

## Federal Communications Commission

## § 63.90

a statement confirming that it received Commission authority to grandfather the service at issue at least 180 days prior to filing the current application.

(3) An application seeking to grandfather such a data service shall be automatically granted on the 25th day after its filing with the Commission without any Commission notification to the applicant unless the Commission has notified the applicant that the grant will not be automatically effective.

(4) An application seeking to discontinue, reduce, or impair such a data service that has been grandfathered under this section for 180 days or more preceding the filing of the application, shall be automatically granted on the 31st day after its filing with the Commission without any Commission notification to the applicant, unless the Commission has notified the applicant that the grant will not be automatically effective.

[64 FR 39939, July 23, 1999, as amended at 71 FR 65751, Nov. 9, 2006; 73 FR 56741, Sept. 30, 2008; 80 FR 1588, Jan. 13, 2015; 80 FR 63373, Oct. 19, 2015; 81 FR 62656, Sept. 12, 2016; 82 FR 25711, June 2, 2017; 82 FR 61478, Dec. 28, 2017; 83 FR 31675, July 9, 2018]

### § 63.90 Publication and posting of notices.

(a) Immediately upon the filing of an application or informal request (except a request under § 63.71) for authority to close or otherwise discontinue the operation, or reduce the hours of service at a telephone exchange (except an exchange located at a military establishment), the applicant shall post a public notice at least 51 cm by 61 cm (20 inches by 24 inches), with letter of commensurate size, in a conspicuous place in the exchange affected, and also in the window of any such exchange having window space fronting on a public street at street level. Such notice shall be posted at least 14 days and shall contain the following information, as may be applicable:

- (1) Date of first posting of notice;
- (2) Name of applicant;

(3) A statement that application has been made to the Federal Communications Commission;

(4) Date when application was filed in the Commission;

(5) A description of the discontinuance, reduction, or impairment of service for which authority is sought including the address or other appropriate identification of the exchange or station involved;

(6) If applicant proposes to reduce hours of service, a description of present and proposed hours of service;

(7) A complete description of the substitute service, if any, to be provided if the application is granted.

(8) A statement that any member of the public desiring to protest or support the application may communicate in writing with the Federal Communications Commission, Washington, DC 20554, on or before a specified date which shall be 20 days from the date of first posting of the notice.

(b) Immediately upon the filing of an application or informal request of the nature described in paragraph (a) of this section, the applicant shall also cause to be published a notice of not less than 10 column centimeters (4 column inches) in size containing information similar to that specified in paragraph (a), at least once during each of 2 consecutive weeks, in some newspaper of general circulation in the community or part of the community affected.

(c) Immediately upon the filing of an application or informal request or upon the filing of a formal application to close a public toll station (except a toll station located at a military establishment), applicant shall post a public notice at least A3 (29.7 cm × 42.0 cm) or 11 in × 17 in (27.9 cm × 43.2 cm) in size as provided in paragraph (a) of this section or, in lieu thereof, applicant shall cause to be published a newspaper notice as provided in paragraph (b) of this section.

(d) Immediately upon the filing of any application or informal request for authority to discontinue, reduce, or impair service, or any notice of resumption of service under § 63.63(b), the applicant shall give written notice of the filing together with a copy of such application to the State Commission (as defined in section 3(t) of the Communications Act of 1934, as amended) of

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each State in which any discontinuance, reduction or impairment is proposed.

(e) When the posting, publication, and notification as required in paragraphs (a), (b), (c) and (d) of this section have been completed, applicant shall report such fact to the Commission, stating the name of the newspaper in which publication was made, the name of the Commissions notified, and the dates of posting, publication, and notification.

[45 FR 6585, Jan. 29, 1980, as amended at 45 FR 76169, Nov. 18, 1980; 58 FR 44907, Aug. 25, 1993; 60 FR 35510, July 10, 1995]

**§ 63.100 Notification of service outage.**

The requirements for communications providers concerning communications disruptions and the filing of outage reports are set forth in part 4 of this chapter.

[69 FR 70342, Dec. 3, 2004]

**CONTENTS OF APPLICATIONS; EXAMPLES**

**§ 63.500 Contents of applications to dismantle or remove a trunk line.**

The application shall contain:

- (a) The name and address of each applicant;
- (b) The name, title, and post office address of the officer to whom correspondence concerning the application is to be addressed;
- (c) Nature of proposed discontinuance, reduction, or impairment;
- (d) Identification of community or part of community involved and date on which applicant desires to make proposed discontinuance, reduction, or impairment effective; if for a temporary period only, indicate the approximate period for which authorization is desired;
- (e) Proposed new tariff listing, if any, and difference, if any, between present charges to the public and charges for the service to be substituted;
- (f) Description of the service area affected including population and general character of business of the community;
- (g) Name of any other carrier or carriers providing telephone service to the community;

(h) Statement of the reasons for proposed discontinuance, reduction, or impairment;

(i) Statement of the factors showing that neither present nor future public convenience and necessity would be adversely affected by the granting of the application;

(j) Description of any previous discontinuance, reduction, or impairment of service to the community affected by the application, which has been made by the applicant during the 12 months preceding filing of application, and statement of any present plans for future discontinuance, reduction, or impairment of service to such community;

(k) A map or sketch showing:

- (1) Routes of line proposed to be removed from service and of alternate lines, if any, to be retained;
- (2) Type and ownership of structures (open wire, aerial cable, underground cable, carrier systems, etc.);
- (3) Cities and towns along routes with approximate population of each, and route kilometers between the principal points;
- (4) Location of important operating centers and repeater or relay points;
- (5) State boundary lines through which the facilities extend;

(l) A wire chart showing, for both the line proposed to be removed and the alternate lines to be retained, the regular and normal assignment of each wire, its method of operation, the number of channels and normal assignment of each;

(m) The number of wires or cables to be removed and the kind, size, and length of each;

(n) A complete statement showing how the traffic load on the line proposed to be removed will be diverted to other lines and the adequacy of such other lines to handle the increased load.

[28 FR 13229, Dec. 5, 1963, as amended at 58 FR 44907, Aug. 25, 1993; 82 FR 48777, Oct. 20, 2017]

**§ 63.501 Contents of applications to sever physical connection or to terminate or suspend interchange of traffic with another carrier.**

The application shall contain: