 20006-3401  
Telephone: 202.973.4227  
Fax: 202.973.4427  
Email: [michaelsloan@dwt.com](mailto:michaelsloan@dwt.com)

2. *Date of Planned Service Discontinuance:*

Momentum plans to discontinue the services that are the subject of this Application on or after December 15, 2018, pending federal and state regulatory approval.

3. *Points of Geographic Areas of Service Affected:*

Momentum proposes to discontinue providing local exchange telecommunications services in the above-identified states. As of October 12, 2018, Momentum had approximately 2,719 customers in the target states, broken out as follows:

Alabama (533), Florida (19), Georgia (367), Kentucky (328), Louisiana (522), Mississippi (430), South Carolina (158), and Tennessee (362).

4. *Brief Description of Types of Service Affected and Reason for Discontinuance:*

Momentum proposes to discontinue service to retail local exchange service customers who are served via resale arrangements with AT&T. These customers were formerly "UNE-P" service customers who were transferred to AT&T resale arrangements in the mid-2000s. Momentum has continued to serve this dwindling customer base but it is no longer economical to do so. Also, providing retail telecommunications services is no longer part of Momentum's business model. Because these customers are all served via the AT&T network, they should have AT&T retail service available to them when the Momentum service is discontinued, as well



as other service options such as cable voice over Internet protocol (“VoIP”) services and wireless.

5. *Brief Description of the Dates and Methods of Notice to All Affected Customers:*

On or before October 12, 2018, Momentum provided written notice of the planned discontinuance of the affected services to all of its customers consistent with Section 63.71(a) of the Commission’s rules.<sup>3</sup> A copy of the notice is attached hereto as Exhibit A. The written notice was provided to Momentum’s existing customers via U.S. First Class mail. In the notice, Momentum provided its planned date of discontinuance and notice of the availability of alternative service providers.

6. *Whether the Carrier is Considered Dominant or Non-dominant with Respect to the Service to be Discontinued.*

Momentum is considered non-dominant in all locations it serves with respect to the service that will be discontinued.

7. *Other Information.*

In accordance with Section 63.71(a) of the Commission’s rules,<sup>4</sup> a copy of this Application is being mailed concurrently with its filing to the entities listed on the attached certificate of service.

---

<sup>3</sup> 47 CFR § 63.71(a).

<sup>4</sup> *See id.*



**Conclusion**

The public convenience and necessity will not be adversely affected by the discontinuance of the services described herein. Momentum has provided the requisite notice to all its only customers, each of whom has access to several readily available substitute services. Therefore, Momentum respectfully requests that the Commission approve its Section 63.71 Application to discontinue the affected service.

Respectfully Submitted,

*/s/ Michael C. Sloan*

---

Michael C. Sloan  
Davis Wright Tremaine LLP  
1919 Pennsylvania Ave., NW  
Washington, DC 20006

*Counsel to Momentum Telecom, Inc.*

DATED: October 23, 2018

## CERTIFICATE OF SERVICE

I, Christopher Cook, do hereby certify on this 23<sup>rd</sup> day of October that a true and correct copy of the foregoing "Section 63.71 Application of Momentum Telecom, Inc" has been sent via U.S. mail, postage prepaid to the following:

Secretary of Defense  
Attn. Special Assistant for Telecommunications  
Pentagon  
Washington, DC 20301

Office of the Governor  
State Capitol  
600 Dexter Avenue  
Montgomery, AL 36130

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

Office of the Governor  
The Capitol  
400 South Monroe Street  
Tallahassee, FL 32399

Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399

Office of the Governor  
206 Washington Street  
111 State Capitol  
Atlanta, GA 30334

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

Office of the Governor  
700 Capital Avenue, Suite 100  
Frankfort, KY 40601

Kentucky Public Service Commission  
2011 Sower Boulevard  
Frankfort, KY 40601

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

Louisiana Public Service Commission  
602 North Fifth Street  
P.O. Box 91154  
Baton Rouge, LA 70821

Office of the Governor  
P.O. Box 139  
Jackson, MS 39205

Mississippi Public Service Commission  
501 North West Street  
Woolfolk State Office Bldg.  
Jackson, MS 39201

Office of the Governor  
20301 Mail Service Center  
Raleigh, NC 27699

North Carolina Utilities Commission  
430 North Salisbury Street  
Raleigh, NC 27603

The Office of Governor Mary Fallin  
Oklahoma State Capitol  
2300 N. Lincoln Blvd., Room 212  
Oklahoma City, OK 73105

Oklahoma Corporation Commission  
P.O. Box 52000  
Oklahoma City, OK 73152-2000

Office of the Governor  
508 Main Capitol Building  
Harrisburg, PA 17120

Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Office of the Governor  
1205 Pendleton Street  
Columbia, SC 29201

South Carolina Public Service Commission  
101 Executive Center Drive  
Columbia, SC 29201

Office of the Governor  
1<sup>st</sup> Floor, State Capitol  
Nashville, TN 37243

Tennessee Regulatory Authority  
502 Deaderick Street, 4<sup>th</sup> Floor  
Nashville, TN 37243

/s/ Christopher Cook  
Christopher Cook



October 12, 2018

## **YOU MUST CHOOSE A NEW LOCAL AND LONG-DISTANCE TELEPHONE SERVICE PROVIDER**

Dear Valued Momentum Customer,

Thank you for being a valued Momentum customer. This letter is to inform you that Momentum is changing its telephone service offerings and that effective on or shortly after December 15, 2018, Momentum will no longer be providing its current phone service in your community.

**Your action is required!** Because Momentum will discontinue all phone service as of December 15, 2018, you need to select a new telephone service plan as soon as possible if you wish to retain your current telephone number and assure continuity of service. You must also select a new long distance provider if you use Momentum for your long distance service. You do have the option to purchase local and long distance telephone service from other service providers in your area. A list of alternate service providers may be found in the front of your local telephone directory.

The proposed discontinuance of your local telephone service is subject to regulatory approval by the Federal Communications Commission (FCC). 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 Momentum Telecom. 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.

### **TAKE ACTION NOW**

Please take immediate action to select a telephone service provider on your choice. **If you do not switch your service to another provider before December 15, 2018, your service will be terminated and you may not be able to retain your current telephone number.** Please take action **NOW** to avoid interruption in your service. If you would like to transfer your service to AT&T you can contact them at (800) 288-2020.

If you have any questions, please call Momentum Customer Service at (800) 466-2210.

Sincerely,  
Momentum Telecom, Inc.



For assistance with using ECFS, please contact the ECFS Help Desk at 202-418-0193 (tel:+12024180193) or via email at [ECFSHelp@fcc.gov](mailto:ECFSHelp@fcc.gov) (mailto:ECFSHelp@fcc.gov).

## Non-Docketed Filing

1 **Filing** 2 **Review** 3 **Confirmation**

<b>FCC Inbox:</b>	INBOX-63.71 : Section 214 Domestic Discontinuance Application
<b>Confirmation #:</b>	20181023565314536
<b>Submitted:</b>	Oct 23, 2018 6:37:22 PM
<b>Status:</b>	RECEIVED
<b>Name(s) of Filer(s)</b>	Momentum Telecom, Inc.
<b>Law Firm(s)</b>	Davis Wright Tremaine LLP
<b>Attorney/Author Name(s)</b>	Christopher A. Cook, Michael C. Sloan
<b>Primary Contact Email</b>	<a href="mailto:christophercook@dwt.com">christophercook@dwt.com</a>
<b>Type of Filing</b>	APPLICATION
<b>Address of</b>	Law Firm
<b>Address</b>	1919 Pennsylvania Ave. NW Suite 800, Washington, DC, 20006
<b>Email Confirmation</b>	Yes

For assistance with using ECFS, please contact the ECFS Help Desk at 202-418-0193 (tel:+12024180193) or via email at [ECFSHelp@fcc.gov](mailto:ECFSHelp@fcc.gov) (mailto:ECFSHelp@fcc.gov).

Federal Communications Commission  
445 12th Street SW, Washington, DC 20554  
Phone: 1-888-225-5322  
TTY: 1-888-835-5322  
Videophone: 1-844-432-2275  
Fax: 1-866-418-0232

Contact Us (<https://www.fcc.gov/contact-us>)