

Federal Communications Commission

§ 63.65

coming within the type of reduction in service proposed.

[28 FR 13229, Dec. 5, 1963, as amended at 45 FR 6585, Jan. 29, 1980; 60 FR 35509, July 10, 1995; 61 FR 15733, Apr. 9, 1996]

EFFECTIVE DATE NOTE: At 61 FR 15733, Apr. 9, 1996, in §63.62, paragraph (a) was revised. This amendment contains information collection and recordkeeping requirements and will not become effective until approval has been given by the Office of Management and Budget.

§ 63.63 Emergency discontinuance, reduction, or impairment of service.

(a) Application for authority for emergency discontinuance, reduction, or impairment of service shall be made by filing an informal request in quintuplicate as soon as practicable but not later than 15 days in the case of public coast stations; or 65 days in all other cases, after the occurrence of the conditions which have occasioned the discontinuance, reduction, or impairment. The request shall make reference to this section and show the following:

(1) The effective date of such discontinuance, reduction, or impairment, and the identification of the service area affected;

(2) The nature and estimated duration of the conditions causing the discontinuance, reduction, or impairment;

(3) The facts showing that such conditions could not reasonably have been foreseen by the carrier in sufficient time to prevent such discontinuance, reduction, or impairment;

(4) A description of the service involved;

(5) The nature of service which will be available or substituted;

(6) The effect upon rates to any person in the community;

(7) The efforts made and to be made by applicant to restore the original service or establish comparable service as expeditiously as possible.

(b) Authority for the emergency discontinuance, reduction, or impairment of service for a period of 60 days shall be deemed to have been granted by the Commission effective as of the date of the filing of the request unless, on or before the 15th day after the date of filing, the Commission shall notify the carrier to the contrary. Renewal of such authority may be requested by

letter or telegram, filed with the Commission not later than 10 days prior to the expiration of such 60-day period, making reference to this section and showing that such conditions may reasonably be expected to continue for a further period and what efforts the applicant has made to restore the original or establish comparable service. If the same or comparable service is reestablished before the termination of the emergency authorization, the carrier shall notify the Commission promptly. However, the Commission may, upon specific request of the carrier and upon a proper showing, contained in such informal request, authorize such discontinuance, reduction, or impairment of service for an indefinite period or permanently.

[28 FR 13229, Dec. 5, 1963, as amended at 45 FR 6585, Jan. 29, 1980]

§ 63.65 Closure of public toll station where another toll station of applicant in the community will continue service.

(a) Except in emergency cases (as defined in §63.60(b) and as provided in §63.63), authority to close a public toll station in a community in which another toll station of the applicant will continue service shall be requested by an informal request, filed in quintuplicate, making reference to this paragraph and showing the following:

(1) Location of toll station to be closed and distance from nearest toll station to be retained;

(2) Description of service area affected, including approximate population and character of the business of the community;

(3) Average number of toll telephone messages sent-paid and received-collect for the preceding six months;

(4) Average number of telegraph messages sent-paid and received-collect for the preceding six months;

(5) Statement of reasons for desiring to close the station.

(b) Authority for closures requested under paragraph (a) of this section shall be deemed to have been granted by the Commission effective as of the 15th day following the date of filing such request unless, on or before the 15th day, the Commission shall notify the carrier to the contrary.