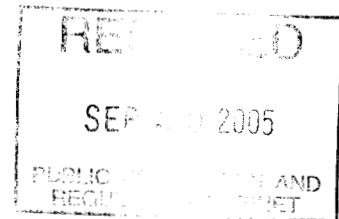




COMMONWEALTH OF KENTUCKY
OFFICE OF THE GOVERNOR



ERNIE FLETCHER
GOVERNOR

700 CAPITOL AVENUE
SUITE 100
FRANKFORT, KY 40601
(502) 564-2611
FAX: (502) 564-2517

September 29, 2005

Chris Lilly
Commissioner
Public Service Commission
100 Airport Road
Frankfort, KY 40601

RE: Comm South Companies, Inc.

Dear Commissioner Lilly:

I am forwarding you an application made to the Federal Communications Commission by the above referenced party to discontinue services.

Thank you for your attention to this matter.

Sincerely,

Michael T. Alexander
Deputy General Counsel

Enclosure



AN EQUAL OPPORTUNITY EMPLOYER M/F/D

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

In the Matter of
Section 63.71 Application of
Comm South Companies, Inc.
For Authority to Discontinue Certain
Telephone Services

WC Docket No. _____

To: The Wireline Competition Bureau

SECTION 63.71 APPLICATION

Comm South Companies, Inc. ("Comm South") hereby files this Application to discontinue services pursuant to Section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, and Section 214 of the Communications Act of 1934, as amended, in selected areas defined herein. Specifically, Comm South is seeking to discontinue the provision of certain domestic interstate and international long distance telephone service to residential customers on October 10, 2005 and business customers on October 26, 2005 in a number of locations across the United States and to discontinue all telecommunications services on January 1, 2006. In support of this Application, Comm South submits the following:

I. DESCRIPTION OF DISCONTINUANCE.

1. Name and address of carrier.

Comm South Companies, Inc. ("Comm South")
8035 E. R.L. Thornton
Suite 410
Dallas, TX 75228

Comm South also does business under the following names: Alabama Comm South Corp., Arkansas Comm South, Inc., Florida Comm South, Altair Communications, Inc., Mississippi Comm South, Missouri Comm South, Inc., E-Z Tel. Inc., Comm South in Tennessee, and Comm South Companies VA, Inc.

2. Date of planned service discontinuance.

The anticipated date for the discontinuance of certain residential pre-paid local and domestic interstate and international long distance telephone services in selected states is October 10, 2005, or as soon thereafter as the necessary state and federal authorizations have been obtained. Certain business pre-paid local and domestic interstate and international long distance telephone services in selected states are scheduled for discontinuance on October 26, 2005 or as soon thereafter as the necessary state and federal authorizations have been obtained. Comm South is scheduled to discontinue all telecommunications services on January 1, 2006.

3. Points of geographic areas of service affected

By this application, Comm South seeks authority to discontinue the provision of domestic interstate and international long distance telephone services to residential and business customers located in the States of Alabama, Arizona, Arkansas, California, Colorado, the District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Carolina, Oklahoma, Oregon, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, Washington, West Virginia, and Wyoming (the "Discontinuance States"). Comm South seeks authority to discontinue the provision of domestic interstate

and international long distance services to all customers in the United States effective January 1, 2006.

4. Brief description of the type of service affected

Comm South proposes to discontinue the provision of residential pre-paid local and domestic interstate and international long distance telephone service effective October 10, 2005. Comm South proposes to discontinue the provision of certain business pre-paid local and domestic interstate and international long distance telephone service effective October 26, 2005. Comm South proposes to discontinue all telecommunications services effective January 1, 2006.

5. Brief description of the dates and methods of notice to all affected customers

Written notice to all affected residential and business customers substantially in the form of the sample letter attached as Exhibit A was mailed by first class U.S. mail to customers in the Discontinuance States on September 10, 2005 or September 26, 2005 (for business customers). The customer notice letters were prepared in accordance with the requirements of Section 63.71(a) of the Commission's rules.

6. Non-dominance of carrier with respect to the service to be discontinued

Comm South is a non-dominant with respect to the services that it proposes to discontinue.

7. Service

In accordance with Section 63.71(a) of the Commission's rules, Comm South has mailed a copy of this Application to the Governor and public utility commission of each of

the Discontinuance States listed above in Paragraph 3, and to the Special Assistant for Telecommunications for the Secretary of Defense.

8. Additional questions regarding this application may be addressed to:

Paul C. Besozzi, Esq.
Jennifer L. Richter, Esq.
Patton Boggs, LLP
2550 M Street, NW
Washington, DC 20037-1350
202-457-6000 (Telephone)
202-457-6315 (Facsimile)
pbesozzi@pattonboggs.com
jrichter@pattonboggs.com

II. CIRCUMSTANCES OF DISCONTINUANCE

Comm South is now in Chapter 7 bankruptcy protection and is in the process of liquidating its business and its assets, including discontinuing telecommunications service. The services to be discontinued are competitive in nature and customers have received sufficient notice in order to allow them to make arrangements for replacement services. Comm South will continue to provide limited business services until December 31, 2005 in order to allow its payphone customer to transition to another carrier. The proposed discontinuances have been approved by the U.S. Bankruptcy Court for the Northern District of Texas, Dallas Division.

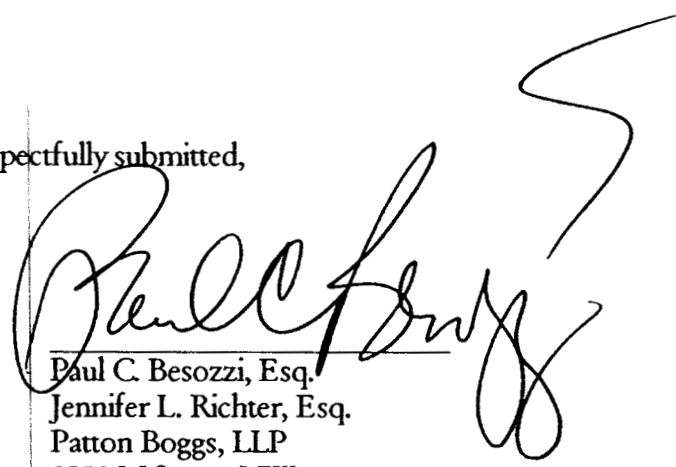
III. CONCLUSION

Comm South believes that the proposed discontinuance is reasonable and necessary. Comm South will take all reasonable steps, to the extent it is able, to ensure that the discontinuance of service is not unduly disruptive to the present or future public convenience and necessity. For the foregoing reasons, Comm South respectfully requests, pursuant to Section 214(a) of the Communications Act of 1934, as amended, 47 U.S.C. § 214(a) and Section 63.71 of the

Commission's rules, that the Commission permit it to discontinue the provision of services to certain customers pursuant to Section 63.71.

Respectfully submitted,

By:

A large, stylized handwritten signature in black ink, appearing to read "Paul C. Besozzi". The signature is written over a horizontal line and extends upwards and to the right.

Paul C. Besozzi, Esq.
Jennifer L. Richter, Esq.
Patton Boggs, LLP
2550 M Street, NW
Washington, DC 20037-1350
202-457-6000 (Telephone)
202-457-6315 (Facsimile)
pbesozzi@pattonboggs.com
jrichter@pattonboggs.com

Exhibit A

Sample Customer Notice

September 10, 2005

Dear Comm South Customer:

RE: **NOTICE OF DISCONTINUANCE OF PRE-PAID LOCAL AND LONG DISTANCE TELEPHONE SERVICE**

It has been our pleasure at Comm South to provide you with quality, pre-paid local and long distance services. **We regret to inform you that as of October 10, 2005, Comm South Companies, Inc.¹ ("Comm South") will no longer provide pre-paid local and long distance telephone service.**

Your action is required! You must select a new local and/or long distance telephone provider to provide you with the same services you are currently receiving from Comm South as quickly as possible but no later than October 10, 2005. You can find a list of local and long distance telephone service providers in your local telephone directory.

As a pre-paid customer of Comm South, you are free to discontinue Comm South service **at any time** by simply not pre-paying Comm South for telephone service and choosing another provider. Your pre-paid phone service with Comm South will terminate in accordance with state law as soon as either you choose not to pre-pay for services or Comm South completes the required regulatory process for abandonment / discontinuation of services, whichever occurs first. Pre-paid customers do not maintain deposits with Comm South.

After selecting a new local telephone provider, you should also contact your current long distance provider to ensure that your current long distance calling plan is not changed as a result of your change in your local service. If you do not contact your long distance provider, you may be charged basic rates (non-calling plan rates) for long distance calls. Of course, if you are receiving long distance services from Comm South, you must select a new long distance provider.

The Federal Communications Commission will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments within 15 days after receipt of this notification. Address them to the Federal Communications Commission, 445 12th Street, SW, Washington, DC 20554, referencing the Section 63.71 Application of Comm South, Inc. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to

¹ Comm South also does business under the following names: Alabama Comm South Corp., Arkansas Comm South, Inc., Florida Comm South, Altair Communications, Inc., Mississippi Comm South, Missouri Comm South, Inc., E-Z Tel. Inc., Comm South in Tennessee, and Comm South Companies VA, Inc. Comm South has been in Chapter 11 bankruptcy protection for two years, and will liquidate and exit the telecommunications business after receipt of all necessary court and regulatory approvals.

acquire reasonable substitute service.

Again, it has been our pleasure to serve you. If you require assistance or have questions about termination of your service, please contact Comm South using the contact information found below.

Sincerely,

Comm South Companies, Inc.
8035 E. RL Thornton, Suite 410
Dallas, TX 75228
1-800-936-5223

VERIFICATION

I, Marla C. Reynolds, declare that I am Chapter 7 Trustee of Comm South Companies, Inc. I am authorized to make this Verification on behalf of Comm South Companies, Inc. and that the foregoing was prepared under my direction and supervision. The statements in the foregoing document are true and correct to the best of my knowledge, information, and belief.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 26, 2005, at Dallas, Texas.

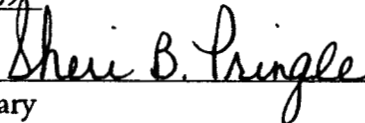


Marla C. Reynolds
Chapter 7 Trustee for
Comm South Companies, Inc.

The foregoing instrument was acknowledged before me this 26 day of September, 2005, by Marla C. Reynolds.

Witness my hand and official seal.
My Commission expires: September 7, 2009





Notary

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Section 63.71 Application of Comm South Companies, Inc. was served this 27 of September, 2005, by mailing true and correct copies thereof, postage prepaid, to the following persons at the addresses appearing on the attached list.


Carly T. Didden

Department of Defense
Office of the Secretary
US Department of Defense
Pentagon
Attn: Special Assistant for Telecommunications
Washington, DC 20301

Docket Office
California Public Utilities Commission
505 Van Ness Ave Rm 2001
San Francisco, CA 94102-3298

Blanca Bayo
Director
Florida Public Service Commission
Capitol Circle Office Center
2540 Shumard Oak Blvd
Tallahassee, FL 32399-0850

Elizabeth Rolando
Chief Clerk
Illinois Commerce Commission
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Springfield, IL 62701

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1500 SW Arrowhead Rd
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Secretary of the Commission
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M Michael Cooke
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Denver, CO 80203

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Executive Secretary
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Atlanta, GA 30334-5701

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Frankfort, KY 40601

Mary Jo Kunkle
Executive Secretary
Department of Commerce
Michigan Public Service Commission
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Lansing, MI 48911

Dale Hardy Roberts
Secretary Chief Regulatory Law Judge
Missouri Public Service Commission
Harry S Truman Office Bldg
301 W High St., Rm 530
Jefferson City, MO 65102

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Executive Secretary
Maryland Public Service Commission
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Baltimore, MD 21202-6806

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Phoenix, AZ 85007

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Little Rock, AR 72201

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Office of the Governor
State Capitol
Sacramento, CA 95814

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The Honorable Rod Blagojevich
Office of the Governor
State Capitol
207 Statehouse
Springfield, IL 62706

The Honorable Sonny Perdue
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Atlanta, GA 30334

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The Capitol Bldg
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Jefferson City, MO 65101

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Utilities Division
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Phoenix, AZ 85007-2996

William D. McCarthy, Chairman
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Indiana Government Center South
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Helena, MT 59620-2601

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Commission Secretary
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Carson City, NV 89701-3109

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Nashville, TN 37243-0001

The Honorable Mark Warner
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