

October 26, 2018

VIA ELECTRONIC AND OVERNIGHT DELIVERY

Chairman, Tennessee Public Utility Commission
c/o Sharla Dillion, Dockets and Records Manager
502 Deaderick Street, 4th Floor
Nashville, TN 37243

**RE: *Momentum Telecom, Inc. Notice of Discontinuance of Telecommunications Services
and Request for Cancellation of Certificates***

Dear Ms. Dillon:

Momentum Telecom, Inc. ("Momentum") (CLEC ID: 128712), through undersigned counsel, hereby provides notice to Commission of its intent to cease providing telecommunications services in Tennessee on or after December 15, 2018, pending receipt of all regulatory approvals. In connection with this planned discontinuance, Momentum also requests cancellation of its certificate and tariffs that it currently holds in Tennessee. Momentum is authorized to provide competitive local exchange services under CLEC ID: 128712.¹ Momentum provides the information below in support of this Request and Notice.

Momentum currently provides retail local exchange service via resale arrangements with AT&T for three-hundred and sixty-two (362) customer accounts in Tennessee. These customers were formerly "UNE-P" service customers who were transferred to AT&T resale arrangements in the mid-2000s. Because the affected customers are all served via the AT&T network, these customers should have AT&T retail service available to them when the Momentum service is discontinued, as well as other service options such as cable voice over Internet protocol ("VoIP") services and wireless services. Consequently, Momentum's customers will not be unduly harmed as they will be able to transition to new providers.

On or before October 12, 2018, Momentum provided written notice of the planned discontinuance of the affected services to all of its customers. The notice clearly underscored that customers must make arrangements with another carrier to avoid loss of service, and provided a toll-free telephone number that customers may call to reach Momentum service representatives for assistance with this transition. A copy of the notice that customers were sent, which also complies with the requirements of the Federal Communications Commission ("FCC"), is included with this Notice and Request.

¹ Momentum was granted authority under CLEC ID: 128712 on Apr. 24, 2001.

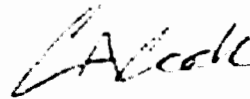
Momentum has continued to provide retail local exchange service customers to its customer via resale arrangements with AT&T. Unfortunately this customer base is dwindling, and Momentum has determined that the provision of such service is no longer economical. Additionally, providing retail telecommunications service is no longer part of Momentum's business model.

The public convenience and necessity will not be adversely affected by the discontinuance of the services described herein. As a result of the discontinuance, Momentum requests cancellation or withdrawal of its Tennessee certificate and tariffs effective December 15, 2018,² or as soon as the Commission can take appropriate administrative action.³

Momentum also provides notice of the Application to Discontinue Service that it filed with the FCC on October 23, 2018. A copy of the Application is attached.

Questions or inquiries regarding this Notice and Request may be directed to the undersigned. This Notice and Request is being electronically filed with the Commission via e-mail sent to tpuc.docketroom@tn.gov. An original and four copies of the Notice and Request are enclosed for filing. An extra copy of this letter is enclosed, as is one copy for stamp and return purposes. Please date-stamp and return in the self-addressed envelope included with this filing.

Respectfully submitted,



Christopher A. Cook
Counsel to Momentum Telecom, Inc.

Encls.

² Momentum requests a waiver of the Commission's rule that requires "formal notification with the Commission and all [] affected customers by direct mail ninety (90) days in advance of the last anticipated day of service." Tenn. Comp. R. & Regs. 1220-04-08-.05(1). While Momentum has not provided ninety (90) days-notice prior to discontinuance, Momentum has provided ample time before services are to be discontinued. Furthermore, because the affected customers are all served via the AT&T network, these customers should have AT&T retail service available to them when the Momentum service is discontinued, as well as other service options such as cable voice over Internet protocol ("VoIP") services and wireless services. Consequently, Momentum's customer base is in no risk of losing service. Therefore, Momentum requests a waiver of Tenn. Comp. R. & Regs. 1220-04-08-.05(1).

³ CLEC ID: 128712 issued on Apr. 24, 2001.

EXHIBIT A

CUSTOMER NOTICE



October 12, 2018

YOU MUST CHOOSE A NEW LOCAL AND LONG-DISTANCE TELEPHONE SERVICE PROVIDER

Dear Valued Momentum Customer,

Thank you for being a valued Momentum customer. This letter is to inform you that Momentum is changing its telephone service offerings and that effective on or shortly after December 15, 2018, Momentum will no longer be providing its current phone service in your community.

Your action is required! Because Momentum will discontinue all phone service as of December 15, 2018, you need to select a new telephone service plan as soon as possible if you wish to retain your current telephone number and assure continuity of service. You must also select a new long distance provider if you use Momentum for your long distance service. You do have the option to purchase local and long distance telephone service from other service providers in your area. A list of alternate service providers may be found in the front of your local telephone directory.

The proposed discontinuance of your local telephone service is subject to regulatory approval by the Federal Communications Commission (FCC). The FCC 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, Washington DC 20554, and include in your comments a reference to the § 63.71 Application of Momentum Telecom. 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.

TAKE ACTION NOW

Please take immediate action to select a telephone service provider on your choice. **If you do not switch your service to another provider before December 15, 2018, your service will be terminated and you may not be able to retain your current telephone number.** Please take action **NOW** to avoid interruption in your service. If you would like to transfer your service to AT&T you can contact them at (800) 288-2020.

If you have any questions, please call Momentum Customer Service at (800) 466-2210.

Sincerely,
Momentum Telecom, Inc.

EXHIBIT B

FCC SECTION 63.71 APPLICATION OF MOMENTUM TELECOM, INC.

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

<i>In the Matter of</i>)	
)	
Section 63.71 Application of)	WC Docket No. _____
)	
Momentum Telecom, Inc.)	
)	File No. _____
For Authority Pursuant to Section 214 of)	
The Communications Act of 1934, As)	
Amended, To Discontinue the Provision of)	
Service)	

SECTION 63.71 APPLICATION OF MOMENTUM TELECOM, INC

Momentum Telecom, Inc. ("Momentum") applies for authority under Section 214(a) of the Communications Act, as amended ("the Act")¹, and Section 63.71 of the Commission's rules,² to discontinue Momentum's provision of local exchange telecommunications services in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, South Carolina, and Tennessee.

Momentum provides the following information pursuant to Section 63.71 of the Commission's rules:

1. *Name and Corporate Headquarters Address of Carrier*

Momentum Telecom, Inc.
880 Montclair Road, Suite 400
Birmingham, Alabama 35242

FRN: 0005075403

¹ 47 U.S.C. § 214.

² 47 CFR § 63.71.

Correspondence concerning this Application should be sent to:

Michael C. Sloan
Davis Wright Tremaine LLP
1919 Pennsylvania Ave. NW
Suite 800
Washington, DC 20006-3401
Telephone: 202.973.4227
Fax: 202.973.4427
Email: michaelsloan@dwt.com

2. Date of Planned Service Discontinuance:

Momentum plans to discontinue the services that are the subject of this Application on or after December 15, 2018, pending federal and state regulatory approval.

3. Points of Geographic Areas of Service Affected:

Momentum proposes to discontinue providing local exchange telecommunications services in the above-identified states. As of October 12, 2018, Momentum had approximately 2,719 customers in the target states, broken out as follows:

Alabama (533), Florida (19), Georgia (367), Kentucky (328), Louisiana (522), Mississippi (430), South Carolina (158), and Tennessee (362).

4. Brief Description of Types of Service Affected and Reason for Discontinuance:

Momentum proposes to discontinue service to retail local exchange service customers who are served via resale arrangements with AT&T. These customers were formerly “UNE-P” service customers who were transferred to AT&T resale arrangements in the mid-2000s. Momentum has continued to serve this dwindling customer base but it is no longer economical to do so. Also, providing retail telecommunications services is no longer part of Momentum’s business model. Because these customers are all served via the AT&T network, they should have AT&T retail service available to them when the Momentum service is discontinued, as well

as other service options such as cable voice over Internet protocol (“VoIP”) services and wireless.

5. *Brief Description of the Dates and Methods of Notice to All Affected Customers:*

On or before October 12, 2018, Momentum provided written notice of the planned discontinuance of the affected services to all of its customers consistent with Section 63.71(a) of the Commission’s rules.³ A copy of the notice is attached hereto as Exhibit A. The written notice was provided to Momentum’s existing customers via U.S. First Class mail. In the notice, Momentum provided its planned date of discontinuance and notice of the availability of alternative service providers.

6. *Whether the Carrier is Considered Dominant or Non-dominant with Respect to the Service to be Discontinued.*

Momentum is considered non-dominant in all locations it serves with respect to the service that will be discontinued.

7. *Other Information.*

In accordance with Section 63.71(a) of the Commission’s rules,⁴ a copy of this Application is being mailed concurrently with its filing to the entities listed on the attached certificate of service.

³ 47 CFR § 63.71(a).

⁴ *See id.*

Conclusion

The public convenience and necessity will not be adversely affected by the discontinuance of the services described herein. Momentum has provided the requisite notice to all its only customers, each of whom has access to several readily available substitute services. Therefore, Momentum respectfully requests that the Commission approve its Section 63.71 Application to discontinue the affected service.

Respectfully Submitted,

/s/ Michael C. Sloan

Michael C. Sloan
Davis Wright Tremaine LLP
1919 Pennsylvania Ave., NW
Washington, DC 20006

Counsel to Momentum Telecom, Inc.

DATED: October 23, 2018

CERTIFICATE OF SERVICE

I, Christopher Cook, do hereby certify on this 23rd day of October that a true and correct copy of the foregoing "Section 63.71 Application of Momentum Telecom, Inc" has been sent via U.S. mail, postage prepaid to the following:

Secretary of Defense
Attn. Special Assistant for Telecommunications
Pentagon
Washington, DC 20301

Office of the Governor
State Capitol
600 Dexter Avenue
Montgomery, AL 36130

Alabama Public Service Commission
100 North Union Street, Suite 850
Montgomery, AL 36104

Office of the Governor
The Capitol
400 South Monroe Street
Tallahassee, FL 32399

Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399

Office of the Governor
206 Washington Street
111 State Capitol
Atlanta, GA 30334

Georgia Public Service Commission
244 Washington Street, SW
Atlanta, GA 30334

Office of the Governor
700 Capital Avenue, Suite 100
Frankfort, KY 40601

Kentucky Public Service Commission
2011 Sower Boulevard
Frankfort, KY 40601

Office of the Governor
P.O. Box 94004
Baton Rouge, LA 70804

Louisiana Public Service Commission
602 North Fifth Street
P.O. Box 91154
Baton Rouge, LA 70821

Office of the Governor
P.O. Box 139
Jackson, MS 39205

Mississippi Public Service Commission
501 North West Street
Woolfolk State Office Bldg.
Jackson, MS 39201

Office of the Governor
20301 Mail Service Center
Raleigh, NC 27699

North Carolina Utilities Commission
430 North Salisbury Street
Raleigh, NC 27603

The Office of Governor Mary Fallin
Oklahoma State Capitol
2300 N. Lincoln Blvd., Room 212
Oklahoma City, OK 73105

Oklahoma Corporation Commission
P.O. Box 52000
Oklahoma City, OK 73152-2000

Office of the Governor
508 Main Capitol Building
Harrisburg, PA 17120

Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Office of the Governor
1205 Pendleton Street
Columbia, SC 29201

South Carolina Public Service Commission
101 Executive Center Drive
Columbia, SC 29201

Office of the Governor
1st Floor, State Capitol
Nashville, TN 37243

Tennessee Regulatory Authority
502 Deaderick Street, 4th Floor
Nashville, TN 37243

/s/ Christopher Cook
Christopher Cook

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Atlanta, GA 30334

Georgia Public Service Commission
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Atlanta, GA 30334

Office of the Governor
700 Capital Avenue, Suite 100
Frankfort, KY 40601

Kentucky Public Service Commission
2011 Sower Boulevard
Frankfort, KY 40601

Office of the Governor
P.O. Box 94004
Baton Rouge, LA 70804

Louisiana Public Service Commission
602 North Fifth Street
P.O. Box 91154
Baton Rouge, LA 70821

Office of the Governor
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Jackson, MS 39205

Mississippi Public Service Commission
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Jackson, MS 39201

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North Carolina Utilities Commission
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Raleigh, NC 27603

The Office of Governor Mary Fallin
Oklahoma State Capitol
2300 N. Lincoln Blvd., Room 212
Oklahoma City, OK 73105

Oklahoma Corporation Commission
P.O. Box 52000
Oklahoma City, OK 73152-2000

Office of the Governor
508 Main Capitol Building
Harrisburg, PA 17120

Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Office of the Governor
1205 Pendleton Street
Columbia, SC 29201

South Carolina Public Service Commission
101 Executive Center Drive
Columbia, SC 29201

Office of the Governor
1st Floor, State Capitol
Nashville, TN 37243

Tennessee Regulatory Authority
502 Deaderick Street, 4th Floor
Nashville, TN 37243

/s/ Christopher Cook
Christopher Cook

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Sincerely,
Momentum Telecom, Inc.

For assistance with using ECFS, please contact the ECFS Help Desk at 202-418-0193 (tel:+12024180193) or via email at ECFSHelp@fcc.gov (mailto:ECFSHelp@fcc.gov).

Non-Docketed Filing

1 **Filing** 2 **Review** 3 **Confirmation**

FCC Inbox:	INBOX-63.71 : Section 214 Domestic Discontinuance Application
Confirmation #:	20181023565314536
Submitted:	Oct 23, 2018 6:37:22 PM
Status:	RECEIVED
Name(s) of Filer(s)	Momentum Telecom, Inc.
Law Firm(s)	Davis Wright Tremaine LLP
Attorney/Author Name(s)	Christopher A. Cook, Michael C. Sloan
Primary Contact Email	christophercook@dwt.com
Type of Filing	APPLICATION
Address of	Law Firm
Address	1919 Pennsylvania Ave. NW Suite 800, Washington, DC, 20006
Email Confirmation	Yes

For assistance with using ECFS, please contact the ECFS Help Desk at 202-418-0193 (tel:+12024180193) or via email at ECFSHelp@fcc.gov (mailto:ECFSHelp@fcc.gov).

Federal Communications Commission
445 12th Street SW, Washington, DC 20554
Phone: 1-888-225-5322
TTY: 1-888-835-5322
Videophone: 1-844-432-2275
Fax: 1-866-418-0232

Contact Us (<https://www.fcc.gov/contact-us>)