

R21-02 DISCONTINUANCE OR REDUCTION OF TELECOMMUNICATIONS SERVICE BY LECS AND CLPS

(a) A LEC or CLP intending to cease operations or to discontinue or reduce the provision of telecommunications service in North Carolina shall seek permission from this Commission to abandon or reduce service in accordance with G.S. 62-118. The LEC or CLP shall file a petition for authority to discontinue or reduce service with the Commission not less than forty-five (45) days prior to the date of discontinuance or reduction of telecommunications service. The petition shall include, at a minimum:

- (1) For each service offering to be discontinued, a description of the service offering, the number of customers that will be affected by the discontinuance, identification of any customers affected by the discontinuance that are themselves telecommunications carriers, identification of the underlying carrier(s), if any, for the offering, and the proposed date of discontinuance;
- (2) A description of customer notification efforts and copies of the written notice(s) sent or proposed to be sent to customers. If the notice is not consistent with the requirements of R21-4(g), the petition shall state why the proposed notice is sufficient;
- (3) A full explanation of the reasons for the proposed service discontinuance or reduction;
- (4) Details of any plan to migrate customers to other carriers and identification of the carrier(s) to whom the service(s) are to be migrated. If no migration plan is provided, the petition shall state why a plan is not necessary; and
- (5) If all North Carolina service offerings are being discontinued, a request for cancellation of the certificate(s) of public convenience and necessity of the LEC or CLP upon the approval of discontinuance. If cancellation of the certificate(s) is not requested, the carrier shall provide a concise statement explaining why the Commission should not cancel the certificate(s).

(b) Existing customers of the service(s) to be discontinued must be provided written notice sufficiently in advance of service reduction or discontinuance to allow an alternate service to be established without the customer incurring a lapse in service, and, in any event, not less than fourteen (14) days prior to the proposed service reduction or disconnection.

(c) In the event of discontinuance or reduction of local exchange service, the LEC or CLP shall include in customer notices and on its website a toll-free number that customers may call with inquiries prior to such discontinuance or reduction of local exchange service. Knowledgeable service representatives shall be available at the toll-free number to answer customers' questions.

(d) The Commission shall determine if sufficient notice has been provided or is proposed to be provided to customers and shall prescribe any additional notice or other requirements, as it deems necessary in the public interest.

(e) No discontinuance or reduction of telecommunications service shall be implemented until the Commission has ruled on the petition, issued an order, and determined that adequate notice has been provided to end user customers.

(f) Within seven (7) days following Commission approval of the discontinuance or reduction, the LEC or CLP shall post on its website, for its customers and other carriers, information that will assist in the orderly migration of customers.

(g) Unless the LEC or CLP has already arranged for all of the services which it proposes to discontinue to be transferred to another carrier, the LEC or CLP shall file with the Commission, within seven (7) days of receiving Commission approval of the discontinuance or reduction, a spreadsheet containing a list of billing names, addresses, and telephone numbers (or circuit numbers for non-switched services) for all customers affected by the discontinuation, except those with non-published numbers. For customers with non-published listings, the LEC or CLP shall provide only their billing names, addresses, and the NPA-NXX of their telephone numbers. The list shall specifically identify those end user customers who are public utilities, governmental agencies, inmate facilities or hospitals. If the LEC or CLP is facilities-based, the list shall also include circuit IDs, cable pair identification and a statement that the LEC or CLP will fully cooperate in the transfer of numbers to other providers through the Number Portability database. This list shall only be used to facilitate the transfer of the end user customers to their new service providers.

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