



2600 Maitland Center Pkwy.  
Suite 300  
Maitland, FL 32751  
P.O. Drawer 200  
Winter Park, FL  
32790-0200  
Tel: 407-740-8575  
Fax: 407-740-0613  
www.tminc.com

May 28, 2009  
*Via Electronic Delivery*

Ms. Patricia Van Gerpen  
South Dakota Public Utilities Commission  
Capitol Building, 1<sup>st</sup> Floor  
500 East Capitol  
Pierre, SD 57501

**Re: Discontinuance of Operations - Talk America Inc. d/b/a Cavalier Telephone  
d/b/a Cavalier Business Communications Provider of Interexchange Long  
Distance Telecommunications Services (TC92-018)**

Dear Ms. Van Gerpen:

Please accept this letter as notice that effective July 15, 2009, Talk America Inc. d/b/a Cavalier Telephone d/b/a Cavalier Business Communications is voluntarily relinquishing its authority to provide interexchange telecommunications services within the State of South Dakota.

Talk America was granted interexchange long distance authority in original Order Number TC 92-018 on June 16, 1992.

Currently the Company has sixteen (16) long distance customers in South Dakota which will be affected by this discontinuance. A written notice was sent via first class mail on May 27, 2009 to all affected customers. The Company has filed an application for discontinuance with the Federal Communications Commission pursuant to 47 C.F.R. §63.71, a copy of which is attached.

The Company is requesting that the interexchange tariff - SDPUC Tariff No. 2, currently on file with the Commission be withdrawn.

Please acknowledge receipt of this filing by date stamping the extra copy of this cover letter and returning it to me in the self-addressed, stamped envelope provided. Any questions you may have pertaining to this filing may be directed to me at (407) 740-3031 or via email at sthomas@tminc.com. Thank you for your assistance.

Sincerely,

Sharon Thomas  
Consultant to Talk America Inc.

*ST/im.*

Copy: M. Ring – Talk  
File: Talk – SD IXC  
TMS: SDI0901

TALK AMERICA INC.

EXHIBIT A

CUSTOMER NOTICE



May 27, 2009

«NAME»  
«BILLING\_ADDRESS» «ADDRESS1»  
«CITY1», «STATE1» «ZIP1»

RE: Important Information Concerning your Telephone Services  
Service Address: «SERVICE\_ADDRESS\_NAME» «ADSTHF»  
«CITY», «STATE» «ZIP»  
Account Number: «CUNO»

Dear Customer:

Talk America, Inc. (which in some states does business under the name of its parent company, Cavalier Telephone) is filing an application to discontinue providing telecommunications services in your state. Effective July 15<sup>th</sup>, 2009, Talk America, Inc. or Talk America d/b/a Cavalier Telephone will no longer provide the local and/or long distance (including instate, state-to-state and international) telecommunications services you currently receive at the above location. Please take steps to transition your services to another provider before the disconnection date listed above.

The Federal Communications Commission will normally authorize this proposed discontinuance of service, unless it is shown that the customer 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 of receipt of this notification. Address them to the Federal Communications Commission, Washington DC 20554 referencing the 63.71 application of Talk America d/b/a Cavalier Telephone. Comments should include specific information about the impact of this proposed discontinuance on you or your company, including any inability to acquire reasonable substitute service.

If you have any questions, or need help understanding how to transition your services, please contact Cavalier's Customer Care Department at 800-291-9699.

Sincerely,

Cavalier Telephone

TALK AMERICA INC.

EXHIBIT B

APPLICATION FOR DISCONTINUANCE

FILED WITH FEDERAL COMMUNICATIONS COMMISSION

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

In the Matter of )  
Section 63.71 Application of )  
Talk America Inc. )  
to Discontinue Service )

File No. \_\_\_\_\_

**Section 63.17 Application of Talk America Inc. to Discontinue Services**

Talk America Inc. ("Talk America" or "Applicant") hereby seeks authorization pursuant to Section 214 (a) of the Communication Act of 1934, as amended, and 47 C.F.R. §63.71, to discontinue its provision of domestic local and/or long distance telecommunications services (including intrastate, interstate and international) to end-user customers in fifteen (15) states. Talk America does business in some of the affected states under the name Cavalier Telephone. In other states, it also does business under the names Cavalier Business Communications (for business services) and Cavalier Telephone and TV.

Applicant is considered a non-dominant telecommunications carrier with respect to all of its services, including those affected by the proposed discontinuance. As detailed below, the Applicant currently serves a very limited number of customers in the states where it proposes to discontinue service. The Applicant will continue to provide telecommunications services in a number of other states not affected by this Application for discontinuance.

Talk America individually notified affected customers of its proposed discontinuance of service via letter sent first class mail on May 27, 2009.

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

1. *Name and address of Carrier*

Talk America Inc. d/b/a Cavalier Telephone also d/b/a/ Cavalier  
Business Communications also d/b/a Cavalier Telephone and TV  
*Corporate address:*  
2134 West Laburnum Avenue  
Richmond, VA 23227

*Customer service address:*  
3300 N. Pace Avenue  
Pensacola, FL 32505

Correspondence concerning this application should be sent to:

Sharon Thomas, Consultant to  
Talk America d/b/a Cavalier Telephone  
Technologies Management, Inc.  
2600 Maitland Center Parkway, Suite 300  
Maitland, FL 32751  
Telephone: 407-740-3031  
Facsimile: 407-740-0613  
E-Mail: [sthomas@tminc.com](mailto:sthomas@tminc.com)

2. *Date of Planned Service Discontinuance, Reduction or Impairment:*

Talk America proposes to discontinue service to the affected customers on July 15, 2009, with the exception of customers in Iowa. The date of planned service discontinuance for Iowa customers is September 15, 2009.

3. *Points of Geographic Areas of Service Affected:*

Applicant proposes to discontinue the provision of all local and long distance services (including intrastate, interstate and international) in Arkansas, Kansas and Oklahoma. Applicant proposes to discontinue the provision of all long distance services (including intrastate, interstate and international) in South Dakota, Iowa, Idaho, Maine, North Dakota, Nebraska, New Mexico, Rhode Island, Utah, Vermont, Wyoming and West Virginia (the Applicant does not offer local services in these latter states).

4. *Brief Description of Types of Service Affected:*

Talk America will discontinue both retail local and long distance service. The number of impacted customers in each state for each type of service is listed in the following table:

<b>State</b>	<b>Local Customers</b>	<b>Long Distance Customers</b>
Arkansas	7	37
Kansas	2	24
Oklahoma	1	46
South Dakota	0	16
Iowa	0	51
Idaho	0	22
Maine	0	33
North Dakota	0	3
Nebraska	0	23
New Mexico	0	54
Rhode Island	0	29
Utah	0	38
Vermont	0	39
Wyoming	0	9
West Virginia	0	47

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

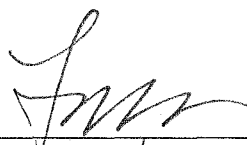
The Applicant has provided written customer notice of the planned discontinuance in accordance with the requirements of section 63.71 (a) of the Commission's Rules by notice dated May 27, 2009. Notice was provided via letter sent first class mail to each affected customer. Copies of the customer notices (one for Iowa and one for all other states) are appended hereto as Exhibit A.

Notice has been sent to the State Regulatory agencies, Governors' offices and the Department of Defense, as required under Section 63.71, concurrent with this filing. A service list is provided in Exhibit B.

### Conclusion

Pursuant to Section 214 (a) of the Communication Act of 1934, as amended, and 47 C.F.R. §63.71, Talk America Inc. understands that this application will be automatically granted on the 31<sup>st</sup> day after the Public Notice is released, with no Commission notification to the Company, unless the Commission has notified the Company that the grant will not be automatically effective.

Dated this 27 day of May 2009.



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Frances McComb  
Senior Vice President – Law and Public Policy  
Talk America Inc.

Sharon Thomas, Consultant to  
Talk America Inc.  
Technologies Management, Inc.  
2600 Maitland Center Parkway, Suite 300  
Maitland, FL 32751  
Telephone: 407-740-3031  
Facsimile: 407-740-0613  
E-Mail: [sthomas@tminc.com](mailto:sthomas@tminc.com)



**Exhibit A**

Customer Notices



May 27, 2009

«NAME»  
«BILLING\_ADDRESS» «ADDRESS1»  
«CITY1», «STATE1» «ZIP1»

RE: Important Information Concerning your Telephone Services  
Service Address: «SERVICE\_ADDRESS\_NAME» «ADSTHF»  
«CITY», «STATE» «ZIP»  
Account Number: «CUNO»

Dear Customer:

Talk America, Inc. (which in some states does business under the name of its parent company, Cavalier Telephone) is filing an application to discontinue providing telecommunications services in your state. Effective July 15<sup>th</sup>, 2009, Talk America, Inc. or Talk America d/b/a Cavalier Telephone will no longer provide the local and/or long distance (including instate, state-to-state and international) telecommunications services you currently receive at the above location. Please take steps to transition your services to another provider before the disconnection date listed above.

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If you have any questions, or need help understanding how to transition your services, please contact Cavalier's Customer Care Department at 800-291-9699.

Sincerely,

Cavalier Telephone



May 27, 2009

«NAME»  
«BILLING\_ADDRESS» «ADDRESS1»  
«CITY1», «STATE1» «ZIP1»

RE: Important Information Concerning your Telephone Services  
Service Address: «SERVICE\_ADDRESS\_NAME» «ADSTHF»  
«CITY», «STATE» «ZIP»  
Account Number: «CUNO»

Dear Customer:

Talk America, Inc. (which in some states does business under the name of its parent company, Cavalier Telephone) is filing an application to discontinue providing telecommunications services in your state. Effective September 15, 2009, Talk America, Inc. or Talk America d/b/a Cavalier Telephone will no longer provide the local and/or long distance (including in-state, state-to-state and international) telecommunications services you currently receive at the above location. Please take steps to transition your services to another provider before the disconnection date listed above.

The Federal Communications Commission will normally authorize this proposed discontinuance of service, unless it is shown that the customer 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 of receipt of this notification. Address them to the Federal Communications Commission, Washington DC 20554 referencing the 63.71 application of Talk America d/b/a Cavalier Telephone. Comments should include specific information about the impact of this proposed discontinuance on you or your company, including any inability to acquire reasonable substitute service.

If you have any questions, or need help understanding how to transition your services, please contact Cavalier's Customer Care Department at 800-291-9699.

Sincerely,

Cavalier Telephone

**Exhibit B**

Service List

## Service List

**Office of the Governor**  
500 Woodlane Ave # 250  
Little Rock, AR 72201

**Office of the Governor**  
P.O. Box 83720  
Boise, Idaho 83720

**Office of the Governor**  
State Capitol  
Des Moines, IA 50319

**Office of the Governor**  
Capitol, 300 SW 10th Ave., Ste. 212S  
Topeka, KS 66612-1590

**Office of the Governor**  
#1 State House Station  
Augusta, ME 04333-0001

**Office of the Governor**  
1445 K St # 2316  
Lincoln, NE 68508

**Office of the Governor**  
600 East Boulevard Avenue  
Bismarck, North Dakota 58505-0001

**Secretary of Defense**  
Attn: Special Assistant for Telecommunications  
Pentagon  
Washington, D.C. 20301

**FCC Form 499 Data Collection Agent**  
Universal Service Administration Corporation  
200 L Street NW, Suite 200  
Washington, DC 20036

**Office of the Governor**  
490 Old Santa Fe Trl # 400  
Santa Fe, NM 87501

**Office of the Governor**  
2300 N. Lincoln Blvd., Room 212  
Oklahoma City, OK 73105

**Office of the Governor**  
301 Promenade Street  
Providence, RI 02908

**Office of the Governor**  
500 E. Capitol Ave.  
Pierre, SD 57501

**Office of the Governor**  
Utah State Capitol Complex  
350 North State Street, Suite 200  
Salt Lake City, Utah 84114-2220

**Office of the Governor**  
109 State Street, Pavilion  
Montpelier, VT 05609-0101

**Office of the Governor**  
State Capitol, 200 West 24th Street  
Cheyenne, WY 82002-0010

**Office of the Governor**  
State Capitol, 200 West 24th Street  
Cheyenne, WY 82002-0010

**Office of the Governor**  
State Capitol, 200 West 24th Street  
Cheyenne, WY 82002-0010

**CERTIFICATE OF SERVICE**

Talk America Inc.

STATE OF FLORIDA        )

COUNTY OF ORANGE        )

On this date, 5-28, 2009, Notice has been sent to the State Regulatory agencies, Governors' offices and the Department of Defense, as required under Section 63.71, concurrent with this filing. A service list is provided in Exhibit B.



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For Shipping Department  
Technologies Management, Inc.

TALK AMERICA INC.

EXHIBIT C

WITHDRAWN TARIFF

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EMERGING COMPETITIVE TELECOMMUNICATIONS SERVICE TARIFF

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*This tariff SDPUC Tariff No. 2 issued by Talk America Inc. d/b/a Cavalier Telephone and also d/b/a Cavalier Business Communications, Cancels and Replaces SDPUC Tariff No. 1, issued by Talk America Inc. in its entirety*

INTEREXCHANGE TELECOMMUNICATIONS TARIFF

OF SOUTH DAKOTA

Talk America Inc.

d/b/a Cavalier Telephone

and also

d/b/a Cavalier Business Communications

This tariff is filed in accordance with the South Dakota Public Utilities Commission. All services contained in this tariff are emerging competitive.

This tariff contains the descriptions, regulations, and rates applicable to the furnishing of service and facilities for interexchange telecommunications services provided by Talk America Inc. d/b/a Cavalier Telephone and also d/b/a Cavalier Business Communications within the State of South Dakota. This tariff is on file with the Public Utilities Commission. Copies may be inspected during normal business hours at the Company's principal place of business.

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Issued: February 9, 2007

Effective:

March 11, 2007

By:

Marty Clift, Vice President Regulatory Affairs  
2134 W. Laburnum  
Richmond, Virginia 23227

SDO0701