

### § 63.306. Abandoning LSP obligations for abandonment.

(a) *General.* Upon receiving a termination notice from a NSP, or upon receiving a Commission order notifying a LSP of an effective date for revoking its certificate of public convenience, or upon a LSP's voluntary filing of an application to abandon service, the abandoning LSP shall make a good faith effort to secure an acquiring LSP to serve the customers it plans to abandon.

(b) *Abandonment plan.* The abandoning LSP shall file an abandonment plan with the Commission at least 35 calendar days in advance of abandoning service. The abandonment plan shall contain the following information:

- (1) An identification of the telecommunications services, either facilities-based or through resale, to be abandoned or curtailed in the associated service territory.
- (2) An explanation of reasons for the abandonment of service.
- (3) A detailed outline of the procedures a LSP shall use to facilitate continuation of service for its affected customers. The abandoning LSP shall demonstrate that the abandonment will not deprive the public of necessary telecommunications services.
- (4) The notices required by this section.
- (5) A list of current customers that will be abandoned.
- (6) The abandonment notice that is to be sent to customers.
- (7) The beginning and ending dates for the period in which customers are to shop and select a new LSP (customer choice period). Customers shall be allowed up to 20 calendar days after receiving a customer notice of abandonment to shop and select a new LSP.
- (8) The beginning and ending dates for the customer migration period when the business arrangements are to be completed for the transfer of service to the new LSP. The customer migration period shall immediately follow the customer choice period, allow 10 calendar days for migration, and immediately precede the exit date.
- (9) A proposed exit date. If the abandonment is initiated by termination by a NSP or by Commission order, the proposed exit date may not be later than the termination date provided by the NSP or the date the certificate of public convenience is to be revoked.
- (10) Contact names and telephone numbers for a LSP's program manager, the regulatory contact and other pertinent contacts, for example, the contact for customer service records (CSR) or provisioning contacts.
- (11) If applicable, the arrangements made for an acquiring carrier.

(12) The procedures to be taken with NANPA to transfer NXX codes or thousand number blocks (if applicable) while preserving number portability for numbers within the code.

(13) The name of the NSP and the current customer serving arrangements, for example, UNE-P, resale, UNE-L or Full Facilities.

(14) A list of customer names and contact information when the abandoning LSP is the only provider of facilities to a customer or group of customers.

(15) The number of customers to be impacted by the abandonment.

(16) The details of a transfer of assets or control that requires Commission approval under 66 Pa.C.S. § 1102(a)(3) (relating to enumeration of acts requiring certificate).

(17) A request to modify or cancel tariffs.

(18) A plan for processing customer deposits, credits and termination liabilities or penalties.

(19) A plan for unlocking the E-9-1-1 records.

(20) A plan for maintaining toll-free telephone access to an abandoning LSP's call center (including customer service and billing records) so that a customer is able to contact the LSP to inquire about or dispute final bills and refunds.

(c) *Transfer of customers' 9-1-1/E-9-1-1 records.*

(1) *Transfers to a new LSP.* An abandoning LSP shall unlock all of its telephone numbers in the 9-1-1/E-9-1-1 records to provide a new LSP with access to the abandoning LSP's customers' 9-1-1/E-9-1-1 records. The abandoning LSP shall unlock the 9-1-1/E-9-1-1 records in compliance with the National Emergency Numbering Association's (NENA) recommended data standards for service providers going out of business.

(2) *Transfers after abandonment.* An abandoning LSP shall submit a letter to the appropriate 9-1-1/E-9-1-1 service provider authorizing the 9-1-1/E-9-1-1 service provider to unlock remaining 9-1-1/E-9-1-1 records after the LSP has abandoned the market. The abandoning LSP shall provide this letter at least 30 days prior to abandoning the market.

(d) *Notification to the industry and NANPA.*

(1) *Industry abandonment notice.* An abandoning LSP shall provide written notice to:

(i) Telecommunications corporations providing the abandoning LSP with essential facilities or services or UNEs that affect the abandoning LSP's customers.

(ii) Telecommunications corporations providing the abandoning LSP with resold telecommunications services, if resold service is part of the telecommunications services provided to the abandoning LSP's affected customers.

(2) *NANPA abandonment notice.* An abandoning LSP which has NXX or thousand block

number resources from NANPA shall provide written notice to NANPA identifying and authorizing the release of all of its used and unused number resources to an acquiring carrier, other LSPs or NANPA, as applicable. When number resources are to be released to an acquiring carrier, the notice to NANPA shall be provided at least 35 days prior to the abandoning LSP's exit date.

(3) The notice shall include identification of all working telephone numbers assigned to the customers, identification of all unassigned or administrative numbers available for reassignment to other providers and the date the unassigned telephone numbers shall be available for reassignment.

(4) The abandoning LSP shall authorize the release of each individually assigned customer telephone number to the subsequent provider selected by the customer. The abandoning LSP may not abandon NXX codes or thousand block numbers if a number within the relevant range of numbers has not been completely ported.

(e) *Abandoning LSP notification to customers.*

(1) The abandoning LSP (and acquiring LSP if applicable) shall notify customers by letter at least 30 calendar days in advance of the exit date.

(2) The abandoning LSP shall provide customers with a list of all services (for example—local basic, regional toll and long distance toll) that the abandoning LSP is currently providing to the customer that will no longer be provided as of the exit date. The abandoning LSP shall direct customers to choose a new LSP to obtain whatever services they wish to have going forward.

(3) The abandoning LSP shall lift all existing preferred carrier freezes on the services to be abandoned.

(4) The notice of pending abandonment of service to residential and business customers shall contain the following:

(i) A printed message on the envelope and the notice containing the words “Important Notice, Loss of Local Telephone Service” printed in bold letters with a font size of at least 14 points, conspicuously displayed on the front of the envelope to attract the attention of the reader.

(ii) A statement on the notice: “At this time, (LSP name) provides you with local telephone service, (list other services provided by the LSP that will no longer be provided upon abandonment of local service).”

(iii) A statement on the notice: “As of (the exit date) (LSP name) will no longer provide your local telephone service and you must take action.”

(iv) A statement on the notice: “To prevent the loss of your local telephone service, you must select another local telephone service provider on or before (list a specific date 10 calendar days prior to the exit date). If you act by this date there will be enough time for the new local service provider you choose to start your new service before your current service ends.”

(v) A statement on the notice: “Please remember that customers may choose the provider of their local telephone service. You may select any company that is offering service in your area.” Customers shall be notified that they can check their telephone directory yellow pages under “telephone service providers” or in the front of the directory under the heading of “other local phone companies” for information about LSPs serving their area.

(vi) If the abandoning LSP has arranged for an acquiring LSP to serve customers, the abandoning LSP customer notice provisions shall reflect these arrangements. Specifically, the written notice to customers shall be a joint notice from the abandoning and acquiring LSPs. The joint notice shall be sent to customers in an envelope from the abandoning LSP. The joint notice shall inform customers that they may select any LSP that serves their area by (date of the end of customer choice period) or they may take no action and their service will be transferred to the acquiring LSP no later than (exit date). The joint notice shall also include information about the acquiring LSP’s rates and terms and conditions of service.

(vii) A statement on the notice: “This is an important notice (the word “important” in bold) about the loss of your local telephone service. If you have any questions, need more information or have problems with changing your services, contact (LSP contact information including a toll-free telephone number).”

(viii) Information to customers outlining the procedure for obtaining refunds of credits and deposits, obtaining final bills and addressing questions or complaints.

(ix) Customers who had preferred carrier freezes on their accounts shall be directed to contact their new LSP to arrange for new preferred carrier freezes if they wish to have this protection going forward.

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**§ 63.307. Abandonment process management.**

(a) The abandoning LSP shall appoint a program manager to coordinate the abandonment process. The program manager shall be selected from the abandoning LSP or, if applicable, the acquiring LSP.

(b) The program manager shall be accountable to each of the parties involved in the abandonment. The individual parties involved in the migration may be:

- (1) The abandoning LSP.
- (2) The acquiring LSP.
- (3) The abandoning LSP's customers.
- (4) The Commission.

(c) The parties involved in the abandonment shall appoint a project manager who will work with the program manager to ensure that the abandonment process flows in a seamless manner.

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### § 63.308. Commission consideration and action.

(a) The Commission will post information of an impending abandonment on its website at [www.puc.state.pa.us](http://www.puc.state.pa.us) under “Local Service Telephone Provider Abandonment Notification.”

(b) If necessary, Commission staff may establish an industry conference call to address potential problem areas and procedures with the abandoning LSP, as well as with the acquiring or other LSPs as applicable.

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