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April 2, 2013

**BY HAND DELIVERY**

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

Docket No. 13-999-03

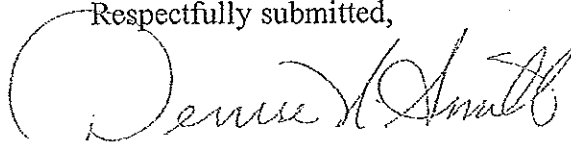
Re: XO Communications, LLC Section 63.71 Application

Dear Ms. Dortch:

On behalf of XO Communications, LLC, ("XO Communications") and pursuant to section 63.71 of the Federal Communications Commission rules, 47 C.F.R. § 63.71(a), enclosed please find an original and four copies of XO Communications' Section 63.71 Application for the discontinuance of selected interstate managed modem port services.

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

Respectfully submitted,



Denise N. Smith

*Counsel to XO Communications, LLC*

Enclosures

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

In the Matter of )  
 )  
Section 63.71 Application of )  
XO Communications, LLC )

**SECTION 63.71 APPLICATION**

XO Communications, LLC (“XO” 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 Managed Modem Port Services (“MMPS”): MMPS Enhanced Service, Dedicated MMPS IP Transit Service and Dedicated MMPS IP Transport Service (“MMPS Services”) to a limited number of customers. These interstate services to be discontinued currently are provided by XO’s operating subsidiaries, XO Communications Services, LLC (“XOCS”) and XO Virginia, LLC. XO is a leading provider of local and long distance telecommunications services, interexchange access services, VoIP services, Internet access services and other information/enhanced services. XO is authorized by the Commission to provide both interstate and international telecommunications services. XOCS is authorized to provide intrastate telecommunications services in 49 states and the District of Columbia.<sup>1</sup>

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

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<sup>1</sup> XOCS does not operate in Nevada and Virginia, where XO provides service through two additional subsidiaries: XO Telecommunications of Nevada, LLC and XO Virginia, LLC, respectively.

1. Name and Address of Carrier: XO is located at 13865 Sunrise Valley Drive, Herndon, Virginia 20171-4661.

2. Date of Planned Service Discontinuance, Reduction or Impairment: The Applicant plans to discontinue the provision of its MMPS Services effective May 21, 2013. Applicant understands that this application will be automatically granted on the 31<sup>st</sup> day after public notice of filing unless the Commission notifies the Applicant to the contrary.

3. Points of Geographic Areas of Service Affected: XO proposes to discontinue the provision of its MMPS Services in California, Connecticut, Massachusetts, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Texas, Utah, and Virginia.

4. Brief Description of Type of Service Affected: The XO MMPS Service offerings affected by this discontinuance are network-based dial-up Internet access wholesale services sold to Internet Service Providers (ISPs) that sell dial-up access to their end users. For these service offerings, XO provides subscribers with only transmission service.

XO is in the process of streamlining its product offerings. Accordingly, XO has decided to discontinue its MMPS Services to better focus on those services most requested by its customers. The proposed discontinuance of XO's MMPS Services will not harm the affected customers because there are other alternative service providers and technologically advanced services that perform essentially the same or better functions. In addition, the affected customers should easily be able to obtain alternative means to access ISPs from ISPs themselves as well as from other telecommunications carriers.

5. Brief Description of the Dates and Methods of Notice to All Affected Customers: In accordance with Section 63.71(a), on March 26, 2013, XO sent written notice, by first class mail

or e-mail to its affected subscribers. A sample copy of the notice to customers is attached hereto as Exhibit A.

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 the filing of this Application, a copy of this Application is being mailed to the Special Assistant for Telecommunications for the Secretary of Defense, and the Governors and public utility commissions for the affected states.

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

Respectfully submitted,

**XO Communications, LLC**

By: 

Denise N. Smith  
Kelley Drye & Warren LLP  
3050 K Street, NW – Suite 400  
Washington, DC 20007  
Tel: (202) 342-8400  
E-Mail: [dsmith@kelleydrye.com](mailto:dsmith@kelleydrye.com)

Its Attorneys

Dated: April 2, 2013

## CERTIFICATE OF SERVICE

I hereby certify that the foregoing Section 63.71 Application was served this 2<sup>nd</sup> day of April, 2013, 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

California  
Office of Governor Edmund Brown  
State Capitol  
Sacramento, CA 95814

Mr. Michael C. Amato  
Interim Director, Telecommunications  
Division  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102

Connecticut  
Office of Governor Dan Malloy  
210 Capitol Avenue  
Hartford, CT 06106

Ms. Kimberley J. Santopietro  
Executive Secretary  
Connecticut Department of Public Utilities  
10 Franklin Square  
New Britain, CT 06051

Massachusetts  
Office of Governor Deval Patrick  
State House  
Office of the Governor, Room 360  
Boston, MA 02133

Ms. Catrice Williams  
Secretary  
Massachusetts Department of  
Telecommunications and Cable  
1000 Washington Street, Suite 820  
Boston, MA 02118

New Jersey  
Office of Governor Chris Christie  
The State House  
P.O. Box 001  
Trenton, NJ 08625

Ms. Kristi Izzo  
Secretary  
New Jersey Board of Public Utilities  
44 S. Clinton Avenue  
Trenton, NJ 08625

New York  
Office of Governor Andrew Cuomo  
State Capitol  
Albany, NY 12224

Mr. Jeffrey Cohen  
Acting Secretary  
New York Public Service Commission  
Three Empire State Plaza  
Albany, NY 12223-1350

Ohio  
Office of Governor John Kasich  
30th Floor  
77 South High Street  
Columbus, OH 43215

Ms. Renee Jenkins  
Secretary  
Public Utilities Commission of Ohio  
180 E. Broad St.  
Columbus, OH 43215

Pennsylvania  
Office of Governor Tom Corbett  
Room 225  
Main Capitol Building  
Harrisburg, PA 17120

Ms. Rosemary Chiavetta  
Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Rhode Island  
Office of Governor Lincoln Chafee  
State House  
Providence, RI 02903

Ms. Luly Massaro  
Commission Clerk  
Rhode Island Public Utilities Commission  
89 Jefferson Boulevard  
Warwick, RI 02888

Texas  
Office of Governor Rick Perry  
P.O. Box 12428  
Austin, TX 78711

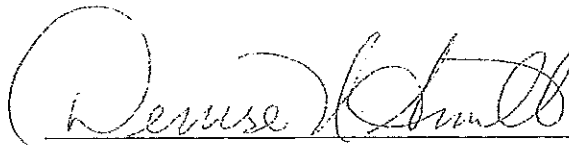
James Galloway  
Central Records Clerk  
Texas Public Utilities Commission  
1701 N. Congress Avenue  
PO Box 13326  
Austin, TX 78701

Utah  
Office of Governor Gary R. Herbert  
Utah State Capitol  
Suite 200  
Salt Lake City, UT 84114

Ms. Julie Orchard  
Commission Secretary  
Utah Public Service Commission  
160 East 300 South, 4th Floor  
Salt Lake City, UT 84114

Virginia  
Office of Governor Bob McDonnell  
State Capitol  
Third Floor  
Richmond, VA 23219

Mr. Joel Peck  
Clerk of the Commission  
Virginia Corporation Commission  
P.O. Box 2118  
Richmond, VA 23218

  
Denise N. Smith

**ATTACHMENT A**

**SAMPLE CUSTOMER NOTICE**

March 26, 2013

IMPORTANT SERVICE-RELATED NOTICE  
FOR XO CUSTOMERS WITH  
MANAGED MODEM PORT SERVICE (MMPS)  
MMPS ENHANCED SERVICE  
DEDICATED MMPS IP TRANSIT SERVICE  
DEDICATED MMPS IP TRANSPORT SERVICE

IMPORTANT NOTICE REGARDING DISCONTINUANCE OF SERVICE

Dear Sir or Madam:

Effective May 21, 2013, XO Communications Services, LLC and its affiliate, XO Virginia, LLC, (collectively, "XO"), will no longer be providing to customers Managed Modem Port Service, MMPS Enhanced Service, Dedicated MMPS IP Transit Service and Dedicated MMPS IP Transport Service. This discontinuance impacts all markets where these services are currently provided.

XO has decided to discontinue the above referenced services to better focus on services most requested by our customers. We are furnishing you with notice sufficient to allow you to evaluate alternative providers if you currently are using any of these services.

The Federal Communications Commission 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, 445 12<sup>th</sup> Street, SW, Washington, DC 20554, and include in your comments a reference to the § 63.71 Application of XO Communications Services, LLC. 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.

If you have questions concerning this notice, please feel free to contact your assigned Carrier/Client Services Manager (CSM) or call the designated toll-free number shown on your monthly XO invoice. We thank you for your business and look forward to continuing to serve you in other capacities.

Sincerely,

XO COMMUNICATIONS