



PUBLIC NOTICE

Federal Communications Commission
45 L Street, NE
Washington, D.C. 20554

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DA 24-1158

Released: November 20, 2024

COMMENTS INVITED ON AT&T'S SECTION 214 APPLICATION TO GRANDFATHER AND DISCONTINUE LEGACY VOICE SERVICE AS PART OF A TECHNOLOGY TRANSITION

WC Docket No(s). 24-220

Comments Due: December 5, 2024

Unless otherwise specified, the following procedures and dates apply to the application (the Section 214 Discontinuance Application listed in the Appendix.

The Wireline Competition Bureau (Bureau), upon initial review, has found the Section 214 Discontinuance Application listed herein to be acceptable for filing and subject to the procedures set forth in Section 63.71 of the Commission's rules.¹ The application requests authority, under section 214 of the Communications Act of 1934, as amended,² and section 63.71 of the Commission's rules,³ to discontinue, reduce, or impair certain domestic telecommunications service(s) (Affected Service(s)) in specified geographic areas (Service Area(s)) as applicable and as fully described in each application.

In accordance with section 63.71(f) of the Commission's rules, the Section 214 Discontinuance Application listed in the Appendix will be deemed granted automatically on **December 21, 2024**, the 31st day after the release date of this Public Notice, unless the Commission notifies the applicant that its grant will not be automatically effective.⁴ We note that the date on which an application for Commission authorization is deemed granted may be different from the date on which applicants are authorized to discontinue, reduce, or impair service ("Authorized Date"). Any applicant whose application has been deemed granted may discontinue, reduce or impair their Affected Service(s) in their Service Area(s) on or after the authorized date specified in the Appendix, in accordance with their filed representations. Accordingly, pursuant to section 63.71(f), and the terms outlined in the application, absent further Commission action, the applicant may discontinue, reduce or impair the Affected Service(s) in the Service Area(s) described in the application on or after the authorized discontinuance date listed in the Appendix. For purposes of computation of time when filing a petition for reconsideration, application for

¹ 47 CFR § 63.71.

² 47 U.S.C. § 214.

³ 47 CFR § 63.71.

⁴ See 47 CFR § 63.71(f)(1) (stating, in relevant part, that an application filed by a non-dominant carrier "shall be automatically granted on the 31st day... unless the Commission has notified the applicant that the grant will not be automatically effective"); see also 47 CFR § 63.71(f)(2)(i) (stating that "[a]n application to discontinue, reduce, or impair an existing retail service as part of a technology transition, as defined in § 63.60(i), may be automatically granted... if: The applicant provides affected customers with the notice required under paragraph (a)(6) of this section, and the application contains the showing or certification described in § 63.602(b)").

review, or petition for judicial review of the Commission's decision, the date of "public notice" shall be the later of the auto grant date stated above in this Public Notice, or the release date of any further public notice or order announcing final Commission action, as applicable. Should no petitions for reconsideration, applications for review, or petitions for judicial review be timely filed, the proceeding listed in this Public Notice shall be terminated.

Comments objecting to the application listed in the Appendix must be filed with the Commission on or before **December 5, 2024**. Comments should refer to the specific WC Docket No. and Comp. Pol. File No. listed in the Appendix for the Section 214 Discontinuance Application. Comments should include specific information about the impact of the proposed discontinuance on the commenter, including any inability to acquire reasonable substitute service. Comments may be filed using the Internet by accessing the Commission's Electronic Comment Filing System (ECFS): <https://www.fcc.gov/ecfs/>. Filers should follow the instructions provided on the Web site for submitting comments. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket number.

Parties who choose to file paper copies must file an original and one copy of each filing. Such filings can be sent by hand or messenger delivery, by commercial courier, or by the U.S. Postal Service. All filings must be addressed to the Secretary, Federal Communications Commission. Hand-delivered or messenger-delivered paper filings for the Commission's Secretary are accepted between 8:00 a.m. and 4:00 p.m. by the FCC's mailing contractor at 9050 Junction Drive, Annapolis Junction, MD 20701. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building. Commercial courier deliveries (any deliveries not by the U.S. Postal Service) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701. Filings sent by U.S. Postal Service First-Class Mail, Priority Mail, and Priority Mail Express must be sent to 45 L Street NE, Washington, DC 20554.

This proceeding shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.⁵ Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (e.g., .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

⁵ 47 CFR § 1.1200 *et seq.*

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY).

For further information, please see the contact for the Section 214 Discontinuance Application listed in the Appendix. For further information on procedures regarding section 214, please visit <https://www.fcc.gov/encyclopedia/domestic-section-214-discontinuance-service>.

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Appendix

Applicant(s): AT&T Services, Inc. on behalf of its affiliate Southwestern Bell Telephone Company, LLC, d/b/a AT&T Oklahoma (AT&T)

WC Docket No. 24-220, Comp. Pol. File No. 1963

Link – [https://www.fcc.gov/ecfs/search/search-filings/results?q=\(proceedings.name:\(%2224-220%22\)\)](https://www.fcc.gov/ecfs/search/search-filings/results?q=(proceedings.name:(%2224-220%22)))

Affected Service(s) – AT&T Residential Local Service

Service Area(s) – nine wire centers in Bessie, Breckenridge, Carney, Hillsdale, Hitchcock, Morrison, Quapow, Rocky, and Tupelo, Oklahoma

Authorized Date(s) – on or after December 21, 2024

Contact(s) – Kimberly Jackson, (202) 418-7393 (voice), Kimberly.Jackson@fcc.gov, of the Competition Policy Division, Wireline Competition Bureau

Note: AT&T states that, on or after December 21, 2024, it plans to grandfather the Affected Service, and it will no longer be available for purchase by new customers. AT&T also states that it plans to discontinue the Affected Service on or after September 15, 2025. According to AT&T, it has demonstrated, based on the Commission’s “totality of the circumstances” standard,⁶ that AT&T Phone – Advanced (AP-A), an IP-based voice product, is an adequate replacement for AT&T Residential Local Service, a TDM-based voice service. AT&T states that it satisfies the Commission’s Adequate Replacement Test⁷ because the results⁸ of its previously-filed Network Performance Test Plan⁹ demonstrate that its AP-A service “provides substantially similar performance and availability” as the Affected Service based on a demonstration of the totality of the circumstances.¹⁰

⁶ See *Technology Transitions et al.*, GN Docket No. 13-5 et al., Declaratory Ruling, Second Report and Order, and Order on Reconsideration, 31 FCC Rcd 8283 (2016 *Technology Transitions Order*). An applicant can show substantially similar network performance “(i) through performance testing that demonstrates satisfaction of each of the benchmarks, or (ii) a demonstration, based on the totality of the circumstances, the network still provides substantially similar performance and availability.” 2016 *Technology Transitions Order* at 8314, para. 91.

⁷ See 47 CFR §§ 63.71(f)(2)(i); 63.602(b); see also 2016 *Technology Transitions Order*, 31 FCC Rcd 8283, 8303-56, paras. 65-194 (adopting the Adequate Replacement Test).

⁸ https://cpr.att.com/common/AP_Filing_Info.htm.

⁹ Network Performance Test Plan of AT&T, WC Docket No. 24-220 (filed July 19, 2024); see also *AT&T Files Network Performance Test Plan in Connection with Planned Section 63.71 Technology Transition Discontinuance Application*, WC Docket No. 24-220, Public Notice, DA 24-888 (WCB rel. Sept. 4, 2024).

¹⁰ See 2016 *Technology Transitions Order*, 31 FCC Rcd at 8314, para. 91. AT&T states that “to further ensure a smooth transition, AT&T commits that AT&T Residential Local Service customers in the Affected Service Area that switch to AP-A will receive a 30-day trial period during which they can choose to revert to their AT&T Residential Local Service if AP-A does not function as expected due to a lack of wireless or wireline connectivity.”