

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

In the Matter of Section 63.71 Application of: )  
OPTICAL TELECOMMUNICATIONS, INC. )  
For Authority Pursuant to Section 214 of the )  
Communications Act of 1934, as amended, to )  
Discontinue Certain Telecommunications Services )

WC Docket No. \_\_\_\_\_

**SECTION 63.71 APPLICATION OF  
OPTICAL TELECOMMUNICATIONS, INC.**

**OPTICAL TELECOMMUNICATIONS, INC.** (FRN: 0013932413) ("OpticalTel"), seeks authorization pursuant to Section 214(a) of the Communications Act of 1934, as amended, 47 U.S.C. § 214(a), and Section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to discontinue the provision of domestic non-dominant analog telecommunications services that it provides over leased copper loops (the Affected Services) to customers in the state of Florida, on November 15, 2022 or as soon thereafter as Commission approval can be obtained.

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

**1. Name and Address of the Carrier:**

Optical Telecommunications, Inc.  
1360 S. Dixie Highway, Suite 200  
Coral Gables, Florida, 33146

**2. Date of Planned Service Discontinuance:** OpticalTel plans to discontinue the Affected Services on November 15, 2022, or as soon thereafter as any necessary regulatory approvals are obtained.

**3. Points of Geographic Areas of Service Affected:** OpticalTel proposes to discontinue the Affected Services throughout the state of Florida. However, all affected

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customers are located only in within: (1) Miami-Dade County, Florida; (2) Broward County, Florida; and (3) Palm Beach County, Florida.

**4. Description of Services Affected:** All TDM-based, analog telecommunications services provided to customers over leased copper loops, including the following product offerings:

- Vox3 Basic Solution Business Line, a service that provides basic analog voice-grade telephonic communications over leased copper loops, that can be used to place or receive one call at a time, and consisting of switched local exchange service and long distance service.

- Vox3 Complete Solution Business Line, a service that provides basic analog voice-grade telephonic communications over leased copper loops, with call features, that can be used to place or receive one call at a time, and consisting of switched local exchange service and long distance service.

- Vox3 Complete Choice Analog Line, a service that provides basic analog voice-grade telephonic communications over leased copper loops, with call features, that can be used to place or receive one call at a time, and consisting of switched local exchange service and long distance service.

- Complete Choice Analog Line, a service that provides basic analog voice-grade telephonic communications over leased copper loops, with call features, that can be used to place or receive one call at a time, and consisting of switched local exchange service and long distance service.

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

OpticalTel has sent a written notification of the planned discontinuance to customers affected by the proposed discontinuance in accordance with Section 63.71(a) of the Commission's Rules. Customer notifications were sent by U.S. Mail beginning October 7, 2022 through October 10, 2022. A copy of the notification is attached to this application as Attachment "A".

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

OpticalTel is non-dominant with respect to the Affected Services. Furthermore, the Affected Services are all currently provided utilizing copper loops leased from the incumbent local exchange carrier, BellSouth Telecommunications, LLC d/b/a AT&T Florida ("AT&T").

**7. Service of this Application:**

In accordance with Section 63.71(a) of the Commission's Rules, a copy of this application is being mailed concurrently with its filing to the entities listed on the attached certificate of service.

**8. Circumstances of Discontinuance:**

The Affected Services are currently provided utilizing copper loops leased from AT&T. The business justification to continue such services has diminished particularly given the small number of customers that receive such services from OpticalTel. Further, since these services are provided utilizing copper loops leased from AT&T, there is no certainty that these facilities will be available to OpticalTel in the future should AT&T retire them. The discontinuance of the Affected Services will also permit OpticalTel to focus its resources on its fiber-based business.

The affected customers will not be unduly affected because they have received ample notice of the discontinuance and have comparable service options from other providers serving these locations including AT&T, the incumbent local exchange carrier whose facilities are being used to serve the affected customers.

This discontinuance should not be considered a technology transition<sup>1</sup> as all of the telecommunication services that will be discontinued utilized copper loops and there is at least one provider such as AT&T that will continue to offer wireline TDM-based voice service to the affected territory. Thus any affected customer can continue to obtain wireline TDM-based voice service. Furthermore, OpticalTel offers a stand-alone interconnected VOIP service (as defined in

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<sup>1</sup> 47 C.F.R. §63.60(i)

47 C.F.R. § 9.3) throughout the Affected Services territory (i.e. the state of Florida) and will continue to offer its stand-alone interconnected VOIP service. The affected customers will still be able to obtain stand-alone facilities-based wireline voice service (including TDM-based service) from AT&T. The services for all affected customers are provided utilizing copper loops leased from AT&T, and AT&T has not provided OpticalTel notice that any of these copper loops will be retired. Finally, all of the affected customers are in heavily urbanized south Florida and thus may obtain wireless voice service from numerous unaffiliated providers.

### CONCLUSION

The public convenience and necessity will not be adversely affected by the discontinuance of the services described herein. Advance notice has been provided to all affected customers, giving them ample time to arrange substitute services, which are readily available. Therefore, OpticalTel respectfully requests that the Commission approve this Section 63.71 application.

Respectfully submitted,

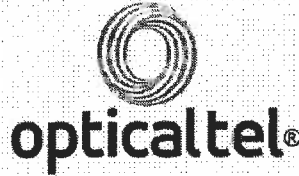


ERIC RIVERON  
Chief Operating Officer  
OPTICAL TELECOMMUNICATIONS, INC.  
1360 S. Dixie Highway  
Suite 200  
Coral Gables, FL 33146  
E-mail: [eriveron@opticaltel.com](mailto:eriveron@opticaltel.com)

Dated: October 10, 2022

Attorney for Optical Telecommunications, Inc.  
MARK E. BUECHELE, ESQ.  
P.O. Box 552135  
Davie, Florida 33355-2135  
Telephone: (305) 926-7455  
Facsimile: (954) 236-6455  
E-mail: [MarkBuechele@msn.com](mailto:MarkBuechele@msn.com)

Attachment "A"



1360 S. Dixie Highway, Suite 200, Coral Gables, Florida 33146  
1-855-303-4237

<< Customer Name >>  
<< Address >>  
<< Address >>  
Service Address:

October 7, 2022

**Important Notice Regarding Changes To Your Telephone Service  
Provided by Optical Telecommunications, Inc. ("OpticalTel")**

Dear Valued Customer,

As a valued customer, we need to inform you of necessary changes to the traditional analog telephone service you are receiving from OpticalTel within the state of Florida.

You are receiving this notice because you currently subscribe to one or more of the following service offerings provided by OpticalTel (the "Analog Telephone Services") which are being discontinued:

- **Vox3 Basic Solution Business Line**, a basic analog voice-grade telephone service allowing for local and long-distance exchange service.
- **Vox3 Complete Solution Business Line**, a basic analog voice-grade telephone service, with call features, allowing for local and long-distance exchange service.
- **Vox3 Complete Choice Analog Line**, a basic analog voice-grade telephone service, with call features, allowing for local and long-distance exchange service.
- **Complete Choice Analog Line**, a basic analog voice-grade telephone service, with call features, allowing for local and long-distance exchange service.

This notice affects all OpticalTel customers of Analog Telephone Services in the state of Florida.

We are providing impacted customers the ability to upgrade their service to OpticalTel's "VOX3 Standard Client" telephone service, which is a stand-alone interconnected VOIP service that works with your existing broadband connection and allows you to customize your call features. We encourage you to call OpticalTel customer service at 1-855-303-4237 to learn more about this service offering.

If you are already working with us to upgrade your service, or if you have recently



completed your upgrade, thank you. OpticalTel is obligated by FCC regulation to send written notice that as of November 15, 2022 we will no longer offer any of the Analog Telephone Services as these services were provisioned on expiring infrastructure. If no action has yet been taken to upgrade your service, then OpticalTel needs to speak with you as soon as possible. Please call us at 1-855-303-4237.

Absent an upgrade to OpticalTel's "VOX3 Standard Client" telephone service, on November 15, 2022 (or as soon thereafter as regulatory approval has been provided) your Analog Telephone Service will be discontinued. When telecommunications services are discontinued, OpticalTel will automatically apply any applicable deposits or credits for the services to your invoice. If you have no outstanding balance, then a refund for any deposits or credits will normally be issued within 30 days. OpticalTel will not assess any termination liability for upgraded or discontinued services, so please consider upgrading your service as soon as possible.

We value your business and appreciate your cooperation regarding this notice.

Thank you,

Optical Telecommunications, Inc.  
1360 S. Dixie Highway  
Suite 200  
Coral Gables, Florida 33146

**The following statement is required by the FCC:**

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 15 days after the Commission releases public notice of the proposed discontinuance. You may file your comments electronically through the FCC's Electronic Comment Filing System using the docket number established in the Commission's public notice for this proceeding, or you may 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 Optical Telecommunications, Inc. 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.

**VERIFICATION**

I, ERIC RIVERON, state that I am the Chief Operating Officer of Optical Telecommunications, Inc., the Applicant in the foregoing Section 63.71 Application; that I am authorized to make this Verification on behalf of Applicant; that I have read the foregoing Application and know the contents thereof; and that the same are true and correct to the best of my knowledge, information and belief and are made in good faith. I declare under penalty of perjury that the foregoing statement is true and correct.

ERIC RIVERON  
ERIC RIVERON  
Chief Operating Officer  
OPTICAL TELECOMMUNICATIONS, INC.

Executed: October 10, 2022

**CERTIFICATE OF SERVICE**

I, MARK BUECHELE, ESQ., do hereby certify that I have caused the foregoing  
**SECTION 63.71 APPLICATION** to be:

1) Filed with the Secretary of the FCC via ECFS (Inbox-63.71 | Section 214 Domestic Discontinuance Application);

2) Served via first-class U.S. Mail, postage prepaid, on the Governor of the State of Florida, as follows: Office Executive Office of Governor Ron DeSantis, 400 S. Monroe Street, Tallahassee, FL 32399;

3) Served via first-class U.S. Mail, postage prepaid, on the Public Utility Commission of the State of Florida, as follows: Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850;

4) Served via first-class U.S. Mail, postage prepaid, on the Special Assistant for Telecommunications under the Secretary of Defense, as follows: Department of Defense, Chief Information Officer, Pentagon, Washington, DC 20301;

5) Served via first-class U.S. Mail, postage prepaid, on the Miccosukee Tribe of Indians of Florida, Tamiami Station, P.O. Box 440021, Miami, Florida 33144; and

6) Served via first-class U.S. Mail, postage prepaid, on the Seminole Tribe of Florida, 6300 Stirling Road, Hollywood, Florida 33024.

Dated: October 11, 2022

*Mark Buechele*

Mark Buechele (Oct 11, 2022 07:29 EDT)

MARK E. BUECHELE, ESQ.  
Attorney for Optical Telecommunications, Inc.  
P.O. Box 552135  
Davie, Florida 33355-2135  
Telephone: (305) 926-7455  
Facsimile: (954) 236-6455  
E-mail: [MarkBuechele@msn.com](mailto:MarkBuechele@msn.com)