FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 51 and 63

[WC Docket Nos. 25-208, 25-209; FCC 26-19; FR ID 340903]

Reducing Barriers to Network Improvements and Service Changes

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In this document, the Federal Communications Commission (Commission) adopted a Report and Order that reduces regulatory barriers and costs that hinder the transition from outdated legacy networks and services to next-generation, Internet Protocol (IP)-based infrastructure. The actions taken in the Report and Order combine common sense reforms with core consumer protections that bring the regulatory environment in line with today's communications marketplace while retaining and adopting safeguards to protect public safety and ensure 911 continuity. The Report and Order also concludes that if state or local requirements conflict with the service discontinuance framework adopted in the Report and Order, such requirements negate valid federal regulatory objectives and are subject to preemption.

DATES: This rule is effective [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER], except for instructions 2 (§ 51.329), 3 (§ 51.333), 6 (§ 63.60), 7 (§ 63.62), 8 (§ 63.63), 10 (§ 63.71), and 12 (§ 63.602), which are delayed indefinitely. The Federal Communications Commission will publish a document in the *Federal Register* announcing the effective date.

FOR FURTHER INFORMATION CONTACT: For further information about this proceeding, please contact Michele Berlove, Competition Policy Division, Wireline Competition Bureau, at (202) 418-1477, or michele.berlove@fcc.gov. For additional information concerning the Paperwork Reduction Act proposed information collection requirements contained in this

document, send an email to PRA@fcc.gov or contact Nicole Ongele at (202) 418-2991.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Report and Order in WC Docket Nos. 25-208, 25-209; FCC 26-19, adopted on March 26, 2026, and released on March 27, 2026. The full text of this document is available for public inspection at the following internet address: https://docs.fcc.gov/public/attachments/FCC-26-19A1.pdf.

SYNOPSIS

I. DISCUSSION

A. Eliminate Network Change Disclosure Filing Requirements

1. We adopt our proposal in the *Network and Services Modernization Notice* (90 FR 41490 (8/28/2025)) to encourage rapid deployment of high-speed, more resilient infrastructure by eliminating all filing requirements in the Commission's network change disclosure rules and the Commission's process of issuing public notices for short-term network changes and copper retirements and the associated objection process for interconnected service providers. (We note that, while not required by the existing rules, the Bureau typically released Public Notices of long-term network changes as well. However, the objection process set forth in § 51.333 did not apply to such network change notices.) These actions effectively codify the relief granted by the Bureau in the *Network Change Disclosure Waiver Order* (*NCD Waiver Order*). Incumbent local exchange carriers (LECs) will continue to be required to post public notice of planned network changes through industry fora, industry publications, or on the carrier's publicly accessible Internet site without the obligation to file duplicative information with the Commission. To ensure clear notice specifically to interconnecting carriers, incumbent LECs must continue to (1) provide direct notice of copper retirements and short-term network changes to directly interconnected telephone exchange service providers, 911 service providers (defined as an entity that provides 911, E911, or NG911 capabilities such as call routing, automatic location information (ALI), automatic number identification (ANI), or the functional equivalent of those capabilities, directly to a public safety answering point (PSAP), statewide default answering

point, or appropriate local emergency authority as defined in § 9.3; and/or operates one or more central offices that directly serve a PSAP), and directly interconnecting local exchange service providers that support essential functions within 911 networks, including delivering 911 traffic to selective routers for transmission to public safety answering points (PSAPs), and (2) provide public notice and communicate directly with interconnected telephone exchange service providers about network changes resulting from force majeure events and other events outside of the incumbent LEC's control. (As previously noted by the Commission, our network change disclosure rules do not negate any specific notice obligations contained in privately negotiated contracts.) We note that the action we take today does not absolve incumbent LECs of their obligation under Section 214(a) to obtain Commission authorization for a copper retirement or other network change as defined in § 51.325(a) of our rules that also results in a service discontinuance and, indeed, works hand-in-hand with our actions taken below to ensure continued 911 connectivity when a carrier seeks to discontinue a service supporting interconnection trunks or the exchange of traffic, including but not limited to 911 trunks and 911 traffic. (We note that INCOMPAS has asked that "copper retirement must not be permitted in areas where competitive providers rely on legacy loops to reach end-user customers and where no viable wholesale replacement exists." And CWA has asserted that the actions we take today "fail[] to account for the significant workforce implications associated with accelerated copper retirement." However, as the Commission has previously noted, section 251(c)(5) established a notice-based network change disclosure process, and the Commission thus has no authority to prohibit copper retirements. And impacts of our actions on the workforce are similarly outside the scope of the purpose of Section 251(c)(5)'s public notice requirement, which pertains to impacts on interoperability of the communications networks.)

2. Excessive regulatory burdens prevent carriers from investing in and deploying next-generation networks that are needed to support modern communication services. Various commenters have noted that eliminating all filing requirements while maintaining the public

notice requirements will streamline the transition from legacy networks while still ensuring interconnecting entities receive adequate notice. We agree with NTCA that this approach "strike[s] the appropriate balance between reducing regulatory burden and ensuring stakeholders remain informed of network changes."

3. We find that adopting the change in filing and notice requirements proposed in the *Network and Services Modernization Notice* will not have any impact on the notices end users receive of planned network changes. Neither Section 251(c)(5) nor our implementing rules impose end-user notice obligations. Rather, carriers provide such notices to end users as a matter of practice. In the *NCD Waiver Order*, the Bureau noted that it received no comments in opposition to the more than 400 network change disclosure filings it processed and for which it released public notices over the preceding two years. And since issuing that *Order*, the Bureau has received no request or objection indicating that the lack of a filing or agency-issued Public Notice has resulted in disruption to the transmission or routing of services over an incumbent LEC's facilities. In response to our requests for comment in the *Network and Services Modernization Notice* on whether any public benefit exists from requiring incumbent LECs to file network change disclosures with the Commission and whether publishing notices of network changes on carriers' websites provides reasonable public notice of network changes, commenters suggest the lack of objections submitted in response to Commission network change Public Notices indicates that filing network change disclosures has become a purely administrative task that does not provide any value. Interconnected telephone exchange service providers may still raise concerns regarding short-term network changes and copper retirements through less formal Commission processes.

4. We conclude that eliminating all filing requirements and publication of Commission-issued public notices will reduce delays and encourage development and deployment of modernized networks. Reducing regulatory costs and obligations encourages investment in modern networks and advanced communications services in all areas, especially

those that are expensive to serve due to low population density or challenging topography. Carriers will not need to divert funds and resources to complying with burdensome regulations, allowing them to devote these resources elsewhere. (While the Commission cannot direct how incumbent LECs spend money gained from the reduction in regulatory costs and obligations, reducing costs associated with deployment of networks generally makes all service areas attractive for investment.)

5. We are not persuaded by the Alarm Industry Communications Committee's assertion that having network change notices only posted on incumbent LECs' publicly accessible websites "significantly reduces public visibility of critical infrastructure changes." The purpose of Section 251(c)(5)'s public notice requirement was to promote competition. When the Commission adopted its regulations implementing Section 251(c)(5), it noted the limited resources available to smaller carriers that might not participate in industry fora and publications. It thus included the filing requirement to ensure that "all carriers, competing service providers, and potential competitors . . . have equal opportunities to provide and to receive change information on a national scale." And when the Commission expressly added copper retirements to its network change disclosure scheme, it required that incumbent LECs provide direct notice of such network changes to interconnecting telephone exchange service providers, ensured that those interconnecting carriers received at least 90-days advance notice of the planned copper retirement, afforded those providers the opportunity to object, and noted that objections would be deemed denied "[u]nless the copper retirement scenario suggests that competitors will be denied access to the loop facilities required under our rules" absent Commission action on the objection within the 90-day advance notice period. Thus, the purpose of the filing requirement was never about "public visibility of critical infrastructure changes."

However, we require that the method of notice the incumbent LEC uses be publicly accessible—i.e., not behind a paywall.

6. We do not take the alternative approach of forbearing from all public notice requirements imposed by Section 251(c)(5) and our implementing rules because we find that forbearance is not justified at this time. Section 10 of the Act requires the Commission to forbear from applying any requirement of the Act or of its regulations to a telecommunications carrier or telecommunications service if the Commission determines that (1) enforcement of the requirement "is not necessary to ensure that the charges, practices, classifications, or regulations by, for, or in connection with that telecommunications carrier or telecommunications service are just and reasonable and are not unjustly or unreasonably discriminatory," (2) enforcement of that requirement "is not necessary for the protection of consumers," and (3) "forbearance from applying such provision or regulation is consistent with the public interest." All three conditions must be met to support forbearance relief. (We disagree with Wired Broadband et al.'s assertion that Section 251(c)(5)'s public notice requirement "is part of Americans' procedural due process rights" under the Fifth Amendment. This requirement is not subject to the Fifth Amendment's due process clause as the public notice required under that statutory provision is issued by a private company, not a government entity.) Thus, while we decline to forbear from these public notice requirements at this time, we note that future forbearance from these requirements would not violate the Constitution as the public notice is issued by a private company not a government entity.

7. Based on the record in this proceeding, we conclude that the conditions for granting forbearance relief from all network change disclosure requirements do not exist at this time and that any framework or guidance regarding interconnection with incumbent LEC networks during and after the transition to Internet protocol (IP) is more appropriately addressed in the context of the proposed forbearance from the incumbent LEC-specific interconnection and related obligations in the October 2025 *IP Interconnection Notice* (90 FR 54266 (11/26/2025)).

The rule we adopt today eliminating network change disclosure filing requirements achieves the appropriate balance between providing reasonable public notice of planned network changes and relieving incumbent LECs of unnecessary regulatory burdens.

8. *Ensuring practices are just and reasonable (Section 10(a)(1)).* We conclude that enforcement of the public notice requirements imposed by Section 251(c)(5) and our implementing rules is necessary to ensure incumbent LECs' practices are just and reasonable. Forbearance from all requirements in Section 251(c)(5) and our implementing rules would allow incumbent LECs to make network changes or copper retirements without public notice, which might affect interoperability with interconnecting providers and may result in unintended service disruptions. Public notice of network changes generally and copper retirement notices specifically ensures that incumbent LECs' practices are "just and reasonable and are not unjustly or unreasonably discriminatory" by requiring that interconnecting carriers receive timely notice regarding changes that may inhibit their ability to provide services to their end-user customers.

9. *Ensuring protection of consumers (Section 10(a)(2)).* We find that enforcement of the public notice requirements imposed by Section 251(c)(5) and our implementing rules is necessary for the protection of consumers. The requirement that incumbent LECs provide reasonable public notice of network changes is meant to alert interconnecting carriers to changes that might affect their interoperability with the incumbent LEC's network. Lack of such notice and the opportunity to ensure interoperability might cause unintentional disruption of services, ultimately harming consumers.

10. *Consistent with the public interest (Section 10(a)(3)).* We conclude that forbearance from the public notice requirements imposed by Section 251(c)(5) and our implementing rules would not be consistent with the public interest. As shown overwhelmingly in the record, lack of notice at this time could significantly impact the provision of 911 services. While the transition to Next-Generation 911 (NG911) is progressing alongside broader IP modernization, the NG911 transition faces unique challenges and may not be complete for some

time. As we noted in the *Network and Services Modernization Notice*, "network transitions subject to Section 251(c)(5) may occur in areas where 911 authorities and originating service providers (OSPs) have not yet transitioned to . . . [NG911] and will therefore continue for some time to rely on legacy selective routers and other TDM (time-division multiplexing)-based infrastructure for delivery of 911 calls to public safety answering points (PSAPs)" during this period of overlap. Until the NG911 transition is complete, it is imperative that carriers coordinate with state and local 911. Authorities and 911 service providers, as defined above, and directly interconnecting local exchange service providers that support essential functions within 911 networks so that they are aware of network changes that could impact their ability to provide these critical services.

B. Section 214 Discontinuance

11. We next revise our rules implementing Section 214(a) of the Act to bring them in line with the realities of today's communications marketplace. First, we adopt our proposal to simplify our rules applicable to technology transitions discontinuances by establishing one consolidated rule applicable to all technology transitions discontinuance applications. (Our technology transitions discontinuance rules apply only to discontinuance of a retail wireline voice service—i.e., loop-side services. It does not apply to trunk-side services provided to another carrier, such as interconnection trunks.) Second, we adopt our proposal to grant blanket authorization for carriers to grandfather any legacy voice service, data telecommunications services operating at speeds below 25/3 Mbps, and interconnected VoIP service provisioned over copper facilities. Third, we establish requirements for applications to discontinue a service supporting interconnection trunks or the exchange of traffic, to ensure continued support for 911 service and also to ensure access for interconnecting providers on non-TDM services. Fourth, we forbear from Section 214(a) requirements in certain circumstances for resold service. Fifth, we adopt our proposal to apply a 31-day automatic grant period to all discontinuance applications regardless of the applicant's status as dominant or non-dominant. Sixth, we clarify

the required contents of discontinuance applications. Seventh, we adopt our proposal to revise our rules applicable to emergency discontinuances to address specific situations where a carrier may wish to permanently discontinue a service after the Commission has granted emergency discontinuance authority. Finally, we clear from the books outdated and irrelevant discontinuance rules. We do not act at this time on our proposal to forbear from the requirement that carriers provide notice of planned discontinuances to State Governors and the Secretary of Defense, as required by Section 214(b).

1. Creating One Consolidated Technology Transitions Discontinuance Rule

12. As part of the Commission's ongoing efforts to reduce regulatory burdens and thus allow providers to invest more resources toward modernizing their networks and developing and deploying newer, more advanced services, we adopt our proposal in the *Network and Services Modernization Notice* to revise the rules applicable to technology transitions discontinuances by replacing the Adequate Replacement Test and the Alternative Options Test with a single consolidated technology transitions discontinuance rule. (The provisions of Section 63.71(f)(2) pertain to last-mile, end-user legacy voice service.) In conjunction with this revision, we also eliminate §63.602 and amend § 63.71 of our rules to set forth content requirements applicable to all discontinuance applications, including certain information set forth in § 63.505. With respect to technology transitions discontinuance applications, we continue to require that applications contain a statement identifying the application as involving a technology transition. This consolidated rule stipulates that an application to discontinue a currently offered retail voice service as part of a technology transition is eligible for streamlined processing if the applicant certifies that one or more of the following replacement services is available in every location throughout the affected service area: (1) a facilities-based interconnected VoIP service; (2) a facilities-based mobile wireless service; (3) a voice service offered pursuant to an obligation from one of the Commission's modernized high-cost support programs; (4) a voice service that

has been available from the applicant throughout the affected service area for the previous six months and for which the carrier has at least a certain number of existing subscribers and which supports access to 911; or (5) a widely available alternative voice service that supports access to 911. (In adopting the Adequate Replacement Test, the Commission stated that "in order to meet [the network coverage] prong and thus be eligible for streamlined processing, a replacement service must be available to all affected customers covering the entire geographic scope of the service area subject to the application and actually function as intended for affected customers, or else it cannot be certified as a replacement service for those customers," thus "promot[ing] the core value established by the Act, including that of ensuring universal access." Commenter concerns regarding "reliance on facilities not yet built and technologies not yet deployed," are obviated by the requirement that the replacement service must be available in all locations throughout the affected service area in order to be eligible for streamlined processing. A facilities-based service is any service that is offered using (1) physical facilities that the provider owns and that terminate at the end-user premises; (2) facilities that the provider has obtained the right to use from other entities, such as dark fiber or satellite transponder capacity as part of its own network, or has obtained; (3) unbundled network element (UNE) loops, special access lines, or other leased facilities that the entity uses to complete terminations to the end-user premises; (4) wireless spectrum for which the provider holds a license or that the provider manages or has obtained the right to use via a spectrum leasing arrangement or comparable arrangement pursuant to 47 CFR 1.9001-1.9080; or (5) unlicensed spectrum.) Upon due consideration of the record in this proceeding and the ample support for this approach reflected therein, we find that this rule will accelerate the application process while simultaneously protecting legacy service customers by ensuring that they have replacement service options available to them when their

legacy service is discontinued. This in turn will ensure that consumers receive the benefits of technology transitions with "all reasonable efficiency."

14. We find that replacing both the Adequate Replacement Test and the Alternative Options Test with the single consolidated rule we adopt today, along with the application content requirements discussed below, will more effectively accelerate and streamline the technology transitions discontinuance process while still providing adequate protection to consumers. We find that, rather than minimizing uncertainty and confusion, the Adequate Replacement Test actually caused widespread confusion that may have prevented carriers from pursuing technology transition discontinuances under the test, as evidenced by the fact that the Commission did not receive its first technology transitions discontinuance application pursuant to the Adequate Replacement Test until nearly eight years after the rule was adopted and six years after its effective date. (The filing of that application was itself delayed by several months while AT&T conducted the performance testing delineated in the Technical Appendix to the *2016 Technology Transitions Order* (81 FR 62632 (09/12/2016)). This extended timeline is contrary to a streamlined process.) We further find that the Alternative Options Test has failed to align with competitive marketplace options and has hampered investment and innovation in modern services by effectively discouraging applicants from filing to discontinue legacy voice services under that test. Indeed, in the nearly seven years since the Alternative Options Test was adopted, the Bureau has found that presumptive streamlined treatment under the test was utilized only eight times. We agree with the International Center for Law & Economics that making it costly and time-consuming for carriers to exit obsolete and inefficient copper-based services slows the flow of capital toward the deployment of next-generation networks, where it is needed. Creating one straightforward, consolidated rule that applies to all technology transitions discontinuance applications will more effectively accelerate and streamline the technology

transitions discontinuance process while still providing adequate protection to consumers than revising the Adequate Replacement Test and the Alternative Options Test.

15. A discontinuance application can rely on the availability of multiple replacement services, particularly when the application encompasses multiple wire centers covering large geographic areas. We decline to adopt Public Knowledge's proposal to require applicants to identify the replacement service they are relying on for each subscriber address. Requiring such a level of granularity would impose an unreasonable burden on carriers and is not always necessary to confirm the availability of the replacement service(s) across the geographic area subject to discontinuance. However, we do find merit in requiring applicants to provide a greater level of detail than simply providing a high-level aggregate list of which replacement services it relies on for any given large geographic area covered by the application. In order to minimize the burden on carriers while still providing Bureau staff with sufficient information to evaluate the availability of the replacement services and thus the impact on the public convenience and necessity, we afford carriers flexibility in how they break down the available replacement services in the various affected service areas. We thus require carriers to identify the available replacement services using the smallest practicable geographic unit depending on the geographic areas implicated by the specific application at issue, which could consist of, among other things, census blocks, census block groups, or ZIP codes. If the information regarding the geographic availability of the replacement service(s) is insufficient or incomplete, the Bureau may require additional information as necessary for its review.

a. Specific Categories of Adequate Replacement Services

16. As delineated above, the consolidated rule we adopt today sets forth five categories of replacement services that an application to discontinue a currently offered retail

voice service as part of a technology transition can rely on to be eligible for streamlined processing. We now address each of these categories in turn.

17. The Commission has previously declined to adopt presumptions or exclusions regarding specific types of replacement services, stating that the "public interest analysis demands that applicants provide objective evidence showing a replacement service will provide quality service and access to needed applications and functionalities." Given the rapid developments in the communications marketplace since the Commission adopted the Adequate Replacement and Alternative Options Tests, we find the Commission's concerns in 2016 and 2018 have been obviated. While some commenters contend that replacing the Adequate Replacement Test and the Alternative Options Test with the consolidated rule we adopt today will harm consumers and leave them with substandard alternative connections, we find that these concerns, too, are unfounded.

18. Since 2018, communications technology has improved, and the marketplace for voice services, including interconnected VoIP and mobile voice, has vastly expanded and spurred the creation of new and innovative communications technologies that benefit consumers and whose usage has far surpassed that of legacy voice service. Indeed, interconnected VoIP lines have jumped from 58% of all retail fixed voice service connections in 2018 to over 79% by December of 2024. The number of legacy switched access connections has dropped precipitously since 2018 while the number of fixed broadband connections that support over-the-top interconnected VoIP service rose to 91 residential fixed broadband connections per 100 households with speeds of at least 25 Mbps/3 Mbps by the end of 2024. These rapid changes in the marketplace demonstrate that consumers now have access to a wide array of voice services provisioned over a variety of technologies. And this disparity between legacy voice service and interconnected VoIP connections will only increase as fiber deployments around the country continue. (The latest report issued by the Fiber Broadband Association indicates that the number of homes with access to fiber increased by 11% in 2025, despite rising costs associated with

rising labor costs, tariffs on imported materials, and inflation. According to this report, more than 60% of American homes are now passed by fiber. And the majority of eligible locations in 2025 in the BEAD program will use fiber.)

19. We conclude that, rather than allowing legacy voice services to be discontinued and replaced with inferior options, specifying explicit categories of adequate replacement services will implement a baseline of quality and availability for replacement services in the event of a discontinuance, thus ensuring that no consumer receives replacement services that fall beneath a certain level of service. (As the Commission noted in the *2016 Technology Transitions Order*, "[t]he Bureau will normally authorize the discontinuance 'unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience or necessity is otherwise adversely affected.'") Moreover, we find that specifying categories of adequate replacement services will provide greater certainty for carriers regarding the kinds of replacement services that could result in the Commission removing a technology transitions discontinuance application from streamlined processing. We also find that the federal government's interest in having a coherent national policy on these matters outweighs state governments' interests in the types of service that may qualify as adequate replacements for purposes of streamlined discontinuance applications. As observed by the Telecommunications Industry Association, clear guidance on what qualifies as a replacement service will allow providers to know what attributes a potential successor service must possess as they work to improve their community's services. The categories of adequate replacement services we adopt today will furnish providers with sufficient criteria to provide certainty in planning transitions, and ensure that consumers in geographically rural, insular communities, including Tribal communities, the disability community, and other vulnerable communities have access to advanced service options.

20. We conclude that the approach we adopt today will not impede access to critical applications such as home security alarms and medical monitoring devices given the wide array

of IP-based devices and over-the-top services that perform similar functions available on the market today. Our streamlined processing rules still require carriers to notify customers of their applications to discontinue service, which must be done no later than the date they file their applications, and provide information regarding replacement service options. Thus, even in instances where a carrier may seek to avail itself of streamlined processing of its discontinuance application, any customers or other interested stakeholders with concerns—including about the technical and interoperability information for a specific replacement service—have the opportunity to file comments or objections to that application with the Commission. Should the Bureau have any concerns about whether a particular request to discontinue service could adversely affect the public interest, it will remove the application from streamlined processing for closer review, thus mitigating the risk that a replacement service of inferior quality or availability will be imposed upon consumers in the event of a discontinuance. (In light of the opportunities to identify instances where a proposed discontinuance may result in a loss of service to a customer without an adequate replacement, we decline to adopt additional remediation requirements after the approval of the discontinuance.) Meanwhile, the streamlined process will more efficiently deliver access to modernized services that better support functions like home security and telehealth, as compared to the legacy networks in place today. And the providers of these devices and services have been on notice for almost a decade that the list of "key applications" contained in the *2016 Technology Transitions Order* as part of the Adequate Replacement Test was temporary. Indeed, under the rules adopted in 2016, the requirement that "replacement services [] be compatible with these devices" sunset in 2025.

21. We decline to impose on technology transitions discontinuance authorizations a condition that "the replacement service support G.711 codec handshake with RFC 2833 disabled on calls to telephone numbers serving life safety alarm monitoring receivers, end-to-end through all carrier handoffs," as recommend by AICC. Introducing a new compatibility requirement for legacy devices, ten years after the *2016 Technology Transitions Order* established a sunset date

for compatibility for alarms using low-speed modem devices, would introduce unnecessary delay from the transition to modern, reliable services. Such a requirement is also impracticable if the discontinuing carrier relies on the availability of one or more replacement services offered by third parties. In such instances, the discontinuing carrier has no control over the configuration of the network over which the replacement service is provisioned. However, we encourage carriers to ensure their IP networks are appropriately configured so as to prevent alarm signaling failures.

22. *Facilities-based interconnected VoIP service*. We find that facilities-based interconnected VoIP service is an adequate replacement for purposes of determining eligibility for streamlined processing. (There is also evidence that facilities-based interconnected VoIP service compares favorably in price on average to legacy voice services. Interconnected VoIP providers must meet applicable E911 service requirements as a condition of providing service to consumers and must support NG911 service upon the request of a 911 Authority.) As the Commission recently found, interconnected VoIP service benefits consumers by providing access to networks that can support advanced protocols and technologies, such as STIR/SHAKEN, which helps protect consumers from illegally spoofed robocalls, and NG911, which will help save lives by ensuring faster call delivery to 911 call centers through improved reliability and resiliency, enhanced information about the caller's location and the nature of the emergency, and the ability to receive additional multimedia, including video.

23. The only specific opposition in the record does not dispute the quality of facilities-based interconnected VoIP service but instead raises competition concerns. NASUCA et al. broadly oppose all of the specific categories of replacement services proposed in the *Network and Services Modernization Notice* but do not raise arguments specific to facilities-based interconnected VoIP services. Other commenters object to our finding that VoIP need not be offered on a stand-alone basis to be considered an adequate replacement. We address those arguments below. We find AARP's claim that there is not sufficient competition in the interconnected VoIP market to be overstated in light of the current state of competition and our

continuing ability to remove applications from streamlined processing should the need arise. We agree that in the context of wireline voice services, the availability of service from another provider may provide competitive benefits for consumers. As of December 2023, at least 95% of the U.S. population had 4G LTE coverage from at least three service providers. And to the extent that the affected customers will have access to a facilities-based interconnected VoIP service, they will have the option to purchase broadband access, giving them access to a multitude of communications applications, including over-the-top VoIP service. Moreover, the Commission's standards for streamlined and non-streamlined processing of discontinuance applications continue to apply. If the Bureau has concerns regarding whether it is in the public interest to grant a particular request to discontinue service—including relevant considerations of competition in a given service area—it can remove that application from streamlined processing and engage in a further review. Other than AARP, no commenters weighed in specifically on the appropriateness of facilities-based interconnected VoIP service as an adequate replacement for purposes of eligibility for streamlined processing.

24. *Facilities-based mobile wireless service*. We find facilities-based mobile wireless service operating at speeds of at least 5/1 Mbps, as reflected on the National Broadband Map, to be an adequate replacement for purposes of eligibility for streamlined processing. (The 5/1 Mbps broadband speed is a proxy for services with sufficient quality to be adequate replacement services.) Mobile telephony (mobile voice) service is a real-time, two-way voice service that is interconnected with the public switched network using an in-network switching facility that enables the provider to reuse frequencies and accomplish seamless handoff of subscriber calls. As of December 2024, there were approximately 390.9 million mobile voice subscriptions in the United States; and according to preliminary data from the Centers for Disease Control and Prevention, as of December 2023, approximately 76% of adults were living in and relying on a wireless-only household, with adults in lower age-groups more likely to live in wireless-only households. As the market has thus spoken on the adequacy of mobile wireless service, we

disagree with Public Knowledge's argument that a facilities-based mobile wireless service is not a suitable replacement for a wireline voice service in the context of a Section 214(a) discontinuance review. (In addition to these objections, multiple parties filed comments asserting concerns about the potential negative health impact of increased electromagnetic radiation as a result of the retirement of legacy copper networks and the increased use of wireless alternatives. Commission-regulated equipment is subject to our rules limiting human exposure to radio frequency (RF) emissions from such equipment, as applicable. The Commission's rules limiting human exposure to RF emissions are outside the scope of this proceeding. As of December 31, 2024, we note that 4G LTE is available at 99% of locations and 5G-NR at speeds of at least 7/1 Mbps is available at 96% of locations nationwide.) As the Commission recently noted, "consumers continue to rely more heavily on mobile wireless services," and that these services have thus "become an essential part of everyday life." (As of December 31, 2024, we note that 4G LTE is available at 99% of locations and 5G-NR at speeds of at least 7/1 Mbps is available at 96% of locations nationwide. Multiple parties filed comments asserting concerns about the potential negative health impact of increased electromagnetic radiation as a result of the retirement of legacy copper networks and the increased use of wireless alternatives. Commission-regulated equipment is subject to our rules limiting human exposure to radio frequency (RF) emissions from such equipment, as applicable. The Commission's rules limiting human exposure to RF emissions are outside the scope of this proceeding.)

25. We decline to adopt additional verification requirements for the availability of mobile wireless service beyond the data reflected in the National Broadband Map, as suggested by some commenters. While NTCA contends that despite broadband mapping improvement over time, it "remains unreliable on a granular level in many rural areas" and thus that the Commission should proceed with caution, we find that there are already sufficient safeguards in place to account for discrepancies, including in rural areas, without the need to adopt more stringent, mobile-specific verification requirements at this time. As compared to the initial

months following the launch of the National Broadband Map, the data reflected in the map has become much less susceptible to correction through the challenge process, resulting in a more stable dataset to inform the agency's work. Based on internal staff analysis, the total number of challenges to the National Broadband Map in 2025 as of June 30 equaled one-half of one percent of the total number of challenges filed in the same period in 2022. And approximately nine percent of the challenges filed in that period in 2025 were conceded or upheld, whereas almost 81 percent of the challenges filed during the equivalent time period in 2022 were conceded or upheld. Nevertheless, if consumers or stakeholders have concerns regarding a provider's reported mobile coverage data as reflected on the National Broadband Map, they may file a mapping challenge and initiate a review of the reported coverage data in the specified location. To file a challenge to the availability data in the National Broadband Map, go to https://broadbandmap.fcc.gov/home, type the relevant location into the search bar, select the 'Mobile Broadband' tab, and click on the 'Mobile Challenge' link.) Indeed, affected customers faced with a planned technology transitions discontinuance relying on the availability of a facilities-based mobile wireless service, as well as other interested stakeholders such as public interest groups and state public utility commissions, may also file objections and seek to have the Bureau remove the application from streamlined processing for further review of the availability of mobile wireless service in the affected service area. Given the existence of these guardrails, we find it unnecessary and redundant to implement additional mobile-specific verification requirements as part of this current rulemaking. Such a requirement would negate the primary purpose of this rulemaking—to make technology transitions more efficient and encourage the deployment of advanced, next-generation networks—while providing no material benefit that is not already available to consumers via the two review mechanisms enumerated above.

26. *Voice service funded by Commission modernized high-cost mechanisms*. We find facilities-based voice services provided via funding from one of the Commission's modernized high-cost support mechanisms to be an adequate replacement for the purposes of eligibility for

streamlined processing. We exclude from the purview of this rule any legacy high-cost support mechanisms that do not contain the same deployment reporting obligations as the modernized mechanisms. The Commission began modernizing its universal service high-cost support mechanisms in 2011 with the *USF/ICC Transformation Order* (76 FR 76623 (12/08/2011)), which established the Connect America Fund (CAF). In that *Order*, the Commission required support recipients to offer broadband service in addition to the supported "voice telephony" service. (The Commission requires recipients of CAF Phase II support "to offer broadband service with latency suitable for real-time applications, including Voice over Internet Protocol [VoIP], and usage capacity that is reasonably comparable to comparable offerings in urban areas, at rates that are reasonably comparable to rates for comparable offerings in urban areas.") In the years since, the Commission has established additional mechanisms to support voice- and broadband-capable networks. Recipients of these mechanisms must offer voice telephony at rates that are reasonably comparable to urban rates and must report compliance with their deployment obligations showing where they have built out the required facilities and offer voice and broadband service. They also must provide access to emergency services via 911 and provide E911 capabilities wherever local governments have implemented those systems. No commenters disputed the appropriateness of voice service provided via funding from one of the Commission's modernized high-cost support mechanisms as an adequate replacement for purposes of eligibility for streamlined processing, and we find it reasonable to accept such service as an adequate replacement.

27. *Carrier's already available alternative voice service*. We find that, where a carrier has already made available its own alternative voice service throughout the affected service area, the service is an adequate replacement for the service being discontinued in that area for purposes of eligibility for streamlined processing if that service has been available for at least the immediately preceding 60 days and the carrier certifies that based on the results of its own internal network testing routinely undertaken to measure performance in rolling out a new

product or service, the service offers substantially similar levels of network performance and availability—for example, that it is provisioned over a network with speeds of at least 25/3 Mbps and that it offers mouth-to-ear latency of no more than 200 ms—and permits users generally to receive calls that originate on the public switched telephone network and to terminate calls to the public switched telephone network or any successor network that utilizes numbers issued pursuant to the North American Numbering Plan. We find that these standards better accomplish our goal of encouraging the development of modern communications service offerings than the proposed standards on which we sought comment—i.e., that the replacement service in question must have been available for a minimum time period of the immediately preceding six months throughout the affected service area, and that at least 50 percent of the carrier's total voice service customer base in the affected service area must be subscribed to the alternative voice service (this analysis is not limited to residential subscribers alone, and should include enterprise subscribers.)—without undue delay while still ensuring that consumers have available to them an adequate replacement service. Finally, the service must provide access to 911 and comply fully with our 911 requirements applicable to that service. We require carriers to describe any such replacement service and to certify that it meets these temporal, subscriber percentage, and public safety requirements. As a whole, we find that these requirements adequately balance the need to ensure a service is stable and satisfies the Commission's goal of ensuring that carriers can rapidly transition their resources and investments toward next-generation services. No commenters disputed the appropriateness of such service as an adequate replacement for purposes of eligibility for streamlined processing, and we find it reasonable to accept such service as an adequate replacement.

28. *Widely available alternative voice service*. We find a widely available alternative voice service offered by a third party that is available in all locations throughout an affected service area and provides access to 911 and complies fully with applicable 911 requirements, to be an adequate replacement for purposes of being eligible for streamlined processing if the

carrier certifies that based on publicly available information, the service offers substantially similar levels of network performance and availability and permits users generally to receive calls that originate on the public switched telephone network and to terminate calls to the public switched telephone network or any successor network that utilizes numbers issued pursuant to the North American Numbering Plan. Permitting a discontinuing carrier to rely on the availability of an adequate replacement service offered by a third party to support a technology transitions discontinuance application and to rely on publicly available information to make the requisite showing is consistent with previous Commission action. We find that this flexible approach will minimize burdens on carriers while safeguarding consumers' need for an adequate replacement service.

29. Permitting third-party alternative voice service with access to 911 and substantially similar levels of network performance and availability as the service being discontinued to serve as a replacement service will enable innovative new service offerings, such as low-earth orbit satellite-based services, to qualify as replacement services without requiring the Commission to engage in additional time-consuming rulemaking proceedings and is consistent with both our standards applicable to voice services funded by our modernized high-cost universal service support mechanisms discussed earlier in this section and the standards the Commission previously adopted in connection with the Adequate Replacement Test.

30. We find that the standards we adopt for eligibility of a widely available alternative voice service for streamlined processing obviate NTCA's concerns regarding that the proposed widely adopted alternative voice service category as set forth in the *Network and Services Modernization Notice* is a "highly detailed and fact-specific view of a particular market/geographic area," and that such a "fact-specific inquiry is more suited to a waiver proceeding under which the Commission can analyze data brought forth by a petitioning provider as opposed to utilizing a certification that fails to analyze such data across the market in question." We further find that these standards address the concerns raised by Public Knowledge

after release of the public draft of this Order that this replacement service category would not afford sufficient safeguards for consumers and thus might incentivize discontinuing carriers to rely on third-party services for which they do not need to make the showings required when relying on the carrier's own already-available alternative voice service. The standards we adopt today for this alternative service option provide sufficient backstops to provide predictability and protect consumers. Moreover, as we have noted above, our streamlined processing rules still require carriers to notify customers of their applications to discontinue service and provide information regarding replacement service options. Customers with concerns about the adequacy of the purportedly "widely available" alternative service, as well as other interested parties, can file comments or objections to an application for streamlined processing with the Commission, and the Bureau has the discretion to remove the application from streamlined processing for further review, including the ability to request supplemental information from the applicant. We further expressly delegate to the Bureau the authority to remove from streamlined processing an application relying on this category of replacement service if the service has little to no customers. Bureau staff may consider the extent to which the widely available service has been adopted outside the affected service area. We find that these safeguards address commenter concerns raised in the record and obviate the need for staff to conduct such time-consuming reviews of every application filed relying on this category of replacement service.

b. Voice Service Need Not be Offered on a Stand-alone Basis to be Considered an Adequate Replacement

31. We affirm the Bureau's finding in the *Stand-Alone and Single-Service Waiver Order* that VoIP need not be offered on a stand-alone basis to be considered an adequate replacement and thus decline to impose such a requirement in the consolidated technology transitions rule we adopt today. (We note that while bundled services that include VoIP may still be considered an adequate replacement, broadband-only service would not qualify under this rule as an acceptable replacement service. Broadband provides fundamentally different functionality

from traditional voice telephony, and while it does enable users to engage in activities such as email and messaging, it is not an adequate replacement for voice telephony service for the purposes of our discontinuance rules. With that said, broadband facilities may be used to provision a qualifying voice replacement service.) In doing so, we conclude that the record in this proceeding supports both the Bureau's finding in that *Order* that the elimination of the stand-alone requirement is warranted due to rapid developments in the communications marketplace since the adoption of the Alternative Options Test and extending that finding to apply to each of the categories of replacement service delineated in the consolidated technology transitions discontinuance rule we adopt today.

32. Since the Commission adopted its Alternative Options Test with its stand-alone requirement, the technologies associated with voice services have improved and the marketplace for voice services, such as interconnected VoIP and mobile voice, has vastly expanded and spurred the creation of new and innovative communications technologies and bundled service offerings that benefit consumers. While interconnected VoIP lines accounted for just 60% of all wireline retail voice service connections in December 2018, that number had already risen to almost 80% by the end of 2024. The number of legacy switched access connections has also dropped precipitously since the adoption of the Alternative Options Test, and the number of fixed broadband connections that support over-the-top interconnected VoIP service has risen from 61 residential fixed broadband connections per 100 households with speeds of at least 25 Mbps/3 Mbps in 2018 to 91 by December 2024.

33. The proliferation of interconnected VoIP providers has "brought advanced communications services to the marketplace to the benefit of consumers," and ensures that strong competition for IP-based voice service exists in every locality with broadband access. As of December 2023, more than three-quarters of adults in this country had gone fully wireless for their voice service. As the Commission recently noted, "there are many other types of telecommunications offerings, including apps running solely on data networks that are nearly

indistinguishable to the consumer from the core communications functionality of the public switched telephone network . . . [that] combine the benefits of voice, video, and text communications into one data-based service," obviating the need or desire for stand-alone voice service. These rapid changes in the marketplace have granted consumers access to a wide array of voice services with many capabilities, and in response few providers now offer stand-alone interconnected VoIP service. Indeed, as the Commission recently noted, "there are many other types of telecommunications offerings, including apps running solely on data networks that are nearly indistinguishable to the consumer from the core communications functionality of the public switched telephone network . . . [that] combine the benefits of voice, video, and text communications into one data-based service."

34. We disagree with commenters who contend that consumers must retain access to stand-alone voice service separate from a bundled broadband service simply to obtain and maintain access to voice communications. The fact that technologically advanced VoIP services may only be available in certain areas and from certain providers bundled with broadband, text messaging, or some other service should not preclude it being considered an adequate replacement if the price the consumer would pay for the bundle is comparable to the price the consumer pays for the legacy voice service or is otherwise affordable.

35. We agree with the Bureau that the Commission's findings in the *2024 Communications Marketplace Report* about the variety of services now available to consumers obviates the need for stand-alone voice service. We require applicants to provide pricing information so that the Bureau can compare the price of the legacy voice service to post-promotional and non-sale pricing of any bundled options carriers might rely on as a replacement service in order to consider the likelihood of any unreasonable price increases for consumers. When it adopted the Adequate Replacement Test, the Commission required that a technology transitions discontinuance application include, among other things, the information set forth in § 63.505. Among other things, § 63.505 requires that a discontinuance application include the

"difference, if any, between present charges to the public and charges for the service to be substituted." We conclude that maintaining the requirement to provide this information will ensure that Bureau staff have this important information when evaluating such applications.

36. Carriers are still required under our streamlined processing rules to notify their customers of their applications to discontinue service and provide information regarding replacement service options and the customers' ability to object to the proposed discontinuance, and we note that this broad requirement encompasses particular demographics raised in the record, such as customers in rural areas or older customers. While an application may be eligible for streamlined treatment under the rule we adopt today by the applicant demonstrating the availability of its own or another voice service throughout the affected area that may only be available on a bundled basis, customers with concerns about the adequacy or affordability of a replacement service, as well as other interested parties, may file comments or objections to that carrier's discontinuance application with the Commission. (More generally, when evaluating discontinuance applications, the Bureau will continue to evaluate the cost of alternative services in a manner appropriate to the circumstances, and we therefore need not go further in adopting specific requirements governing pricing or pricing information as some have proposed.)

37. The Commission's standards for processing streamlined and non-streamlined applications for discontinuance continue to apply regardless of whether the replacement service is available on a stand-alone or bundled basis. If the Bureau has concerns regarding whether it is in the public interest to grant a particular request to discontinue service, it can remove that application from streamlined processing and engage in a further review, which may include looking at whether bundled services that include interconnected VoIP could result in raised consumer prices or reduced voice service quality. With the added safeguard of the requirement that an application disclose pricing differential information, we thus reject AARP's request and

affirm the finding in the *Stand-Alone and Single-Service Waiver Order* that interconnected VoIP need not be offered on a stand-alone basis to be considered an adequate replacement.

c. Access to Emergency Services

38. We find that the rules we adopt today are sufficient to safeguard access to emergency services. In the record, several commenters urged the Commission to take steps to ensure that any revisions to our discontinuance rules not reduce or otherwise impair access to 911 service to any part of the affected community. We agree with these commenters that modernizing our discontinuance rules cannot come at the expense of legitimate safety concerns and that consumers must be able to rely on swift and accurate access to emergency services. We add certain safeguards for discontinuances related to trunk lines, 911 TDM circuits, TDM private line circuits, and transport services that provide 911 connectivity as one way to address this concern, as explained below. Providers of voice service remain subject to our 911 and outage reporting requirements, and it is our expectation that the speedy implementation of NG911 will greatly improve the success, reliability, and accessibility of 911. At the same time, we must facilitate the transition away from deteriorating, outdated networks that could ultimately jeopardize access to emergency services.

39. While some commenters are concerned that replacing plain old telephone service (POTS) provided over copper lines with IP-based service over fiber, wireless, or satellite networks could jeopardize communications during emergencies, the experiences of rural commenters demonstrate that such concerns, while certainly well intentioned, may be misplaced. Deteriorating copper is more susceptible to adverse weather events than fiber and requires more time to restore than alternative services like mobile wireless. And alternative voice services can still work during outages or emergencies. For example, mobile wireless services are designed to work during cellular network outages through built-in redundancies such as cellular failover and satellite connectivity. Additionally, interconnected VoIP service will continue to work during a power outage if Internet service is operational and the end user maintains a backup power

supply. And despite commenter arguments that phone service provisioned over copper lines always works during a power outage, this is not true. Utility poles that carry copper can and do go down during severe weather events and natural disasters, cutting off both service and power to residents and businesses, while not all alternative services are vulnerable to the same type of disruption.

d. Accessibility

40. As we clear the way for providers to replace legacy networks and services with modern technologies, we expect that the technology transitions expedited by today's Order will speed the availability of advanced Internet-based accessibility solutions. With regard to telecommunications relay services (TRS) specifically, the Commission has recently initiated proceedings to modernize TRS to ensure that those services remain effective, accessible, and sustainable for the individuals who use them. We believe that the Commission's comprehensive review in that proceeding is the appropriate avenue to address the needs of relay users in the transition to Internet-based alternatives from analog relay services. Significantly, carriers remain obligated to comply with all accessibility requirements applicable to the services they offer and provide, and Bureau staff may remove applications from streamlined processing, if necessary, to review any concerns regarding the accessibility of the proffered replacement service. We thus decline to adopt an accessibility-specific requirement as part of the service discontinuance review under Section 214 in this Order.

41. In their comments, the Accessibility Organizations argue that "any replacement test the FCC adopts should require carriers to explain, with specific examples, how at least one replacement service offered permits [individuals who are deaf, deafblind, hard-of-hearing, or who have speech disabilities] to access TRS and effectively engage in other telephone communications."

42. In the *TRS Modernization Notice* (91 FR 104 (01/02/2026) adopted in November 2025, the Commission, in light of technological advances and declining use of analog relay

services, sought to ensure that "relay services remain effective, accessible, and sustainable for individuals who are deaf, hard of hearing, deafblind, or have speech disabilities, by proposing a series of reforms to transition users to Internet-based alternatives." We agree with Hamilton Relay that the *TRS Modernization* proceeding—which focuses on reforms designed to ensure that relay services remain effective, accessible, and sustainable as technology advances and networks transition—is the best venue in which to address any TRS issues related to technology transitions. However, we find that expanding IP-based services through streamlined technology transitions will work hand-in-hand with the *TRS Modernization* proceeding to ensure that no individuals who are deaf, deafblind, deafdisabled, hard of hearing, or who have speech disabilities are left without access to services that are functionally equivalent to those provided to voice telephony users. (As Chairman Carr noted when the Commission adopted the *IP TRS Modernization Notice*, "this action supports our broader effort to encourage the IP transition. As we make the transition, we are mindful of consumer protection provisions and necessary updates to them like those we propose today.") Concerns regarding the accessibility features of the five categories of replacement services contained in the consolidated technology transitions discontinuance rule we adopt today should be addressed in that proceeding.

e. Other Issues

43. *Technology transition definition*. In the *Network and Services Modernization Notice*, we sought comment on whether we should retain the definition of "technology transition" in § 64.60(i) of our rules or whether we should adopt a different definition. Section 64.60(i) currently defines a "technology transition" as "any change in service that would result in the replacement of a wireline TDM-based voice service with a service using a different technology or medium for transmission to the end user, whether internet Protocol (IP), wireless, or another type . . . ." We received no comments on this proposal. Because we still consider the

existing language to be an accurate and comprehensive definition of the term "technology transition" for purposes of our discontinuance rules, we retain it at this time.

44. *Edge cases requiring additional time*. We recognize that there are some instances—as in the case of isolated rural facilities, critical access hospitals, or customers with unique accessibility issues—in which discontinuances may require more time than is provided for by our streamlined processing to avoid stranding consumers without access to voice services. Carriers seeking to avail themselves of our streamlined processing rules for a technology transitions discontinuance are required to notify customers of their plan to discontinue a service and must show the availability of at least one of the replacement services enumerated above. Any customers with concerns, as well as other interested parties, can file comments or objections to specific applications with the Commission. Should the Bureau have any concerns about whether it is in the public interest to grant a particular request to discontinue service, it will remove the application from streamlined processing for further review, thus mitigating the risk that customers will be left without voice services in the wake of a discontinuance. In cases where a party submits plausible objections to a specific discontinuance application based on critical access needs, the Bureau may determine that it is appropriate to remove the application from streamlined processing so that it may work with the discontinuing carrier to ensure that no at-risk customers are left stranded.

45. To ensure that this process operates as intended, we direct the Wireline Competition Bureau to (1) create a master docket number for consumer Section 214 discontinuance objections or comments, (2) work with the Office of the Managing Director to make any necessary changes to the Electronic Comment Filing System to accommodate such consumer objections, and (3) release a Public Notice announcing the opening of the master docket and providing instructions for discontinuing carriers. Additionally, we require carriers seeking Commission authorization for a technology transitions discontinuance application to include in their notice to customers of such planned discontinuances specific information as to

how a customer who wants to object to a specific proposed discontinuance of service will be able to do so, including but not limited to providing the master docket number for such objections and the webpage(s) identified by the Bureau for further guidance and resources to file an objection or comment.

46. *Consumer outreach and education*. We decline to adopt any specific consumer outreach and education requirements in connection with the discontinuance rules we adopt today. While some commenters assert that comprehensive consumer outreach and education are essential to minimizing the potential for consumer harm during any technology transition, we find, consistent with prior Commission action in this regard, that any such requirements would be unduly burdensome in light of current marketplace incentives for carriers to provide customers with timely and necessary information regarding replacement voice services when those carriers seek to cease offering legacy TDM voice service. As noted previously, the Commission also puts discontinuance applications on public notice, which triggers the discontinuance review process and gives affected customers and other interested parties an opportunity to comment on or object to an application. If customers facing a discontinuance of their legacy voice service do not believe they have sufficient data regarding a replacement service from a carrier seeking Commission approval to discontinue a legacy voice service, they can raise these objections with the Commission and ask the Commission to remove the application from streamlined processing for further review.

47. There are strong marketplace incentives for providers to communicate with and educate customers regarding replacement services related to their technology transitions. As the Commission has previously found, competition among carriers and differing technologies encourages carriers to communicate with customers to retain them and remain competitive. Carriers' ongoing customer relationship experience best positions them to understand and implement effective customer education and communication strategies. Our existing rules ensure that carriers make available necessary information to consumers regarding replacement

voice services when those carriers seek to discontinue legacy voice services. We thus decline to adopt specific consumer outreach and education requirements in connection with the discontinuance rules we adopt today, requirements that would be redundant in light of our existing regulatory framework and notice requirements.

48. *Additional commenter proposals*. We decline to adopt USTelecom's proposal that we begin the 31-day period before streamlined applications are automatically granted when the provider submits its application to the Bureau, instead of the date the Bureau issues a Public Notice of the proposed discontinuance. While existing customers who would potentially be affected by a discontinuance will have received notice no later than when the carrier files its application, other interested parties in an affected area are only made aware of the discontinuance application and given time to comment after the Bureau releases a Public Notice of the discontinuance application. The process also enables the Bureau to confirm that an application is complete before letting the "clock" begin for a streamlined approval, consistent with Section 214(a)'s mandate that the Commission consider whether a discontinuance will adversely affect the future public convenience and necessity. This benefit outweighs any short potential delays experienced by providers as a result of this requirement. We note Bureau staff's diligence in releasing Public Notices once applications are posted to the Commission's Electronic Comment Filing System (ECFS) and their speed in processing applications once they are complete. However, to ensure that application processing is not unreasonably delayed, we direct the Bureau to release a Public Notice of a complete discontinuance application filing as soon as practicable but not later than ten business days of when the application is posted to the Commission's ECFS or, if the application is not complete, to communicate deficiencies in the application to the applicant within that timeframe.

49. We also decline to adopt USTelecom's proposal that we establish specific restrictions governing when the Commission can remove discontinuance applications from streamlined processing, and a timeline for the Bureau to act on an application after removing it

from streamlined processing. In light of the above-discussed changes consolidating the applicable tests for technology transitions discontinuances and expanding the range of applications eligible for a 31-day streamlined review, it is not necessary to adopt additional rules restricting the Bureau's application review or creating additional time periods for objections and responses. USTelecom does not point to specific applications that have previously been subject to unnecessary discretionary delay under the current rules. Indeed, over the last five years, Bureau staff have removed only 11 discontinuance applications from streamlined processing, nine of which were in 2025 and were the result of a shutdown of certain agency operations due to a lapse in federal appropriations. In all 11 instances, staff released Public Notices granting all of those applications 51 days after such removal. And we believe that the rule changes we adopt today will make delay even less likely, because this Order broadens and clarifies the circumstances in which an alternative service is to be considered an adequate replacement for the service being discontinued. The Commission therefore maintains the necessary flexibility to address proposed discontinuances that would otherwise result in the loss of service altogether, while the treatment of discontinuances that include an adequate replacement for customers is clarified and expedited.

2. Eliminating Grandfathering Filing Requirements for Certain Services

50. We revise our rules to grant blanket Section 214(a) authority for carriers to grandfather the following services to the extent they come within the purview of Section 214(a): (1) any legacy voice service; (2) any lower-speed data telecommunications service; and (3) any interconnected VoIP service provisioned over copper wire. We define low-speed data telecommunications services as those operating at speeds below 25/3 Mbps while we consider forbearance from the incumbent LEC-specific interconnection and related obligations as proposed in the *IP Interconnection Notice*, after which we will revisit this definition. (This definition is consistent with §63.71(k) and l) of our current rules.) This blanket grant of authority eliminates the need for carriers to file a Section 214(a) application when grandfathering

these services, allowing carriers to focus their resources on the development and deployment of next-generation networks while still providing service to current customers.

51. In the *Network and Services Modernization Notice*, we proposed to codify the relief granted in the Bureau's *March 2025 Grandfathering Order* and *May 2025 Grandfathering and Technical Appendix Order*. In the *March 2025 Grandfathering Order*, the Bureau granted Section 214(a) authority for carriers to grandfather any legacy voice or telecommunications data service covered by §63.71(k) and (l) of the Commission's rules and waived the requirement that carriers file a Section 214(a) application seeking Commission authorization in that instance. The *May 2025 Grandfathering and Technical Appendix Order* extended the relief granted in the *March 2025 Grandfathering Order* to interconnected VoIP service provisioned over copper lines. The Bureau determined in both *Orders* that granting blanket Section 214(a) authority was warranted due to developments in communications technologies that allow consumers to be less dependent on these legacy services.

52. We agree with commenters that eliminating unnecessary grandfathering requirements reduces carriers' burdens while not affecting existing subscribers, as current customers are entitled to keep the grandfathered service. A carrier still must file a discontinuance application seeking authority to permanently discontinue one of these services, and affected customers will be notified of the planned discontinuance and have the opportunity to comment. In the *March 2025 Grandfathering Order*, the Bureau noted that "carriers grandfathering these services will necessarily need to communicate to customers the grandfathering status of their service beforehand." (Indeed, to the extent that an incumbent LEC has already retired its copper facilities before grandfathering or seeking to permanently discontinue any of the services covered by our actions today, it will have already engaged with its customers.) We take the next step and require that carriers continue to notify current customers before grandfathering a service, including TDM-based transport services and services reliant on TDM-based trunk lines, 911 TDM circuits, and TDM private line circuits, which shall

include (1) a "no earlier than" date, by which it intends to seek to permanently discontinue the service, and (2) a statement regarding alternative services available in the affected service area.

53. We retain a notification requirement because this relatively low burden on carriers will help ensure that customers learn as soon as possible that their service is likely to be discontinued at some point in the future, so they can make informed decisions about what services to purchase even before a discontinuance is imminent. And any customers that still subscribe to the grandfathered service when the carrier later seeks permanent discontinuance authority will have the ability to object and ask to have the application removed from streamlined processing. These requirements alleviate concerns raised in the record that eliminating the need to file grandfathering applications in the above scenarios will allow carriers to eliminate services without any notice.

54. We define "lower-speed" data telecommunications service for purposes of this blanket grant of authority consistent with our existing grandfathering rules—i.e., encompassing the data telecommunications services currently subject to § 63.71(k) and (l) of our rules. We proposed in the *Network and Services Modernization Notice* to define lower-speed data telecommunications service as a data telecommunications service operating at speeds below 25/3 Mbps. When the Commission adopted §63.71(k), which allows streamlined treatment of applications to grandfather low-speed services, it defined that term as those operating at speeds below 1.544 Mbps. The Commission accounted for rising network speeds in the *Second Wireline Infrastructure Order* (83 FR 31659 (07/09/2018)) by extending the streamlined treatment of grandfathering applications to services operating at speeds below 25/3 Mbps if replaced with services operating at 25/3 Mbps or higher.

55. In connection with our proposed definition, we sought comment on whether we should define lower-speed service as services operating below 45 Mbps symmetrical "given the rapidly increasing bandwidths of networks today." As discussed below, we agree with commenters' concerns regarding potential unintended impacts, particularly for emergency

services, if we raise the speed threshold for blanket grandfathering authority too soon. We thus find it appropriate to defer consideration of such action until after the Commission acts on the proposed forbearance from the incumbent LEC-specific interconnection and related obligations. Defining lower-speed data telecommunications service as those services operating under 25/3 Mbps strikes the appropriate balance between acknowledging the increased bandwidth capabilities of modern networks and minimizing any unintended impacts on emergency services.

56. Finally, we decline to extend the scope of the blanket grandfathering authority we grant today to all interconnected VoIP services, regardless of transmission medium. While we agree with USTelecom that many consumers use interconnected VoIP lines provisioned over a variety of transmission mediums, we limit the blanket Section 214(a) authority we grant today to interconnected VoIP services provisioned over copper lines to promote the ongoing transition from legacy and copper-based networks to IP networks. Many consumers use interconnected VoIP service as a replacement service and have expectations about its availability, and we continue to find that the Section 214(a) discontinuance requirements applicable to grandfathering for the majority of interconnected VoIP services is an important safeguard. (Interconnected VoIP lines accounted for 79% of all retail voice service connections by June of 2024, the last time the Commission reported such data.)

3. Additional Requirements for Applications to Discontinue a Service Supporting Interconnection Trunks or the Exchange of Traffic

57. As part of the rules we adopt today, we require carriers seeking authority to discontinue a service supporting interconnection trunks or the exchange of traffic, including but not limited to 911 trunks and 911 traffic—e.g., a discontinuance resulting from the decommissioning of one or more trunk lines, TDM lines directly connected to 911 selective routers, dedicated 911 TDM circuits, or TDM private line circuits, or the discontinuance of a TDM-based transport service—to specifically identify the service to be discontinued, not just the branded name of the service being discontinued. Carriers must also include in such

discontinuance applications, in addition to the information required by §§63.500 and 63.501, (1) a statement that at least 90 days prior to the planned discontinuance filing, the carrier provided a designated point of contact with authority to facilitate the orderly transition from legacy facilities that support 911 to the 911 Authorities, 911 service providers as defined above, and directly interconnecting local exchange service providers that support essential functions within 911 networks, including delivering 911 traffic to selective routers for transmission to public safety answering points (PSAPs) in the affected service area for coordination of the transition to ensure continued 911 connectivity, and (2) a list of providers that received notice as described above in the affected service area with which the carrier has coordinated and the date(s) of that coordination. (We note that because our rules require carriers to send copies of their discontinuance applications to state public utility commissions, we do not need to amend our rules to include such notice, as proposed by certain commenters.)

58. We expect the carrier's designated point of contact for facilitating the orderly transition to know whether to file either an application to dismantle or remove trunk lines, or an application to sever physical connections or to terminate or suspend interchange of traffic with another carrier. We find that a pre-filing notice and coordination period of at least 90 days is sufficient and decline to adopt either a shorter or longer period. We similarly decline to adopt Intrado's request that we do not streamline discontinuance authorization requests "to dismantle circuits that carry 9-1-1- traffic" or to adopt a presumption that initial extension requests of up to 90 days should be presumed reasonable "if the circuit customer certifies to the circuit provider that the circuit in question is carrying live 9-1-1 traffic and there is no alternative available within the time frame of the notice." Rather, we expect the parties to work cooperatively during this pre-filing coordination period, including the granting of good faith requests from 911 service providers for reasonable extensions upon a showing of both continued live 911 traffic over the

affected facilities and the lack of an alternative available within the timeframe of the planned discontinuance, to ensure that 911 continuity is not disrupted.

59. To comply with this certification requirement, we expect that carriers and service providers will engage in a planned and managed process for the orderly shutdown or reduction of services to customers, including 911 Authorities handling live traffic, while ensuring compliance with regulatory requirements and a smooth transition to alternative providers. (The discontinuing carrier is responsible in the first instance to ensure it is complying with the proper discontinuance application requirements and that it is taking the steps necessary to fulfil its role in a managed and orderly shutdown of service. Where a carrier falls short in any of those respects, the Bureau is empowered to more closely scrutinize, remove from streamlining, or condition future discontinuance requests by that carrier. Given this, we are not persuaded of the need to go further to ensure that discontinuing carriers, like 911 authorities and other service providers, do their part to ensure a smooth and orderly transition process, as some suggest.) While we agree with USTelecom that "an email account for a centralized team (*e.g.*, "publicsafety@provider.com") that is available to address any customer concerns if a vendor learns from a PSAP that a circuit is being disconnected is sufficient for purposes of this requirement," we expect that inquiries sent to that account would be timely addressed by a person with decision-making authority to ensure a timely, good faith response to such communications. We believe this modification, in conjunction with the existing requirement that an application to sever a physical connection or terminate or suspend the interchange of traffic with another carrier include a "statement as to whether severance of physical connection or termination or suspension of interchange of traffic is being made with consent of other carrier," strikes the correct balance to promote the Commission's goals of encouraging the development

and deployment of advanced, next-generation networks and services and supporting the parallel adoption of NG911 emergency services networks, while ensuring seamless 911 connectivity.

60. We decline Bandwidth's proposals to include an explicit requirement that carriers "perform pre-filing diligence to determine whether an application under rule 63.500 or 63.501 is required" and to require a discontinuing carrier to include in all other discontinuance applications that the discontinuance will not impact 911. We find that the coordination requirement we adopt today, together with our short-term network change and copper retirement disclosure requirements and the certification requirement for all discontinuance applications, is transparent and sufficient to ensure that carriers seeking to discontinue a service supporting interconnection trunks or the exchange of traffic, including but not limited to 911 trunks and 911 traffic, will engage in the requisite coordination and comply with all applicable discontinuance application content requirements. We also find that the guardrails we adopt today obviate the concerns raised by Allerium regarding the service quality of available replacement services.

61. While we find that forbearance relief is not appropriate for lower-speed data telecommunications services as defined in this Order, we decline to adopt NTCA's proposal to specifically disallow the discontinuance of DS1 and DS3 circuits "absent a showing by the provider . . . that the carrier has an alternative IP offering available for the same route pathway as the discontinued service on reasonable rates, terms, and conditions." NTCA contends that many of its members rely in part on DS1 and DS3 connections provided by larger providers for the exchange of voice traffic through subtended tandems, and that price cap carriers have been increasing pricing on these transmission circuits. It further asserts that in some instances, price cap carriers suggested discontinuance altogether despite the purported lack of meaningful alternative facilities or services, whether in IP or TDM.

62. We agree with NTCA that these circuits are critical infrastructure for many rural providers and that price cap carriers' ability to discontinue DS1s and DS3s without adequate replacement services could harm rural communities. However, our rules already require that

carriers obtain Commission authorization before dismantling or removing a trunk line or severing a physical connection or terminating or suspending the interchange of traffic with another carrier, and the availability of an adequate replacement service is already factored into Bureau staff's consideration of whether to grant discontinuance authorization. (In evaluating whether "the public convenience and necessity is otherwise adversely affected" by the discontinuance, the Commission has long considered: (1) the financial impact on the common carrier of continuing to provide the service; (2) the need for the service in general; (3) the need for the particular facilities in question; (4) increased charges for alternative services; and (5) the existence, availability, and adequacy of alternatives.) We find that any further requirements relating to such situations are more appropriately addressed in our *IP Interconnection* proceeding in which we will examine the regulatory framework for TDM and IP interconnection for voice services. In the interim, incumbent LECs remain obligated to provide direct notice to interconnected telephone exchange service providers, 911 service providers, and directly interconnecting local exchange service providers that support essential functions within 911 networks, of planned network changes and copper retirements, and to obtain Commission authorization should any planned network change or copper retirement result in a discontinuance of service, including complying with the pre-application filing coordination requirement we adopt today. The additional requirements we adopt here for discontinuances involving dismantling or removing a trunk line or severing a physical connection or terminating or suspending the interchange of traffic with another carrier ensure collaboration between the respective parties and provide safeguards to avoid unintended disruptions of 911 connectivity. And wholesale customers that use circuits for 911 purposes may request priority designation from their wholesale provider so that the circuits are identified as 911 circuits.

63. Finally, as discussed further below, we retain at this time our rules setting forth the content requirements for applications seeking to dismantle or remove a trunk line, to sever physical connections, or to terminate or suspend interchange of traffic with another carrier. We

find that these backstops should be sufficient to address 911 service provider concerns. Regardless, the Commission can deny individual applications to discontinue TDM services if the backstops prove insufficient and discontinuance would adversely affect the public convenience or necessity.

4. Limited Section 214(a) Forbearance

64. We grant forbearance relief to resellers "for resold services that are the subject of a technology transition discontinuance by the reseller's wholesale provider," conditioned on appropriate notice to customers. However, we do not grant broader forbearance relief from any Section 214(a) discontinuance requirements or associated regulations at this time. Based on the record in this proceeding, we conclude that the conditions for granting forbearance relief from discontinuance requirements beyond that described above do not exist at this time. Rather, the subject of broader forbearance relief is more appropriately addressed after any forbearance from the incumbent LEC-specific interconnection and related obligations as proposed in the October 2025 *IP Interconnection Notice of Proposed Rulemaking*.

a. Conditional Forbearance for Resold Services

65. In this Order, we determine that it is appropriate to forbear from all Section 214(a) discontinuance requirements for resellers discontinuing resold services where the reseller's wholesale provider is engaging in a technology transitions discontinuance, with the condition that the discontinuing resellers provide reasonable notice to their customers. We sought comment on such forbearance relief in the *Network and Services Modernization Notice*, and no commenters objected to this relief.

66. *Ensuring practices are just and reasonable (Section 10(a)(1))*. We find that enforcement of Section 214(a)'s discontinuance requirements, as well as the requirements of the Commission's implementing rules, where a resold service is being discontinued as a result of the wholesale provider's technology transitions discontinuance is not necessary to ensure that the charges, practices, classifications, or regulations by, for, or in connection with that carrier or

service are just and reasonable and are not unjustly or unreasonably discriminatory. We agree with INCOMPAS that "[a] review of the consequences of the reseller's 'charges, practices, classifications, or regulations by, for, or in connection with' those services is an empty formalism." In these situations, the discontinuance is due to circumstances beyond the reseller's control. Moreover, the discontinuance of the resold service at issue will be subject to Commission consideration in the context of the wholesale provider's technology transitions discontinuance application, including consideration of any objections filed in response to such application. Thus, there is no need to engage in a redundant review when the reseller then seeks to discontinue the resold service.

67. *Protection of consumers (Section 10(a)(2))*. We also find that enforcement of Section 214(a)'s requirements, as well as the requirements of the Commission's implementing rules, is not necessary in this context to protect consumers. When a wholesale provider discontinues a legacy voice service, the reseller in nearly all cases has no available alternative sources from which to obtain replacement TDM-based services to resell to its end-user customers. The only requirement needed to ensure that consumers are protected in such situations is notice from the reseller to its customers. We thus impose on any reseller availing itself of this forbearance relief the condition that it provide such notice to its affected customers as soon as practicable after the reseller receives notice from its wholesale provider of the planned technology transitions discontinuance that it will no longer be able to provide the relevant legacy voice service. Such notice is to be provided to customers as soon as practicable via any method for which the customer has previously provided express, verifiable approval, and it must set forth the following: (1) the name and address of the carrier; (2) the date of the planned service discontinuance; (3) the points of geographic areas of service affected; (4) a brief description of type of service affected; and (5) a statement regarding the availability of alternative services in the affected service area. We find that this condition will sufficiently protect consumers when a

reseller discontinues a resold service because it will no longer be available from the wholesale provider.

68. *Consistent with the public interest (Section 10(a)(3))*. Finally, we hold that forbearance from applying the discontinuance requirements in the circumstances described above is consistent with the public interest. The discontinuance of the resold service at issue will be subject to Commission consideration in the context of the wholesale provider's technology transitions discontinuance application, and the Commission will not grant that underlying discontinuance application if the discontinuance would adversely impact the public interest, including with respect to the provision of 911 service. Moreover, forbearance in this limited situation is consistent with the public interest because it will conserve carrier resources that might otherwise be spent on regulatory compliance, and we expect carriers to make those resources available for better bundling of services, better tailoring of packages to businesses and consumers, and by providing support to customers. This could include managing first-level technical support, billing, and customer service, and acting as the primary contact for customers, and offering value-added services, including specialized expertise, customized solutions, and bundled IT services.

b. No Broad Section 214(a) Forbearance

69. We find that broader forbearance from discontinuance requirements, whether limited to legacy voice service in specific instances or with respect to all applications to discontinue any type of service, without qualification, is not warranted at this time. The streamlined approach we adopt above speeds transitions where acceptable marketplace alternatives exist. Broader forbearance risks unintended disruptions to public safety and the proper operation of, among other things, security and medical monitoring services, and thus is not consistent with the public interest.

70. *Ensuring practices are just and reasonable (Section 10(a)(1))*. We conclude that the requirements of Sections 214(a) of the Act and 63.71 of our rules are still necessary at this

time to ensure that charges, practices, classifications, or regulations are just and reasonable and are not unjustly or unreasonably discriminatory. Areas still exist in this country where, despite the broad scope of wireless and satellite service offerings, no alternative services exist. The record reflects concerns regarding price increases, whether real or potential, that could negatively impact customers. The filing of discontinuance applications allows the Commission and all stakeholders to receive notice and review in real time service transitions as carriers plan them.

71. *Ensuring protection of consumers (Section 10(a)(2))*. We find that enforcement of the requirements at issue are necessary for the protection of consumers. As illustrated in the record, locations exist where fiber has not yet been deployed and where wireless service may not reach or be sufficiently robust to support reliable voice service. By retaining the requirement that a carrier must seek Commission authorization to discontinue the service at issue, we ensure that customers and other interested parties, including state regulators, will have the opportunity to raise such concerns in objections to the discontinuance application, thereby allowing the Commission to more fully examine the merits of such claims and work with carriers to ensure that no consumers lose access to vital communications capabilities. This concern applies with equal force to the type of conditional forbearance proposed by USTelecom and supported by the Ohio Telecom Association and the Texas Association of Business.

72. *Consistent with the public interest (Section 10(a)(3))*. In the *Network and Services Modernization Notice*, we proposed that forbearance in certain circumstances would "promote competitive market conditions by eliminating superfluous regulations that slow the transition to next-generation IP-based services and by enabling carriers to redirect resources away from legacy voice services—which are no longer competitive and are not in high demand—and toward maintaining and building out the next-generation IP-based services that consumers not only desire but have come to expect."

73. Based on the record, we do not adopt this proposal and determine that forbearance from Section 214(a) discontinuance requirements as a general matter is not consistent with the

public interest at this time. Without the backstop of customer objections and Commission review of an application and those objections, the Commission would not be able to confirm the availability of an adequate replacement service for the affected customers, including in instances where a provider may be relying on "not-yet-deployed technologies," particularly in less economically attractive locations. Moreover, we find that forbearance from Section 214(a) discontinuance requirements would remove the safeguard of the objection process that might reveal the potential for unintended impacts on, among other things, continued 911 connectivity. Our streamlined application of Section 214(a)'s requirements with less burdensome non-dominant procedures in place is predictable and functions as a backstop that allows the Commission to promote competitive market conditions.

74. We also specifically find that granting forbearance relief from the Section 214 requirements for discontinuance of lower-speed data telecommunications services is not in the public interest because of potential impacts on, among other things, the provision of 911 service.

5. The 31-day Automatic Grant Period Applies to All Discontinuance Applications

75. We adopt our proposal to revise §63.71 of our rules to extend the 31-day automatic grant period applicable to applications to discontinue a service for which a carrier is non-dominant to all instances in which a domestic carrier submits a request to discontinue a service, along with the corresponding 15-day objection period. Section 63.71(f)(1) of the Commission's rules allows a discontinuance application filed by a domestic, non-dominant carrier to be automatically granted on the 31st day after it is filed with the Commission, unless the Commission notifies the applicant otherwise. (An application is deemed filed on the date the Commission releases a Public Notice of the filing. The 31-day period thus only begins to run once the Commission releases the Public Notice of the filing of the discontinuance application.) If a carrier is dominant, however, the current automatic grant period is 60 days after filing. (The Commission first established the dominant/non-dominant distinction in 1980 to "reduce barriers

to entry" caused by dominant carriers' "substantial opportunity and incentive to subsidize the rates for [their] more competitive services with revenues obtained from [their] monopoly or near-monopoly services.") Expanding the applicability of the 31-day automatic grant period to include dominant carrier discontinuance applications will speed up the processing of those applications and further the critical goal of transitioning to modern networks for all consumers. And because the Commission retains the authority to remove applications from streamlined processing, the public interest will still be protected as required by Section 214(a).

76. We conclude that 31 days is sufficient time for the Commission to determine whether to remove a dominant carrier's discontinuance application from streamlined processing or to allow automatic grant of the discontinuance. Some commenters suggest that the 31-day auto-grant period, which provides a 15-day window for customers and other interested parties to file objections, is not enough time for consumers to learn about adequate replacements and ensure there are no unintended consequences of the discontinuance, such as loss of 911 services. However, 31 days has proven to be sufficient for the public to review recent non-dominant carrier applications, including technology transitions discontinuance applications, and assess any changes or disruptions that may occur due to the discontinuance. (AICC asks the Commission to "ensure that any streamlining measures preserve adequate time for public safety evaluation and stakeholder response.") And since 2013, the Commission has received, on average, only 12 dominant carrier discontinuance applications each year, with objections filed with respect to only approximately 10 percent of those applications and only three being removed from streamlined processing and subsequently granted.

77. We thus determine that 31 days will be sufficient time to review dominant carriers' applications as well. Additionally, the Commission retains discretion to remove an application from streamlined processing at any point during the 31-day period should the discontinuance raise concerns. This notice requirement and the backstop retained by the Commission ensure adequate review of applications by dominant carriers as the public and

carriers are notified of the discontinuance application and have the ability to raise concerns about applications with the Commission before the automatic grant.

78. We decline to adopt USTelecom's request to amend § 63.71(f)(1) to allow the automatic grant period to begin to run upon the carrier's filing of an application rather than after the Commission releases the Public Notice. Without the Public Notice, affected customers and other interested parties, such as state regulators, public safety organizations, and public interest groups, would not be able to submit objections in the docket ultimately assigned to the relevant application, thus delaying staff's receipt of those objections. This would have the effect of reducing the amount of time available to Bureau staff to review an application for completeness or to determine, as required by statute, whether the application raises concerns regarding the potential impact of the requested discontinuance authorization on the public interest, regardless of whether it receives objections. We find such a potential effect to be unacceptable. However, as discussed above, we direct the Bureau, within ten business days of posting of an application in ECFS, to either contact the applicant to identify deficiencies and request any additional information necessary to make the application complete or to issue a Public Notice of filing of the complete application to ensure timely processing that will support our modernization efforts.

79. We disagree with Bandwidth's assertion that § 63.71 and its automatic grant provisions apply only to retail, loop-side services and not to trunk-side services. In support of its assertion, Bandwidth points to §§63.500 and 63.501 as the purportedly governing provisions for such services. However, those provisions simply set forth the content requirements for the formal applications required for the specified types of discontinuances. The discontinuance application procedures, on the other hand, are set forth in §63.71, and those procedures apply to

all formal discontinuance applications other than emergency discontinuance applications, which are specifically covered by § 63.63.

6. Contents of Discontinuance Applications

80. We revise § 63.71(c) of our rules to consolidate the following content requirements applicable to all discontinuance applications, unless otherwise provided for or otherwise stated herein (for example, the contents of emergency discontinuance applications are set forth in § 63.63, and applications to dismantle or remove a trunk line or to sever physical connection or to terminate or suspend interchange of traffic with another carrier must comply with §§63.500 and 63.501, respectively, of our rules), to ensure that Bureau staff have sufficient information before them when evaluating discontinuance applications: (1) for technology transitions discontinuance applications only, the difference in price, if any, between the service being discontinued and replacement services available in the affected service area; (2) for technology transitions discontinuance applications only, description of the affected community or part of a community, including the population size and demographics and general characteristics of customers affected; (3) description of replacement services, whether available from the applicant or third parties, that would remain in the affected community or part of the community in the event the application is granted, including the name of any other carrier(s) providing replacement services to the affected community; and (4) statement of the factors otherwise showing that neither the present nor future public convenience and necessity would be adversely affected by the granting of the applications. (These content requirements are in addition to those we adopt elsewhere in this Order.) And carriers will be required to include in their discontinuance applications a certification, executed by an officer or other authorized representative of the applicant, that the information required by our rules is true and accurate. Our current rules already explicitly require this information for technology transitions

discontinuance applications. We conclude that this information is necessary for evaluating all discontinuance applications, particularly in this rapidly changing technological environment.

81. As discussed above, pricing differentials between services being discontinued and available replacement services is important for evaluating the affordability of the replacement service. And information regarding the affected community, a description of the replacement services that would remain available, and other information relevant to the determination of whether the discontinuance would not adversely affect the public convenience and necessity, the statutory standard, are also important to staff evaluation of discontinuance applications. Our rules already require that specific types of discontinuance applications, including technology transitions discontinuance applications, include this information. In conjunction with our elimination of §63.602, which currently sets forth the content requirements for technology transitions discontinuance applications, including the elements of the Adequate Replacement Test, we incorporate these existing requirements for technology transitions discontinuance applications in § 63.71. (Because we are eliminating this provision, we are revising the cross-references to it in § 63.19(a) and (b).) And the content requirements of §§ 63.500, 63.501, and 63.505 remain unchanged. For other types of discontinuances that do not fall within any of these categories, we do not expressly require pricing differential and affected community information. (We note that applications to discontinue a business data service that supports interconnection trunks or the exchange of traffic remain subject to the content requirements set forth in §§63.500 and 63.501.) However, in this rapidly changing communications environment, we do extend the requirement that applications to discontinue such services—i.e., not involving "technology transitions" and not covered by §§ 63.500, 63.501, and 63.505—include a description of the replacement services that would remain available, other information relevant to the determination of whether the discontinuance would not adversely affect the public convenience and necessity, the statutory standard, and the certification described in the preceding paragraph. (For example, a competitive LEC application to discontinue a legacy voice service in a service

area where that legacy voice service is still available from the incumbent LEC does not qualify as a technology transitions discontinuance and thus need not comply with the requirements specific to that category of discontinuances. However, competitive LEC applications seeking discontinuance authorization for a legacy voice service still must demonstrate the existence of an adequate replacement service, which in this case would include the legacy voice service available from the incumbent LEC.) As the Commission has repeatedly noted, the adequacy and availability of replacement services is one of the traditional five factors the Commission considers when determining whether discontinuance of a service to a community or part of a community would adversely affect the current or future public convenience and necessity. Expressly requiring this information will minimize the need for Bureau staff to request from the applicant additional information necessary for their evaluation of applications to discontinue those services, thus making the process more efficient and predictable and, combined with the overall regulatory relief we grant today, should not result in burdensome filing requirements that delay service transitions for consumers. (§ 63.71 requires applicants to provide "[a]ny other information the Commission may require." Many carriers already provide the types of information required by our revised requirements in their discontinuance applications in order to paint a fuller picture for Bureau staff and avoid further questions from staff about the proposed discontinuance(s).)

7. Emergency Discontinuances

82. We adopt our proposal to revise our emergency discontinuance rules to explicitly provide that a carrier may permanently discontinue a service a showing that: (1) the carrier has previously obtained emergency discontinuance authority for the service in question, (2) the service is one for which the requesting carrier has had no customers or reasonable requests for service during the 60-day period immediately preceding the permanent discontinuance, and (3) an adequate replacement service is available throughout the affected service area. We decline at

this time to allow for streamlined processing of requests to permanently discontinue a service that is contained in an initial emergency discontinuance application.

a. Emergency discontinuances leading to no customers.

83. Section 63.63 of our rules sets forth procedures carriers must follow when seeking authority for an emergency discontinuance. (Our rules define an emergency discontinuance as "any discontinuance, reduction, or impairment of the service of a carrier occasioned by conditions beyond the control of such carrier where the original service is not restored or comparable service is not established within a reasonable time." Providers must submit an application for authority for an emergency discontinuance of service as soon as practicable but not later than 65 days following the occurrence of the conditions which occasion the discontinuance. Authority is deemed granted as of the date the request is filed unless the Commission notifies the carrier otherwise on or before the 15th day after the date of filing, and a carrier may request to have the authorization renewed if the conditions leading to the emergency discontinuance "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 of such authority." The carrier must notify the Commission if "the same or comparable service is reestablished before the termination of the emergency authorization.") We now revise that rule to allow carriers to permanently discontinue a service for which the carrier has previously obtained emergency discontinuance authority upon a showing that (1) the service is one for which the requesting carrier has had no customers or reasonable requests for service during the 60 days immediately preceding the permanent discontinuance, and (2) an adequate replacement service is available throughout the affected service area. While our proposal in the *Network and Services Modernization Notice* referred to "comparable service," we find it more appropriate to use the phrase "adequate replacement service" in this instance to confirm that the standards for

replacement services are the same for all permanent discontinuances, whether the provider proceeds under § 63.63(b) or §63.71(g) of our rules.

84. Under our existing rules, carriers may submit an informal request to permanently discontinue a service for which the carrier has already received emergency discontinuance authority, which the Commission may authorize "upon a proper showing." Our rules do not define what constitutes a "proper showing." We conclude that the amendment we adopt today, which addresses a narrow set of circumstances, strikes the appropriate balance between safeguarding consumers and enabling carriers to be more deft and responsive in reacting to natural disasters and other emergencies. The amendment also allows carriers to focus their rebuilding efforts on modernized, more resilient networks rather than restoring deteriorating, obsolete legacy networks and services. We find that there is little risk that a permanent discontinuance of the affected service will adversely affect any existing or potential customers in instances where a carrier has previously filed for emergency discontinuance authority, has had no customers nor reasonable requests for service for a minimum of 60 days, and an adequate replacement service is available. (Contrary to USTelecom's assertion, when the Commission forbore in the *Second Wireline Infrastructure Order* from applying the discontinuance approval obligations set forth in Section 214(a) of the Act and our implementing rules to carriers choosing to discontinue services for which the carrier has had no customers and no reasonable requests for service for at least the immediately preceding 30 days it excluded from this forbearance the requirements associated with emergency discontinuances where a carrier's existing customers are without service for a period of time exceeding 30 days. By extending the period in which the carrier has had no customers or reasonable requests for the affected service to 60 days and limiting the application of the rule we adopt today to only those areas where an adequate replacement service is available in the affected service area, we believe we have adequately

addressed the concerns that prompted this carve-out in the *Second Wireline Infrastructure Order*.)

85. When legacy voice service facilities are damaged or destroyed during a natural disaster or other event outside the carrier's control, it may be costly as well as inefficient to require the carriers to restore these legacy facilities, especially in areas where the requesting carrier has had no customers or reasonable requests for service for 60 days prior to the request for permanent discontinuance and where an adequate replacement service is already available. Such an approach also mitigates the risk that consumers in an affected area will be stranded without service. Indeed, the increasing incidences of copper thefts have resulted in emergency discontinuances that leave affected customers without service, sometimes repeatedly. (Incumbent LECs filed 11 emergency discontinuance applications in 2024 caused by copper thefts, and another 19 in 2025. And the repair processes during the pendency of certain of these emergency discontinuance applications have been impeded by continued copper thefts.) Consumers will also benefit in the long term as this amendment to our rules will allow carriers to begin building out more reliable and more robust next-generation networks sooner by redirecting money and time that would otherwise be spent making lengthy and costly repairs to vulnerable legacy facilities serving fewer and fewer customers.

86. We decline to adopt a commenter's proposal to extend the relevant time period for an emergency discontinuance from 60 days to six months and to require carriers to affirmatively contact each customer during that time to obtain explicit consent prior to any permanent discontinuance. Such requirements would impose burdensome requirements where a comparable service is already available across the affected service area. Additionally, this proposal would require carriers to make repeated attempts to contact consumers who may choose not to respond or who may have permanently relocated during the emergency discontinuance period, and would completely negate any added efficiencies and benefits of this amendment to our rules. The rule we adopt today strikes an appropriate balance between increasing market

efficiency and allowing carriers to refocus their efforts away from maintaining vulnerable and unreliable legacy networks. It would also encourage carriers to deploy higher-quality and more resilient next-generation networks and safeguard consumers by ensuring that they are not left stranded without voice service.

b. Processing of requests to permanently discontinue.

87. To ensure the efficacy of the consumer safeguards we adopt in this Order, we decline to allow the streamlined processing of requests in an initial emergency discontinuance application to permanently discontinue the affected service. While we are constantly seeking ways to increase efficiency and speed the transition to next-generation networks and services, we find that streamlined processing of a discontinuance request as the result of a natural disaster or other emergency would not allow sufficient time for the Commission to conduct its review, nor for affected consumers and other stakeholders to lodge comments or objections. Instead, we find that the existing procedures for processing requests to permanently discontinue services, as well as the requirements we adopt today where the emergency discontinuance leads to the carrier no longer having customers for the affected service, strike the correct balance between allowing providers to phase out damaged legacy networks and affording customers and other stakeholders sufficient time to be made aware of such discontinuances and to raise objections with the Commission. We reserve the right to revisit this conclusion at a later date, if future circumstances warrant a reconsideration of this finding.

8. Eliminating Outdated Discontinuance Rules

88. We next adopt our proposal in the *Network and Services Modernization Notice* to eliminate a number of outdated discontinuance rules that have outlived their usefulness. As proposed in the *Network and Services Modernization Notice*, we conclude that these discontinuance rules are outdated, obsolete, or redundant and are no longer relevant or necessary in today's communications marketplace, with certain exceptions. Commenters support these streamlining efforts. Specifically, we eliminate all of the outdated discontinuance rules

discussed in the *Network and Services Modernization Notice*, except for §§63.60(f), 63.500, and 63.501.

a. Eliminated Rules

89. *Public toll stations*. We eliminate § 63.504 of the Commission's rules, which details the contents of an application to close a public toll station where no other such toll station of the applicant will continue service in the community and where telephone toll service is not otherwise available to the public through a telephone exchange connected with the toll lines of a carrier. (§ 63.60(f) of the Commission's rules defines "public toll station" as "a public telephone station, located in a community, through which a carrier provides service to the public, and which is connected directly to a toll line operated by such carrier.") Commenters support this deletion. (One commenter, however, appears to have misunderstood our proposal to eliminate §63.504. Discontinuances of public toll stations remain subject to our general discontinuance rules.) As we stated in the *Network and Services Modernization Notice*, "[t]hese rules were created more than six decades ago, at a time when public toll stations were far more prevalent …[and] it no longer makes sense to treat applications to discontinue this service distinctly from other types of service." In order to ensure that a carrier seeks Commission authorization to close a public toll station in a location where telephone toll service is not otherwise available, as contemplated by § 63.62(b) of our rules, we now make applications for the closures of such public toll stations subject to the general application content requirements set forth in §63.505. We thus decline at this time to eliminate § 63.60(f), defining public toll stations for purposes of discontinuance applications. For these same reasons, we retain the references to public toll stations in § 63.60(b), addressing the types of actions encompassed within the term "discontinuance, reduction, or impairment of service."

90. *Telephone exchanges at military establishments*. We eliminate § 63.66 of the Commission's rules, which requires that carriers file an informal request, in quintuplicate, with the Commission before altering service hours at telephone exchanges at deactivated military

establishments. When Congress amended Section 214 of the Act, it was concerned about "loss or impairment of service during" wartime, particularly with respect to military establishments and industries. That was a very real concern at that time, when POTS was the only voice service widely available. However, this is no longer the case. The nation at large and the military specifically have at their disposal voice, email, text, and video communications services provisioned over a variety of mediums, including fiber, wireless, and satellite. Commenters support these streamlining efforts. We thus conclude that § 63.66 no longer serves any purpose and should be eliminated.

91. *Publication and posting of notices*. We eliminate § 63.90 of the Commission's rules, imposing extensive requirements regarding the publication and physical posting of notices of discontinuances or reduced hours. While the specific requirements of this rule have changed over the years since this rule was adopted to accommodate the evolution of the communications marketplace and consumers' access to a variety of modes of communication, we agree with commenters that the physical posting of notices of discontinuances or reduced hours is no longer necessary and that posting the information on a carrier's website is now sufficient notice for network changes.

92. *Notification of service outage*. We eliminate § 63.100 of our rules, which directs providers to part 4 of the Commission's rules for the requirements concerning notifications of service outages. The outage notification requirements originally listed in § 63.100 are now found in part 4 of the Commission's rules. Commenters support these streamlining efforts. As §63.100 itself no longer contains any substantive regulations, we conclude that it is no longer relevant or necessary.

93. *Public coast stations*. We eliminate § 63.601, pertaining to public coast stations, and remove the references to public coast stations in § 63.60(b), 63.60(c), and 63.63(a) of our rules. (Public coast stations are "land station[s] in the maritime mobile service" that "offer[]radio communication common carrier services to ship radio stations.") As we noted in

the *Network and Services Modernization Notice*, the Commission classified public coast stations as part of commercial mobile radio service (CMRS) in 1994, rendering it subject to the forbearance simultaneously granted from Section 214 discontinuance requirements for CMRS stations. Commenters support these streamlining efforts. Any remaining discontinuance obligations pertaining to public coast stations are addressed exclusively elsewhere in our rules. We thus find that these rules no longer serve any useful purpose.

b. Retaining Sections 63.500 and 63.501

94. We decline to eliminate §§ 63.500 and 63.501 of the Commission's rules at this time. (We thus also retain the references to these rules in §§ 63.19 and 63.62(a) and (b).) Section 63.500 sets forth the required contents of applications to dismantle or remove a trunk line. Section 63.501 does the same for applications to sever physical connection or to terminate or suspend interchange of traffic with another carrier. Given the ongoing network evolution and the ever-decreasing reliance on copper lines, we sought comment in the *Network and Services Modernization Notice* on whether eliminating these rules would better serve the public interest.

95. Based on the record in this proceeding, we determine that eliminating §§63.500 and 63.501 of the Commission's rules is not consistent with the public interest at this time. More specifically, we conclude that eliminating these rules at this time may cause unintended public safety consequences on the provision of 911 service. While copper is no longer the dominant transmission medium, it remains necessary for local exchange service provider interconnection with incumbent LECs for the provision of 911 service where IP interconnection is unavailable between the incumbent LEC and the local exchange service provider. We thus defer any

potential elimination of these provisions until after we act on the proposed forbearance from the incumbent LEC-specific interconnection and related obligations.

C. State Mandates Conflicting with the FCC's Section 214 Discontinuance Authorizations and Authority Are Subject to Preemption

96. We determine below that existing legacy voice services can be jurisdictionally mixed. We then discuss the scope of the Commission's and the states' respective authority with respect to regulating the discontinuance of jurisdictionally mixed services. Finally, we determine that, where the Commission has authorized discontinuance of interstate or jurisdictionally mixed legacy voice services, state requirements that make it impossible or impracticable for carriers to discontinue those services—and so in effect require carriers to continue providing interstate or jurisdictionally mixed telecommunications services—conflict with federal law, and the important federal policy represented by our modernized regulatory framework established in this Order for network changes and service discontinuances and are subject to preemption.

97. *Jurisdictional nature of legacy voice service.* Legacy voice service is the transmission of voice communications, usually over copper wires, using circuit-switched technology known as "time-division multiplexing" (TDM). Legacy voice service generally includes what is sometimes colloquially described as "local telephone service," although that term does not accurately reflect the jurisdictional nature of the service as a practical matter in today's networks. Few, if any, networks today operate on a purely local or even intrastate level. Local exchange service and local toll service, while typically occurring within a single state, do in certain instances cross state lines. And the vast majority of consumers use the same provider for both their local and long distance service, with some customers purchasing bundled access that includes local exchange service, local toll calling, and interstate long distance toll service. (In the past, local exchange carriers were required to provide "equal access" service to long-distance carriers. "Equal access" refers to a class of service whereby all long-distance service providers receive equivalent connections to the local exchange carrier's network. Recognizing

transformations in the market for voice telephone services, the Commission in 2019 forbore from "the requirement that independent rate-of-return carriers offer long-distance telephone service through a separate affiliate.") However, these services are provisioned over the same network using the same technology. (To the extent that USTelecom argues that all POTS offerings are jurisdictionally mixed services, we reject that conclusion. The Commission will consider on a case-by-case basis whether certain legacy voice services are interstate or jurisdictionally mixed.) We acknowledge that, in the *2016 Technology Transitions Order*, the Commission stated that "wholly intrastate services such as local telephone service are excluded from [the] reach" of the Commission's Section 214 discontinuance authority. Insofar as that statement might be understood to suggest that legacy voice service is a purely intrastate service, we find that the Commission in 2016 did not consider how state requirements might, on a practical level, prevent or conflict with the discontinuance of interstate or jurisdictionally mixed services.

98. *Federal discontinuance authority under Section 214.* Section 214 authorizes the Commission to determine when interstate or jurisdictionally mixed telecommunications services may be discontinued. The Commission has recognized that Congress enacted Section 214 to "protect Americans' continued access to the nation's communications networks while also preserving carriers' ability to upgrade their services without the interruption of federal micromanaging." Section 214 thus does not guarantee that a particular service, such as legacy voice service, remains available to consumers or that consumers can purchase a particular service from a particular carrier. Rather, Section 214 seeks to ensure that consumers retain access to vital communications services, regardless of the identity of the service provider. Under Section 214(a), except on a temporary or emergency basis, "[n]o carrier shall discontinue, reduce, or impair service to a community, or part of a community," without first "obtain[ing] from the Commission a certificate that neither the present nor future public convenience and necessity will be adversely affected thereby," and Section 214(c) allows the Commission to tailor the scope of the discontinuance it authorizes "as in its judgment the public convenience and

necessity may require." Once the Commission authorizes discontinuance, a carrier may discontinue the covered service "without securing [other] approval." Section 214 thus creates an exclusively federal discontinuance regime for interstate or jurisdictionally mixed telecommunications services.

99. The federal discontinuance regime established in Section 214(a) through (c) is consistent with the framework for the designation and relinquishment of eligible telecommunications carrier (ETC) status set out in Section 214(e), including Section 214(e)(4)'s mandate that a state commission permit an ETC to relinquish its designation if the area is served by at least one other ETC. Section 214(e) governs the approval and relinquishment of designations for common carriers that are eligible for universal service support pursuant to Section 254(e). There is nothing in the language of Section 214(e) that supersedes or limits the federal processes established pursuant to Section 214(a) through (c) with regard to service discontinuance. Thus, while a carrier's ETC status determines whether that carrier may receive universal service support for the provisioning, maintenance, and upgrading of particular facilities or services under Section 254(e), the question of whether a carrier may discontinue a specific interstate service is wholly governed by Section 214(a) through (c) and the carrier need only show in its advance notice to the relevant state commission that the affected service area is "served by more than one eligible telecommunications carrier."

100. *State authority.* Section 214 provides states with a limited role in the federal discontinuance regime, but that role does not provide states with additional authority over services for which a provider has obtained Commission approval for discontinuance. Section 214(b) requires a carrier to notify each state in which the carrier proposes to construct, acquire, or operate a line or proposes to discontinue, reduce, or impair a service, and grants those states "the right . . . to be heard." This provision allows states to object to any federal discontinuance application prior to any Commission authorization. (Such a grant of an "explicit consultative role . . . works against, rather than for, [any] claim of other powers" by states in the context of

service discontinuance.) But it is the Commission that has sole jurisdiction to decide whether a carrier's proposed discontinuance adversely affects the public convenience and necessity and whether it should be approved or rejected. In Section 214(c), Congress gave both states and state public utility commissions (PUCs) the right to bring a federal court action to enjoin any discontinuance of service that occurs "contrary to the provisions of" Section 214. This provision allows states to bring suit in federal court to enjoin discontinuance if discontinuing a service would be in violation of, or without, a Commission authorization. (Even if a state has obtained an injunction in federal court to prevent a carrier from discontinuing service, the basis for that injunction is "evaporated" once the carrier obtains Commission authorization for the discontinuance.) But Section 214(c) does not grant states the right to obtain federal court injunctions against discontinuances that are lawfully granted by the Commission. Accordingly, neither Section 214(b) nor Section 214(c) provides states with the power to decide whether a carrier may discontinue interstate or jurisdictionally mixed service, or empowers states to impose requirements that frustrate or add extra conditions to Commission decisions allowing discontinuance. Instead, Congress provided that, after obtaining the Commission's approval, carriers could "without securing approval other than such certificate . . . proceed with the discontinuance . . . of service."

101. We find that Section 253(b) of the Act similarly does not provide states with additional authority over services for which a provider has obtained discontinuance approval at the federal level. Section 253(b) provides a safe harbor from preemption under Section 253(a) when states "impose, on a competitively neutral basis . . . , requirements necessary to preserve and advance universal service, protect the public safety and welfare, ensure the continued quality of telecommunications services, and safeguard the rights of consumers." Two commenters argue that Section 253(b) thus preserves several COLR obligations. To the extent these commenters suggest that Section 253(b) gives states discontinuance authority over interstate services or jurisdictionally mixed services, we disagree. While Section 253(b) does offer states a safe

harbor from the reach of the Commission's Section 253 preemption authority, the safe harbor is limited on its face to the provisions of Section 253 itself. As stated in Section 253(b), "[n]othing in this section"—i.e., in Section 253—"shall affect the ability of states" to exercise the rights enumerated therein. We find the safe harbor for the states in Section 253 does not confer authority over services that have received federal approval for discontinuance under Section 214.

102. *State requirements subject to preemption.* As explained below, once the Commission has authorized a carrier to discontinue an interstate or jurisdictionally mixed telecommunications service, states may not enforce any law, regulation, or other requirement that on its face or in practical terms requires the carrier to continue providing the interstate or jurisdictionally mixed service the Commission has authorized the carrier to discontinue. States may not, consistent with federal law, impose any additional conditions on the Commission's authorization of discontinuance, including conditions that purport to be technology neutral, but that have the practical effect of requiring the carrier to continue providing an interstate or jurisdictionally mixed telecommunications service. (Since we do not have the record before us to, in this Order, opine on the application of this preemption to any specific state law, we decline to do so—including to exempt any specific state law or category of state law from the reach of this Order.)

103. It is well established that, under the "impossibility exception" to state jurisdiction, the Commission may preempt state law when (1) it is impossible or impracticable to regulate the intrastate aspects of a service without affecting interstate communications and (2) the Commission determines that such regulation would interfere with federal regulatory objectives. More generally, under the U.S. Constitution, federal law is the "supreme Law of the Land." As relevant here, state law is subject to conflict preemption if it "prevent[s] or frustrate[s] the accomplishment of a federal objective," and Commission actions taken under statutory authority will preempt state law. (We disagree with the California Public Utilities Commission's (California PUC) assertion that only an "unmistakably clear" statement in the Act could allow

the Commission to preempt state statutes, regulations, and other legal requirements that require a carrier to continue providing a service for which the Commission has already granted discontinuance authorization. As stated above, we find that the clear language of Section 214 creates a federal regime for determining when a carrier may discontinue an interstate or jurisdictionally mixed telecommunications service.) The doctrine of "conflict preemption—true to its name—[applies] when the operation of federal and state law clash in a way that makes 'compliance with both state and federal law . . . impossible,' or when 'state law stands as an obstacle to the accomplishment and execution of the full purposes and objectives of Congress.'"

104. We determine that certain state and local statutes, regulations, and requirements are subject to federal preemption. We sought comment in the *Network and Services Modernization Notice* on state or local requirements that would inhibit or impede the transition to next-generation networks and services, and asked whether such requirements would conflict with this critical goal by, for example, compelling carriers to continue providing legacy voice service or preventing carriers from discontinuing service. The record indicates that some states have adopted requirements that carriers assert operate to prevent them from discontinuing legacy voice service—whether as a matter of law or in practical effect. The record also includes assertions that certain state or local statutes, regulations, or requirements have the effect of preventing carriers from seeking to retire deteriorating legacy networks and discontinuing outdated TDM-based services taken by ever-fewer customers for undetermined periods of time, leaving these providers unable to redirect time and resources away from the development and deployment of next-generation networks and technologies. We agree with USTelecom that, where the Commission has exercised its Section 214 discontinuance authority over interstate and/or jurisdictionally mixed services to allow a carrier to discontinue legacy voice service, state requirements that operate to require the carrier to continue providing those services conflict with federal law. Such state or local statutes, regulations, or legal requirements effectively "negate the Commission's exercise of its lawful authority because regulation of the interstate aspects of

the matter cannot be severed from regulation of the intrastate aspects." We conclude that if state and local requirements prevent a provider from discontinuing the interstate portion of a legacy voice service for which the Commission has already granted discontinuance authorization pursuant to Section 214, then the requirements negate a valid federal regulatory objective because the interstate impacts of the state or local requirements cannot be unbundled from the intrastate aspects of those requirements. We stress that states lack authority to regulate interstate services. And, moreover, where the Commission has lawfully exercised its Section 214 authority to allow discontinuance of a service within its regulatory sphere, Section 214(c) expressly provides that carriers do not require any other "approval" to discontinue the covered service, including any state commission or Commission approval that might otherwise be required under Section 214(e)(4) for relinquishment of the carrier's ETC status, if there is another ETC throughout the relevant service area. (As discussed elsewhere in this Order, the Commission will deny a discontinuance application if it finds that the discontinuance will adversely affect the present or future public convenience and necessity, as required by Section 214(a) of the Act. If a state commission believes that a carrier's discontinuance of a service for which it has requested Commission authorization would have such an adverse effect, the state may file an objection with the Commission. Moreover, after a carrier receives a discontinuance grant from the Commission and makes a showing to the relevant state commission that another ETC serves the affected service area, Section 214(e)(4) requires the state to allow the carrier to relinquish its ETC designation without erecting additional hurdles.) We determine here that any such state requirements, to the degree they regulate services shown to be jurisdictionally mixed, are subject to preemption pursuant to both the impossibility exception and general principles of conflict preemption. (Similarly, where the Commission has exercised its Section 214(a) authority over interstate and/or jurisdictionally mixed service to allow a carrier to grandfather legacy voice service, *see supra* Section III.B.2, federal law preempts state requirements that operate to require

the carrier to continue offering that interstate or jurisdictionally mixed grandfathered service to new customers.)

105. It is beyond the scope of this proceeding to evaluate individual state requirements in their particulars, or to determine whether they conflict with federal law. We accordingly do not, in this Order, make any preemption determination as to any specific state or local law or requirement. If, however, the Commission has authorized a carrier to discontinue legacy voice service and any state requirement conflicts with that authorization, or if a carrier wants to seek Commission discontinuance authorization for a legacy voice service but that carrier believes that a state requirement prevents it from doing so, the carrier may opt to seek a determination from the Commission that the state requirement is preempted.

II. Final Regulatory Flexibility Analysis

106. As required by the Regulatory Flexibility Act of 1980, as amended (RFA) the Federal Communications Commission (Commission) incorporated an Initial Regulatory Flexibility Analysis (IRFA) in the *Network and Services Modernization Notice* (*Notice*) released in 2025. The Commission sought written public comment on the proposals in the *Notice*, including comment on the IRFA. No comments were filed addressing the IRFA. This Final Regulatory Flexibility Analysis (FRFA) conforms to the RFA and it (or summaries thereof) will be published in the Federal Register.

A. Need for, and Objectives of, the Rules

107. In the *Report and Order* (*Order*), the Commission takes important steps aimed at bringing the existing regulatory environment in line with today's communications marketplace by overhauling the Commission's rules applicable to technology transitions discontinuance applications under Section 214 of the Communications Act of 1934, as amended (the Act), and reforming and updating the filing requirements associated with its rules implementing Section 251(c)(5)'s network change disclosure mandate. Specifically, within the *Order*, the Commission: (1) eliminates the filing requirements associated with our rules implementing

Section 251(c)(5)'s network change disclosure mandate; (2) adopts one consolidated rule applicable to all technology transitions discontinuance applications and eliminates rule provisions thereby rendered irrelevant; (3) grants blanket Section 214(a) authority for carriers to grandfather legacy voice services, lower-speed data telecommunications services, and interconnected VoIP service provisioned over copper wire; (4) grants forbearance relief to resellers when the wholesale provider of their resold service engages in a technology transitions discontinuance; (5) revises § 63.71 of its rules to apply the 31-day automatic grant period to all discontinuance applications regardless of the applicants' status as dominant or non-dominant; (5) adopts discontinuance application content requirements; (6) revises its rules applicable to emergency discontinuances to permit permanent discontinuance of a service under specific circumstances; (7) eliminates a number of outdated discontinuance rules rendered irrelevant or redundant by today's communications marketplace; and (8) finds any state or local statute, regulation, or other legal requirement that—either by law or in practice—has the effect of continuing to require carriers to provide POTS or other legacy services in an area where carriers have obtained Commission authorization under Section 214(a) of the Act to discontinue the legacy service in question or where carriers have been discouraged from seeking such Commission authorization are subject to preemption.

B. Summary of Significant Issues Raised by Public Comments in Response to the IRFA

108. There were no comments raised that specifically addressed the proposed rules and policies presented in the *Notice*. However, the Commission considered the potential impact of the rules proposed in the IRFA on small entities and took steps where appropriate and feasible to

reduce the compliance burden for small entities in order to reduce the economic impact of the rules enacted herein on such entities.

C. Response to Comments by the Chief Counsel for the Small Business Administration Office of Advocacy

109. Pursuant to the Small Business Jobs Act of 2010, which amended the RFA, the Commission is required to respond to any comments filed by the Chief Counsel for the Small Business Administration (SBA) Office of Advocacy, and to provide a detailed statement of any change made to the proposed rules as a result of those comments. The Chief Counsel did not file any comments in response to the proposed rules in this proceeding.

D. Description and Estimate of the Number of Small Entities to Which the Rules Will Apply

110. The RFA directs agencies to provide a description of, and where feasible, an estimate of the number of small entities that may be affected by the adopted rules. The RFA generally defines the term "small entity" as having the same meaning as the terms "small business," "small organization," and "small governmental jurisdiction." In addition, the term "small business" has the same meaning as the term "small business concern" under the Small Business Act (SBA). (Pursuant to 5 U.S.C. 601(3), the statutory definition of a small business applies "unless an agency, after consultation with the Office of Advocacy of the Small Business Administration and after opportunity for public comment, establishes one or more definitions of such term which are appropriate to the activities of the agency and publishes such definition(s) in the Federal Register.") A "small business concern" is one which: (1) is independently owned and operated; (2) is not dominant in its field of operation; and (3) satisfies any additional criteria established by the SBA. The SBA establishes small business size standards that agencies are required to use when promulgating regulations relating to small businesses; agencies may

establish alternative size standards for use in such programs, but must consult and obtain approval from SBA before doing so.

111. These actions, over time, may affect small entities that are not easily categorized at present. We therefore describe three broad groups of small entities that could be directly affected by these actions. In general, a small business is an independent business having fewer than 500 employees. These types of small businesses represent 99.9% of all businesses in the United States, which translates to 34.75 million businesses. Next, "small organizations" are not-for-profit enterprises that are independently owned and operated and are not dominant in their field.

112. While we do not have data regarding the number of non-profits that meet that criteria, over 99 percent of nonprofits have fewer than 500 employees. Finally, "small governmental jurisdictions" are defined as cities, counties, towns, townships, villages, school districts, or special districts with populations of less than fifty thousand. Based on the 2022 U.S. Census of Governments data, we estimate that at least 48,724 out of 90,835 local government jurisdictions have a population of less than 50,000.

113. The rule reforms and modifications adopted in the *Order* will apply to small entities in the industries identified in the chart below by their six-digit North American Industry Classification System (NAICS) codes and corresponding SBA size standard. (The North American Industry Classification System (NAICS) is the standard used by Federal statistical agencies in classifying business establishments for the purpose of collecting, analyzing, and publishing statistical data related to the U.S. business economy. The size standards in this chart are set forth in 13 CFR 121.201, by six digit NAICS code.) Based on currently available U.S. Census data regarding the estimated number of small firms in each identified industry, we conclude that the adopted rules will impact a substantial number of small entities. Where

available, we also provide additional information regarding the number of potentially affected entities in the identified industries below.

Table 1. 2022 U.S. Census Bureau Data by NAICS Code

Regulated Industry (Footnotes specify potentially affected entities within a regulated industry where applicable)	**NAICS Code**	**SBA Size Standard**	**Total Firms**	**Total Small Firms**	**% Small Firms**
Wired Telecommunications Carriers (Affected Entities in this industry include Cable System Operators (Telecom Act Standard), Competitive Local Exchange Carriers (CLECs), Incumbent Local Exchange Carriers (Incumbent LECs), Interexchange Carriers (IXCs), Local Exchange Carriers (LECs), and Other Toll Carriers.)	517111	1,500 employees	3,403	3,027	88.95%

Wireless Telecommunications Carriers (except Satellite)	517112	1,500 employees	1,184	1,081	91.30%
Telecommunications Resellers (Affected Entities in this industry include Local Resellers, Prepaid Calling Card Providers, and Toll Resellers.)	517121	1,500 employees	955	847	88.69%
Satellite Telecommunications	517410	$44 million	332	195	58.73%
All Other Telecommunications	517810	$40 million	1,673	1,007	60.19%

Table 2. Telecommunications Service Provider Data

2024 Universal Service Monitoring Report Telecommunications Service Provider Data (Data as of December 2023)	**SBA Size Standard (1500 Employees)**		
Affected Entity	**Total # FCC Form 499A Filers**	**Small Firms**	**% Small Entities**
Cable/Coax CLEC	67	62	92.54
Competitive Local Exchange Carriers (CLECs) (Affected Entities in this industry include all reporting local competitive service providers.)	3,729	3,576	95.90
Incumbent Local Exchange Carriers (Incumbent LECs)	1,175	917	78.04
Interexchange Carriers (IXCs)	113	95	84.07
Local Exchange Carriers (LECs) (Affected Entities in this industry include all reporting fixed local service providers (CLECs & ILECs).)	4,904	4,493	91.62
Local Resellers	222	217	97.75

2024 Universal Service Monitoring Report Telecommunications Service Provider Data (Data as of December 2023)	**SBA Size Standard (1500 Employees)**		
Affected Entity	**Total # FCC Form 499A Filers**	**Small Firms**	**% Small Entities**
Other Toll Carriers	74	71	95.95
Prepaid Card Providers	47	47	100.00
Toll Resellers	411	398	96.84
Wired Telecommunications Carriers (Local Resellers fall into another U.S. Census Bureau industry (Telecommunications Resellers) and therefore data for these providers is not included in this industry.)	4,682	4,276	91.33

2024 Universal Service Monitoring Report Telecommunications Service Provider Data (Data as of December 2023)	SBA Size Standard (1500 Employees)		
Affected Entity	**Total # FCC Form 499A Filers**	**Small Firms**	**% Small Entities**
Wireless Telecommunications Carriers (except Satellite) (Affected Entities in this industry include all reporting wireless carriers and service providers.)	585	498	85.13

E. Description of Economic Impact and Projected Reporting, Recordkeeping and Other Compliance Requirements for Small Entities

114. The RFA directs agencies to describe the economic impact of adopted rules on small entities, as well as projected reporting, recordkeeping and other compliance requirements, including an estimate of the classes of small entities which will be subject to the requirement and the type of professional skills necessary for preparation of the report or record.

115. In the *Order*, the Commission reforms and modifies its existing rules applicable to discontinuance applications under Section 214 of the Act generally and as to technology transitions discontinuance applications specifically, as well as the filing requirements associated with its rules implementing Section 251(c)(5)'s network change disclosure mandate. The

Commission minimized the burdens associated with any new reporting, recordkeeping, or compliance requirements adopted in the *Order*, which are aimed at ensuring 911 continuity and that consumers are sufficiently protected. The Commission anticipates the approaches taken in these rule modernization efforts will have minimal cost implications because the reporting, recordkeeping and compliance requirements that remain after these reforms and updates already exist. We do not expect any additional burdens for small businesses entities.

116. In determining the economic impact and projected compliance requirements for small and other entities, the Commission sought comment on the costs and benefits associated with the proposals made in the in the *Order*. As discussed above, several comments were filed related to small entities. The Commission finds that the reforms adopted in the *Order* will expedite the Commission's existing discontinuance process without imposing any additional burdens.

117. We estimate that the rule changes discussed in the *Order* will result in a reduction in the time and expense associated with filing petitions and will not result in significant, material changes to reporting, recordkeeping, or compliance obligations for small and other Commission licensees. Additional resources or personnel should not be required to fulfill these requirements because all affected providers should already be familiar with these procedures, as they are required to comply with existing Commission regulations.

118. After reviewing the record, we received no concerns about unique burdens from small businesses that would be impacted by the modifications adopted in the *Order* and proposed in the *Further Notice*. The Commission believes these revisions will make its rules more transparent and accessible to small entities and reduce the time and cost associated with its discontinuance requirements. As a result, we cannot estimate the cost of complying with the rules, or compare such costs for small and other entities.

119. In addition, we received no concerns about unique burdens from small businesses that would be impacted by the new certifications adopted in the *Order*. As such, we do not have

sufficient information on the record to determine whether small entities will be required to hire professionals to comply with its decisions or to quantify the cost of compliance for small entities.

F. Discussion of Steps Taken to Minimize the Significant Economic Impact on Small Entities, and Significant Alternatives Considered

120. The RFA requires an agency to provide "a description of the steps the agency has taken to minimize the significant economic impact on small entities. . . including a statement of the factual, policy, and legal reasons for selecting the alternative adopted in the final rule and why each one of the other significant alternatives to the rule considered by the agency which affect the impact on small entities was rejected."

121. The Commission sought comment on whether any of the burdens associated with the filing, recordkeeping and reporting requirements described in the *Order* could be minimized for small entities. As discussed above, the Commission minimized the burdens associated with any new reporting, recordkeeping, or compliance requirements adopted, which are aimed at ensuring 911 continuity and that consumers are sufficiently protected. As such, the Commission finds that the costs associated with the adopted rules and clarifications are likely minimal as a result of the anticipated decrease in filing burdens as well as through the elimination of outdated discontinuance rules. Thus, the Commission anticipates that the approaches it has taken to implement these reforms and updates will have minimal reporting, recordkeeping, or other compliance requirements or costs. We do not expect any additional burdens for small businesses entities.

G. Report to Congress

122. The Commission will send a copy of the *Order*, including this Final Regulatory Flexibility Analysis, in a report to Congress pursuant to the Congressional Review Act. In addition, the Commission will send a copy of the *Order*, including this Final Regulatory Flexibility Analysis, to the Chief Counsel for Advocacy of the SBA and will publish a copy of

the will publish a copy of the *Order*, and this Final Regulatory Flexibility Analysis (or summaries thereof) in the Federal Register.

III. Procedural Matters

123. *Paperwork Reduction Act*. This document may contain new or modified information collection requirements subject to the Paperwork Reduction Act of 1995 (PRA), Public Law 104-13. Specifically, the rules adopted in 47 CFR 51.329, 51.333, 63.60, 63.62(a) and (b), (d), 63.63, 63.66, 63.71, 63.90, 63.100, 63.504, 63.601, and 63.602 may require new or modified information collections. All such new or modified information collection requirements will be submitted to the Office of Management and Budget (OMB) for review under Section 3507(d) of the PRA. OMB, the general public, and other Federal agencies will be invited to comment on the new or modified information collection requirements contained in this proceeding. In addition, we note that pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107-198, *see* 44 U.S.C. 3506(c)(4), we previously sought specific comment on how the Commission might further reduce the information collection burden for small business concerns with fewer than 25 employees. In this document, we describe several steps we have taken to minimize the information collection burdens on small entities.

124. *Regulatory Flexibility Act*. The Regulatory Flexibility Act of 1980, as amended (RFA), requires that an agency prepare a regulatory flexibility analysis for notice-and comment rulemakings, unless the agency certifies that "the rule will not, if promulgated, have a significant economic impact on a substantial number of small entities." Accordingly, the Commission has prepared a Final Regulatory Flexibility Analysis (FRFA) concerning the possible impact of the rule changes contained in this Fourth Report and Order on small entities. The FRFA is set forth in Appendix B.

125. *Congressional Review Act.* The Commission has determined, and the Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget, concurs, that this rule is "non-major" under the Congressional Review Act, 5 U.S.C.

804(2). The Commission will send a copy of this Report and Order to Congress and the Government Accountability Office pursuant to 5 U.S.C. 801(a)(1)(A).

IV. Ordering Clauses

126. Accordingly, IT IS ORDERED that pursuant to Sections 1-4, 10, 201(b), 214(a)-(c), 251(c)(5) of the Communications Act of 1934, as amended, 47 U.S.C. 151-54, 160, 201(b), 214(a)-(c), 251(c)(5), the Report and Order hereby IS ADOPTED. (Pursuant to Executive Order 14215, 90 Fed. Reg. 10447 (Feb. 20, 2025), this regulatory action has been determined to be not significant under Executive Order 12866, 58 Fed. Reg. 68708 (Dec. 28, 1993).)

127. IT IS FURTHER ORDERED that the Commission's rules ARE HEREBY AMENDED as set forth in Appendix A and such amendments shall become effective 30 days after publication in the Federal Register, except that the amendments to §§ 51.329, 51.333, 63.60, 63.62(a)-(b), (d) and (e), 63.63, 63.71, and 63.602, which may contain new or modified information collection requirements, will not become effective until the Office of Management and Budget completes review of any information collection requirements that the Wireline Competition Bureau determines is required under the Paperwork Reduction Act. The Commission directs the Wireline Competition Bureau to announce the effective date for §§ 51.329, 51.333, 63.60, 63.62(a)-(b), (d) and (e), 63.63, 63.71, and 63.602 by subsequent Public Notice.

128. IT IS FURTHER ORDERED that, pursuant to 47 CFR 1.4(b)(1), the period for filing petitions for reconsideration or petitions for judicial review of this Report and Order will

commence on the date that a summary of this Report and Order is published in the Federal Register.

129. IT IS FURTHER ORDERED that the Commission's Office of the Secretary, SHALL SEND a copy of this Report and Order, including the Final Regulatory Flexibility Analysis, to the Chief Counsel for Advocacy of the Small Business Administration.

130. IT IS FURTHER ORDERED that the Office of the Managing Director, Performance Evaluation and Records Management, SHALL SEND a copy of this Report and Order in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, *see* 5 U.S.C. 801(a)(1)(A).

List of Subjects

47 CFR Part 51

Communications, Communications common carriers, Telecommunications, Telephone.

47 CFR Part 63

Authority delegations (government agencies), Cable television, Communications, Communications common carriers, Organization and functions (Government agencies), Radio, Reporting and recordkeeping requirements, Telegraph, Telephone.

Federal Communications Commission.

Marlene Dortch,
Secretary.

For the reasons set forth above, parts 51 and 63 of title 47 of the Code of Federal Regulations are amended as follows:

PART 51 – INTERCONNECTION

1. The authority citation for part 51 continues to read as follows:

Authority: 47 U.S.C. 151-55, 201-05, 207-09, 218, 225-27, 251-52, 271, 332 unless otherwise noted.

2. Delayed indefinitely, amend § 51.329 by:

a. Revising paragraph (a); and

b. Removing paragraph (c).

The revision reads as follows:

§ 51.329 Notice of network changes: Methods for providing notice.

(a) An incumbent LEC may provide the required notice to the public of network changes through publicly accessible industry fora, industry publications, or the incumbent LEC's website.

* * * * *

3. Delayed indefinitely, amend § 51.333 by:

a. Revising the section heading and paragraph (a);

b. Removing paragraphs (b) through (f);

c. Redesignating paragraph (g) as paragraph (b);

d. Removing newly redesignated paragraph (b)(1)(iii);

e. Further redesignating newly redesignated paragraphs (b)(1)(iv) and (v) as paragraphs (b)(1)(iii) and (iv); and

f. Revising newly redesignated paragraph (b)(2)(i) and (ii).

The revisions read as follows:

§ 51.333 Notice of network changes: Short-term network changes and copper retirement.

(a) *Direct notice.* If an incumbent LEC wishes to provide less than six months' notice of planned network changes, or provide notice of a planned copper retirement, the incumbent LEC must serve a copy of its public notice upon each telephone exchange service provider that directly interconnects with the incumbent LEC's network, 911 service providers, and directly interconnecting local exchange service providers that support essential functions within 911 networks in the affected service areas, provided that, with respect to copper retirement notices, such service may be made by postings on the incumbent LEC's website if the directly interconnecting telephone exchange service provider has agreed to receive notice by website postings. For purposes of this section, "911 service provider" is defined as an entity that provides 911, E911, or NG911 capabilities such as call routing, automatic location information, automatic number identification, or the functional equivalent of those capabilities, directly to a public safety answering point (PSAP), statewide default answering point, or appropriate local emergency authority as defined in § 9.3 of this chapter; and/or operates one or more central offices that directly serve a PSAP.

(1) An incumbent LEC must provide the required direct notice of a short-term network change at least 10 days prior to implementation.

(2) An incumbent LEC must provide direct notice of a planned copper retirement at least 90 days prior to implementation, except that it must provide direct notice of a planned

copper retirement involving copper facilities not being used to provision services to any customers at least 15 days prior to implementation.

(b) * * *

(2) * * *

(i) Notwithstanding the requirements of this section, if in response to circumstances outside of its control other than a force majeure event addressed in paragraph (b)(1) of this section, an incumbent LEC cannot comply with the timing requirement set forth in paragraph (a) of this section, hereinafter referred to as the waiting period, the incumbent LEC must give notice of the network change as soon as practicable.

(ii) A short-term network change or copper retirement notice subject to paragraph (b)(2) of this section must include a brief explanation of the circumstances necessitating the reduced waiting period and how the incumbent LEC intends to minimize the impact of the reduced waiting period on directly interconnected telephone exchange service providers.

* * * * *

PART 63 – EXTENSION OF LINES, NEW LINES, AND DISCONTINUANCE, REDUCTION, OUTAGE AND IMPAIRMENT OF SERVICE BY COMMON

CARRIERS; AND GRANTS OF RECOGNIZED PRIVATE OPERATING AGENCY STATUS

4. The authority citation for part 63 continues to read as follows:

Authority: 47 U.S.C. 151, 154(i), 154(j), 160, 201–205, 214, 218, 403, 571, unless otherwise noted.

5. Amend § 63.19 by revising the introductory text of paragraph (a) and paragraph (b) to read as follows:

§ 63.19 Special procedures for discontinuances of international services.

(a) With the exception of those international carriers described in paragraphs (b) and (c) of this section, any international carrier that seeks to discontinue, reduce, or impair service, including the retiring of international facilities, dismantling or removing of international trunk lines, shall be subject to the following procedures in lieu of those specified in §§ 63.61 through 63.505:

*****

(b) The following procedures shall apply to any international carrier that the Commission has classified as dominant in the provision of a particular international service because the carrier possesses market power in the provision of that service on the U.S. end of the route. Any such carrier that seeks to retire international facilities, dismantle or remove international trunk lines, but does not discontinue, reduce or impair the dominant services being provided through these facilities, shall only be subject to the notification requirements of paragraph (a) of this section. If such carrier discontinues, reduces or

impairs the dominant service, or retires facilities that impair or reduce the service, the carrier shall file an application pursuant to §§ 63.62 and 63.505.

* * * * *

6. Delayed indefinitely, amend § 63.60 by revising paragraphs (a), (b)(1) and (2), (c), and (g) to read as follows:

§ 63.60 Definitions.

* * * * *

(a) For the purposes of §§ 63.60 through 63.71, the term "carrier," when used to refer either to all telecommunications carriers or more specifically to non-dominant telecommunications carriers, shall include interconnected VoIP providers.

(b) * * *

(1) The closure by a carrier of a telephone exchange rendering interstate or foreign telephone toll service, or a public toll station serving a community or part of a community.

(2) The reduction in hours of service by a carrier at a telephone exchange rendering interstate or foreign telephone toll service or at any public toll station (except at a toll station at which the availability of service to the public during any specific hours is subject to the control of the agent or other persons controlling the premises on which such office or toll station is located and is not subject to the control of such carrier); the term reduction in hours of service does not include a shift in hours which does not result in any reduction in the number of hours of service.

* * * * *

(c) *Emergency discontinuance, reduction, or impairment of service* means any discontinuance, reduction, or impairment of the service of a carrier occasioned by conditions beyond the control of such carrier where the original service is not restored or

comparable service is not established within a reasonable time. For the purpose of this part, a reasonable time shall be deemed to be a period not in excess of 60 days.

* * * * *

(g) For the purposes of §§ 63.60 through 63.71, the term "service," when used to refer to a real-time, two-way voice communications service, shall include interconnected VoIP service as that term is defined in § 9.3 of this chapter but shall not include any interconnected VoIP service that is a "mobile service" as defined in § 20.3 of this chapter.

* * * * *

7. Delayed indefinitely, amend § 63.62 by revising the introductory text and paragraphs (a), (b), and (d) to read as follows:

§ 63.62 Type of discontinuance, reduction, or impairment of telephone service requiring formal application.

Authority for the following types of discontinuance, reduction, or impairment of service shall be requested by formal application containing the information required by the Commission in the appropriate sections to this part, including § 63.505, or in emergency cases (as defined in § 63.60(b)) as provided in § 63.63:

(a) The dismantling or removal of a trunk line (for contents of application see §§ 63.71 and 63.500) for all domestic carriers and for dominant international carriers except as modified in § 63.19;

(b) The severance of physical connection or the termination or suspension of the interchange of traffic with another carrier (for contents of application see §§ 63.71 and 63.501);

* * * * *

(d) The closure of a public toll station where no other such toll station of the applicant in the community will continue service (for contents of application, see § 63.505):

Provided, however, That no application shall be required under this part with respect to the closure of a toll station located in a community where telephone toll service is otherwise available to the public through a telephone exchange connected with the toll lines of a carrier;

* * * * *

8. Delayed indefinitely, amend § 63.63 by revising the introductory text of paragraph (a) and paragraph (b) to read as follows:

§ 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 electronically filing an informal request through the "Submit a Non-Docketed Filing" module of the Commission's Electronic Comment Filing System. Such requests shall be made as soon as practicable but not later than 65 days 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:

* * * * *

(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, 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 or in the initial application, authorize such discontinuance, reduction, or impairment of service for an indefinite period or permanently. In addition, the carrier may permanently discontinue, reduce, or impair a

service for which it has received authority for emergency discontinuance, reduction, or impairment upon a showing that:

(1) It has had no customers or reasonable requests for service during the 60-day period immediately preceding the discontinuance; and

(2) An adequate replacement service is available throughout the affected service area.

§ 63.66 [Removed and Reserved]

9. Remove and reserve § 63.66.

10. Delayed indefinitely, amend § 63.71 by:

a. Revising paragraph (a)(5);

b. Removing paragraphs (a)(6) and (c)(4);

c. Redesignating paragraphs (c)(2), (3), and (5) as paragraphs (c)(3), (4), and (9);

d. Adding new paragraphs (c)(2) and (5) and paragraphs (c)(6) through (8);

e. Revising paragraph (f);

f. Removing paragraphs (h) and (l);

g. Redesignating paragraphs (i), (j), and (k) as paragraphs (h), (i), and (j), respectively;

h. Revising newly redesignated paragraphs (h) and (j); and

i. Adding new paragraph (k).

The revisions and additions read as follows:

§ 63.71 Procedures for discontinuance, reduction or impairment of service by domestic carriers.

(a) * * *

(5) One of the following statements:

(i) The following statement: The FCC will normally authorize this proposed discontinuance of service (or reduction or impairment) 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. You may file your comments electronically through the FCC's Electronic Comment Filing System using the docket number established in the Commission's public notice for this proceeding, or you may 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 (carrier's name). Comments should include specific information about the impact of this proposed discontinuance (or reduction or impairment) upon you or your company, including any inability to acquire reasonable substitute service.

(ii) For discontinuances involving technology transitions, as defined in § 63.60(i), in addition to the statement required by paragraph (a)(5)(i) of this section, specific information as to how a customer who wants to object to or comment on the proposed discontinuance of service will be able to do so, including but not limited to providing the master docket number established by the Wireline Competition Bureau for such

objections and comments and the webpage(s) identified by the Wireline Competition Bureau for further guidance and resources to file an objection or comment.

* * * * *

(c) * * *

(2) For technology transitions discontinuance applications, as defined in § 63.60(i):

(i) Statement identifying the application as involving a technology transition;

(ii) Statement of the difference in price, if any, between the service being discontinued and replacement services available in the affected service area; and

(iii) Brief description of the affected community or part of a community, including the population size and any relevant characteristics of the customer population affected;

* * * * *

(5) Brief description of replacement services, whether available from the applicant or third parties, that would remain in the affected community or part of the affected community in the event the application is granted, including the name of any other carrier(s) providing replacement services to the affected community, and where in the affected community those services are available;

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

(7) For applications to discontinue a service supporting interconnection trunks or the exchange of traffic, in addition to the requirements set forth in §§ 63.500 and 63.501:

(i) Specific identity of the type of service to be discontinued in addition to any branded name of the service being discontinued;

(ii) Statement that at least 90 days prior to the planned discontinuance, the carrier provided a designated point of contact with authority to facilitate the orderly transition from legacy facilities that support 911 to the 911 Authorities, as defined in § 9.28 of this chapter, 911 service providers, and local exchange service providers that support

essential functions within 911 networks in the affected service area. For purposes of this section, "911 service provider" is defined as an entity that provides 911, E911, or NG911 capabilities such as call routing, automatic location information, automatic number identification, or the functional equivalent of those capabilities, directly to a public safety answering point (PSAP), statewide default answering point, or appropriate local emergency authority as defined in § 9.3 of this chapter; and/or operates one or more central offices that directly serve a PSAP; and

(iii) List of the 911 Authorities, 911 service provider, and local exchange service providers that support essential functions within 911 networks in the affected service areas with which the carrier has coordinated and the date(s) of that coordination;

(8) A certification, executed by an officer or other authorized representative of the applicant and meeting the requirements of § 1.16 of this chapter, that the information required by this section is true and accurate; and

* * * * *

(f)(1) The application to discontinue, reduce, or impair service that does not constitute a technology transition or, if constituting a technology transition, meets the requirements of paragraph (f)(2) of this section, 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. For purposes of this section, an application will be deemed filed on the date the Commission releases public notice of the filing.

(2) An application to discontinue, reduce, or impair an existing retail service as part of a technology transition, as defined in § 63.60(i), may be automatically granted only if the

applicant certifies that in every location throughout the affected service area, at least one of the following types of services is available:

(i) A facilities-based interconnected VoIP service, as defined in § 9.3 of this chapter;

(ii) A facilities-based mobile wireless service operating at speeds of at least 5 Mbps download and 1 Mbps upload, consistent with the coverage parameters set forth in §1.7004(c)(3) of this chapter;

(iii) A voice service offered pursuant to an obligation from one of the Commission's modernized high-cost support programs;

(iv) A voice service already available from the applicant in the affected service area that that the applicant certifies offers substantially similar levels of network performance and availability as the legacy voice service being discontinued based on the applicant's own internal network testing in connection with rolling out a new product or service, provides access to 911 and complies with applicable 911 requirements in part 9 of this title, and permits users generally to receive calls that originate on the public switched telephone network and to terminate calls to the public switched telephone network or any successor network that utilizes numbers issued pursuant to the North American Numbering Plan and supports access to 911 and complies with applicable 911 requirements in part 9 of this title; or

(v) A widely available alternative service offered by a third party that the applicant certifies offers substantially similar levels of network performance and availability as the legacy voice service being discontinued, and permits users generally to receive calls that originate on the public switched telephone network and to terminate calls to the public switched telephone network or any successor network that utilizes numbers issued

pursuant to the North American Numbering Plan and supports access to 911 and complies with applicable 911 requirements in part 9 of this title.

* * * * *

(h) An application to discontinue, reduce, or impair a service filed by a competitive local exchange carrier in response to a copper retirement notice provided pursuant to § 51.333 of this chapter shall be automatically granted on the effective date of the copper retirement; provided that:

(1) The competitive local exchange carrier submits the application to the Commission for filing at least 40 days prior to the copper retirement effective date; and

(2) The application includes a certification, executed by an officer or other authorized representative of the applicant and meeting the requirements of § 1.16 of this chapter, that the copper retirement is the basis for the application and that the applicant has notified and coordinated with all 911 Authorities as defined in § 9.28 of this chapter with jurisdiction within the affected service area.

* * * * *

(j)(1) Notwithstanding any other provision of this section, a carrier is not required to file an application to grandfather a legacy voice service, lower-speed data service, or interconnected VoIP service provisioned over copper wire; however, it must provide

notice to existing customers that it is grandfathering a service they current receive from that carrier. Such notice shall include:

(i) An approximate date by which it intends to seek to permanently discontinue the service; and

(ii) A statement regarding alternative services available in the affected service area.

(2) For purposes of this paragraph (j), "lower-speed data service" is defined as a data service operating at speeds below 25 Mbps download and 3 Mbps upload.

(k) Notwithstanding any other provision of this section, where a wholesale provider is engaging in a technology transitions discontinuance of a legacy voice service resold by another provider, the reseller is not required to file an application to discontinue the resold service, except that the reseller must provide notice to its customers, as soon as practicable, that it will no longer be able to provide the relevant legacy voice service. Such notice shall be via any means to which the customer has previously provided express, verifiable approval. Notice shall include the following:

(1) Name and address of carrier;

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

(3) Points of geographic areas of service affected;

(4) Brief description of type of service affected; and

(5) Statement regarding the availability of alternative services in the affected service area.

§§ 63.90, 63.100, 63.504, and 63.601 [Removed and Reserved]

11. Remove and reserve §§ 63.90, 63.100, 63.504, and 63.601.

§ 63.602 [Removed and Reserved]

12. Delayed indefinitely, remove and reserve § 63.602.

[FR Doc. 2026-07622 Filed: 4/17/2026 8:45 am; Publication Date: 4/20/2026]