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July 18, 2001

VIA HAND DELIVERY

Magalie Roman Salas, Secretary
Federal Communications Commission
The Portals
445 12th Street, S.W.; TW-A325
Washington, D.C. 20554

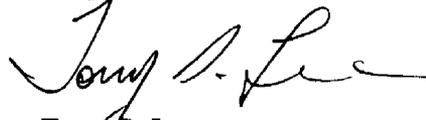
Re: Section 63.71 Application of OnSite Access Local, LLC to Discontinue Service

Dear Ms. Salas:

On behalf of OnSite Access Local, LLC, transmitted herewith are an original and five (5) copies of an application for authority to discontinue the provision of U.S. domestic telecommunications service throughout OnSite's service areas as further detailed in its application.

Please date-stamp the enclosed extra copy of this filing and return it in the envelope provided. Should you have any questions with respect to this matter, please do not hesitate to contact the undersigned at (202) 424-7798.

Respectfully submitted,



Tony S. Lee
Michael P. Donahue

Counsel for OnSite Access Local, LLC

Enclosures

- APP _____
- CAF _____
- CMP _____
- COM _____
- CTR _____
- ECR _____
- LEG _____
- OPC _____
- PAI _____
- RGO _____
- SEC _____
- SER _____
- OTH _____

cc: Martin L. Schwimmer (FCC)
Carmell Weathers (FCC)
Leonard G. Kriss (OnSite)
Russell M. Blau

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

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

In the Matter of the Application of)
)
ONSITE ACCESS LOCAL, LLC)
)
For Authority to Discontinue the Provision)
of U.S. Domestic Telecommunications Service)
_____)

File No. _____

SECTION 63.71 APPLICATION

OnSite Access Local, LLC ("OnSite" or "Applicant") hereby requests authority pursuant to Section 214(a) of the Communications Act of 1934, as amended (the "Act"), 47 U.S.C. § 214(a), and Section 63.71 of the Commission's Rules, 47 C.F.R. § 63.71, to discontinue the provision of U.S. domestic telecommunications services in all areas in which it provides such service.¹ OnSite is currently experiencing financial distress and has filed for bankruptcy protection. Therefore, OnSite requests expedited processing of this application so that it may discontinue service as soon as practical and transfer customers to other carriers as necessary. OnSite further notifies the Commission that it intends to transfer its customers to Focal Communications, Inc. ("Focal"), eLink Communications, Inc. ("eLink"), or other such company as approved by the Bankruptcy Court. A submission by the acquiring carriers pursuant to the Commission's preferred carrier change rules will be filed as soon as possible.²

¹ OnSite holds authority to provide telecommunications services in the following states: Arizona, California, Colorado, Connecticut, District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, Massachusetts, Michigan, Minnesota, Missouri, Montana, New Jersey, New York, North Carolina, Ohio, Oregon, Pennsylvania, Texas, Utah, Virginia, and Washington.

² See 47 C.F.R. § 64.1120(e).

Due to adverse developments in the telecommunications industry, OnSite has filed for bankruptcy protection, and has determined that it must discontinue all of its operations. On June 4, 2001, OnSite and eLink signed a letter of intent setting forth the parameters of eLink's proposed purchase of substantially all of OnSite's contract rights, customer lists and equipment located in New York and a portion of its contract rights, customers lists and equipment located in the District of Columbia, Maryland, and Virginia. OnSite submitted the eLink proposal to the Bankruptcy Court, together with proposed auction procedures to fully explore alternative options. OnSite is currently in negotiations with Focal to transfer all remaining voice customers not part of the eLink proposal. On June 20, 2001, the Bankruptcy Court ordered that the auction be held July 9, 2001, and a hearing was held on July 12, 2001, approving Focal and eLink as the winning bidders of the auction.³

At the conclusion of the auction, OnSite will sell substantially all of its assets and assign certain of its contracts, customers and operations to the successful bidders. The successful bidders will be required to sign an asset purchase agreement and related agreements to ensure the continued provision of services to OnSite customers, the completion of the transaction, and the seamless transition of OnSite's customers to the purchaser.

OnSite respectfully requests Commission approval to discontinue service to those customers that are not transferred. To ensure the seamless transition of customers to an alternative provider, OnSite has developed a customer notification and transfer plan that is intended to provide the greatest opportunity for customer awareness and the informed exercise of customer choice with no service interruption. OnSite customers will receive adequate written

³ Focal and eLink have been approved by the bankruptcy court to acquire OnSite's customers; however, an appeal by another bidder may be filed to reopen the auction process.

notices regarding the discontinuance of OnSite service and the need to elect a new service provider. OnSite intends to discontinue service as soon as practical in accordance with this Commission's rules and the Bankruptcy Court's decision.

Despite its best efforts, OnSite recognizes that there may be some customers who fail to select a new carrier by OnSite's planned withdrawal date. OnSite will enter into discussions with its underlying carriers to transition these customers from OnSite to avoid having subscribers unnecessarily disconnected. OnSite recognizes that the migration of these customers to another carrier may require further federal and/or state regulatory approvals.

Applicant provides the following information in support of this Application pursuant to Section 63.71 of the Commission's Rules.

I. SECTION 63.71(a) INFORMATION

(1) Name and address of carrier:

OnSite Access Local, LLC
1372 Broadway, Second Floor
New York, NY 10018

(2) Date of planned service discontinuance, reduction or impairment:

On or about August 15, 2001

(3) Points of geographic areas affected:

The areas affected are all locations served by OnSite in Arizona, California, Colorado, Connecticut, District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, Massachusetts, Michigan, Minnesota, Missouri, Montana, New Jersey, New York, North Carolina, Ohio, Oregon, Pennsylvania, Texas, Utah, Virginia, and Washington.

(4) Brief description of type of service affected:

OnSite seeks authority to discontinue providing U.S. domestic interstate long distance services to all of its remaining customers. Some of these customers also receive local, intrastate toll, and data services from OnSite, which will also be affected.

II. NOTIFICATION REQUIREMENTS

In compliance with Section 63.71 (a) of the Commission's Rules, 47 C.F.R. § 63.71(a), the notice will include the following information: (1) OnSite's name and address; (2) the date of planned service discontinuance; and (3) the affected service areas. The notice will also include the following statement:

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 within 15 days after receipt of this notification. Address them to the Federal Communications Commission, Washington, DC 20554, referencing the § 63.71 Application of OnSite Access Local, 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.

OnSite certifies that concurrent with the filing of this Application, OnSite is submitting a copy of the Application to the public utility commissions and governors of the states listed above and to the Secretary of Defense as required by Section 63.71(a) of the Commission's Rules, 47 C.F.R. § 63.71(a). (*See attached Certificate of Service.*)

III. REGULATORY STATUS

OnSite is regulated as a non-dominant carrier with respect to each domestic interstate telecommunications service which it seeks authority to discontinue.

IV. CONCLUSION

OnSite hereby states that this termination of service is reasonable, necessary and not unduly disruptive to the present or future public convenience and necessity. The public will not be unduly harmed by OnSite's withdrawal because the public has access to other telecommunications carriers that have the ability to provide these customers with comparable telecommunications services at competitive prices. Furthermore, as indicated above, OnSite is

undertaking a comprehensive customer notification initiative that is aimed at providing its customers with sufficient notice and opportunity to select another provider and minimize service interruptions.

For the foregoing reasons, OnSite respectfully requests, pursuant to Section 214(a) of the Act, 47 U.S.C. § 214(a), and Section 63.71 of the Commission's Rules, 47 C.F.R. § 63.71, that the Commission approve its Section 63.71 Application to discontinue the provision of U.S. domestic interstate telecommunications service.

Respectfully submitted,

OnSite Access Local, LLC

By:



Tony S. Lee

Michael P. Donahue

Swidler Berlin Shereff Friedman, LLP

3000 K Street, N.W., Suite 300

Washington, DC 20007-5116

Telephone: (202) 424-7500

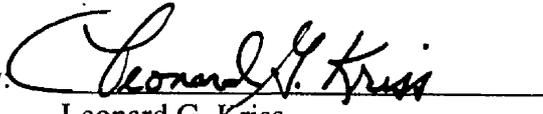
Facsimile: (202) 424-7645

Dated: July 18, 2001

CERTIFICATION

On behalf of OnSite Access Local, LLC, I hereby certify that the statements in the foregoing *Section 63.71 Application* are true, complete and correct to the best of my knowledge and are made in good faith.

OnSite Access Local, LLC

By: 

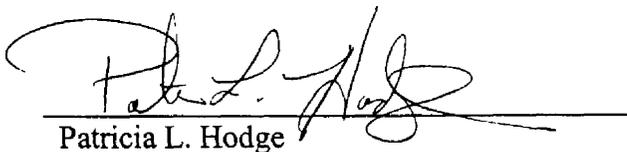
Leonard G. Kriss

Title: Executive Vice President, Secretary and
General Counsel

Date: July 13, 2001

CERTIFICATE OF SERVICE

I, Patricia L. Hodge, hereby certify that on this day, the 18th of July 2001, I served a copy of the foregoing document via First Class Mail, postage pre-paid to the persons listed below:



Patricia L. Hodge

SECRETARY OF DEFENSE

Attn: Special Assistant for
Telecommunications

Pentagon
Washington, DC 20301

**FEDERAL COMMUNICATIONS
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ARIZONA:

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Utilities Division
Arizona Corporation Commission
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Phoenix, AZ 85007

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Executive Office of the Mayor
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Jesse P. Clay, Secretary
District of Columbia Public Service
Commission
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Washington, DC 20005

FLORIDA:

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Office of the Governor
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Tallahassee, FL 32399-0001

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Director, Division of Records & Reporting
Florida Public Service Commission
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Atlanta, GA 30334

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Illinois Commerce Commission
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