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**DEC 17 2013**

**SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION**

**BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C.**

In the Matter of )  
 )  
Telefonica Digital, Inc. ) WC Docket No. \_\_\_\_\_  
 )  
Section 63.71 Application to Discontinue )  
Domestic Telecommunications Services )

**SECTION 63.71 APPLICATION**

Telefonica Digital, Inc. ("TDI"), in accordance with Section 63.71 of the Commission's rules,<sup>1</sup> hereby requests authority to discontinue the provision of retail domestic telecommunications services within the United States.<sup>2</sup>

In support of this application, TDI provides the following information in accordance with Section 63.71(b) of the Commission's rules:

**Name and address of carrier**

Telefonica Digital, Inc.  
200 W. Evelyn Ave., # 120  
Mountain View, CA 94041

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<sup>1</sup> 47 C.F.R. § 63.71.

<sup>2</sup> TDI (which in the past operated under the trade name Jajah, Inc.) also will discontinue its provision of retail international telecommunications service, and the company today is notifying the International Bureau of the proposed discontinuance under separate cover in accordance with 47 C.F.R. § 63.19. TDI previously notified the Commission by its letter of November 15, 2013, of TDI's intent to discontinue international wholesale telecommunications services as of January 1, 2014, and TDI's application to discontinue domestic wholesale telecommunications services as of that date — also filed November 15, 2013 — is pending.

**Planned discontinuance date and geographic areas affected**

TDI plans to discontinue its retail telecommunications services as of January 31, 2014, or as soon as possible thereafter once the necessary regulatory approvals have been obtained. The affected geographic service area is national.

**Description of affected service**

As relevant to this application, TDI provides only one consumer-facing retail service, JAJAH.Direct, that is subject to Section 214. JAJAH.Direct enables subscribers to place interstate and international calls over the public switched telephone network ("PSTN") from an ordinary telephone by dialing an access number. That access number, in turn, provides subscribers with access to the JAJAH.Direct platform. From there, subscribers dial their destination number and then input the access code for their account, from which prepaid minutes of use are deducted.

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

On December 1, 2013, TDI notified each affected JAJAH.Direct customer of the proposed discontinuance by e-mail (and sent a follow up e-mail on December 13, 2013), using the contact e-mail address each customer maintains with TDI. TDI routinely communicates important service-related information to these customers by e-mail, including documents such as billing statements and similar notices. In contrast, TDI never communicates with customers by physical postal mail, nor are customers required to provide a postal address when signing up for TDI's services. TDI therefore does not possess a postal address for the vast majority of its customers, and e-mail is the most reliable and effective way for TDI to distribute its discontinuance notice. A copy of the December 13 follow-up notice is attached to this letter as Exhibit A.

TDI already has taken several additional steps to confirm that each customer is informed of the planned discontinuance. First, all visitors to the JAJAH.Direct website — which is used by customers to manage their accounts — already are greeted by a prominent notice at the top of the page in a red box explaining the discontinuance of service. When expanded, the notice explains additional details about the procedures for obtaining refunds of any remaining credit. The text of this message, which has appeared on the website since December 1, 2013, is attached as Exhibit B. Notably, the notice contains the same Commission-mandated language that is included in the discontinuance notice TDI has transmitted via e-mail to its retail customers. Second, the notice on the website links to detailed FAQs that address at the top the planned discontinuance of JAJAH.Direct.<sup>3</sup> These FAQs describe not only the planned discontinuance of JAJAH.Direct, but also explain how, if a customer is carrying a prepaid balance, an automated refund process will be implemented both prior and subsequent to the effective date of the discontinuance. In addition to these existing notification methods, TDI intends to distribute a third notice to all customers via e-mail at least two weeks prior to discontinuing service.

Notably, JAJAH.Direct is not intended to be—and, to TDI's knowledge, is not—the primary source of telecommunications service for any of its customers. Indeed, the JAJAH.Direct service by definition requires customers to rely on another source of telecommunications service to use the JAJAH.Direct service. This is evident by the fact that JAJAH.Direct customers first must connect to an access number to use the JAJAH.Direct platform, and that access number can be reached only by using a non-JAJAH.Direct

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<sup>3</sup> See <http://jajah.com/support/faq/>.

telecommunications service. As a consequence, the discontinuance of JAJAH.Direct is not expected to affect any customer's primary telecommunications service.

In accordance with Section 63.71(a) of the Commission's rules, copies of this application are being submitted to the public utility commission and governor of each affected state and the District of Columbia, as well as to the Special Assistant for Telecommunications to the Secretary of Defense.

**Carrier's regulatory classification**

TDI is classified as non-dominant with respect to the services at issue in this application.

**Additional information**

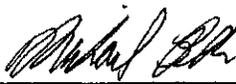
Any questions relating to this application may be directed to undersigned counsel for TDI.

**Conclusion**

The proposed discontinuance of TDI's wholesale telecommunications services will not adversely affect the public convenience or necessity, as reasonable substitutes for these services are available from numerous competing carriers. TDI therefore respectfully requests that the Commission grant TDI the requested authority to discontinue its provision of the services described herein.

Respectfully submitted,

Telefonica Digital, Inc.

By:  \_\_\_\_\_

Yaron Dori  
Michael Beder  
Covington & Burling LLP  
1201 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
Tel: 202.662.6000  
Fax: 202.662.6291

ydori@cov.com  
mbeder@cov.com

*Its Attorneys*

December 13, 2013

**Exhibit A**

**Discontinuance Notice to Retail Customers**

**From:** Jajah Support <Jajah\_Support@mail.vresp.com>  
**Sent:** Friday, December 13, 2013 10:11 AM  
**To:** Craig Wallace  
**Subject:** Second Reminder Jajah.com Jajah Direct Services are Closing

Dear Jajah Customer,

Second Reminder.

You are receiving this email because you have registered a Jajah.com or Jajah Direct account.

As of January 31, 2014, Jajah will no longer offer any Jajah.com or Jajah Direct services to its users in the United States or elsewhere.

This means that, as of January 31, 2014 you will no longer be able to make any calls through Jajah's website or using any Jajah Direct numbers you have set up.

You will be able to continue using your account in the normal way until this date however it is important to note that as of January 31, 2014 it will not be possible to add new funds to your account or make any calls or send SMS.

Users who wish to request a refund now of any balance remaining on their account prior to the service closing may do so by submitting a request at the support page,

<http://cts.vresp.com/c/?JAJAH/f688b5760c/ccc3f34809/e6d8175b77>.

After requesting a refund, your account will be closed and refund processed within 30 days.

If you do not receive a refund you may contact Jajah at [JajahVoice@jajah.com](mailto:JajahVoice@jajah.com) no later than January 31, 2014 and, if necessary, you may be asked to provide PayPal account information to which Jajah can post the credit. Jajah will not be responsible for providing refunds except as provided above and under the terms set forth at

<http://cts.vresp.com/c/?JAJAH/f688b5760c/ccc3f34809/f0436d4e16>.

If you do not apply for a refund, Jajah intends to issue your refund automatically once the service closes. If Jajah is unable to issue your refund automatically, it will attempt to contact you.

Thank you for having been such a valuable Jajah.com user.

Jajah  
200 West Evelyn Ave,  
Suite 120,  
Mountain View,  
CA 94041,

USA

**Note Regarding FCC Application to Discontinue Domestic Service**

The FCC will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 15 days after the Commission releases public notice of the proposed discontinuance. 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 Telefonica Digital, Inc., d/b/a/ Jajah. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

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Click to view this email in a browser

<http://hosted.verticalresponse.com/712604/f688b5760c/1501783373/ccc3f34809/>

If you no longer wish to receive these emails, please reply to this message with "Unsubscribe" in the subject line or simply click on the following link:

<http://cts.vresp.com/u?f688b5760c/ccc3f34809/mlpftw>

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This message was sent by Jajah Support using VerticalResponse

JAJAH  
200 West Evelyn Ave, Suite 120  
Mountain View, California 94041  
US

Read the VerticalResponse marketing policy:

[http://www.verticalresponse.com/content/pm\\_policy.html](http://www.verticalresponse.com/content/pm_policy.html)

## Exhibit B

### Discontinuance Message on Website

Service closure - As of January 31, 2014, Jajah will no longer offer its services.

This means that, as of January 31, 2014, you will no longer be able to make any calls through any of Jajah's services, including the Jajah.com website and Jajah Direct. Registration of new accounts are no longer being accepted.

You will be able to continue using your account in the normal way until this date. Users who wish to apply for a refund of any balance remaining on their account prior to the service closing may do so by submitting a request at the support page, <http://www.jajah.com/support/contact>

After requesting a refund, your request will be processed and account closed within 30 days.

For more details please review FAQs at <http://www.jajah.com/support/faq/>

Jajah 200 West Evelyn Ave, Suite 120 Mountain View, CA 94041 USA

#### Note Regarding FCC Application to Discontinue Domestic Service

The FCC will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 15 days after the Commission releases public notice of the proposed discontinuance. 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 Telefonica Digital, Inc., d/b/a/ Jajah. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

CERTIFICATE OF SERVICE

I, Joy Barksdale, certify that on this 13th day of December 2013, I caused a copy of the foregoing Section 63.71 application to be served by first-class mail, postage pre-paid upon:

**ALABAMA**

Alabama Public Service Commission  
P.O. Box 304260  
Montgomery, AL 36130

The Honorable Robert Bentley  
Office of the Governor  
State Capitol  
600 Dexter Avenue  
Montgomery, AL 36130-2751

**ALASKA**

Regulatory Commission of Alaska  
701 W. 8th Avenue  
Suite 30  
Anchorage, AK 99501-3469

The Honorable Sean Parnell  
Office of the Governor  
State Capitol  
P.O. Box 110001  
Juneau, AK 99811-0001

**ARIZONA**

Arizona Corporation Commission  
Commissioners Wing  
1200 West Washington Street  
Phoenix, AZ 85007-2929

The Honorable Jan Brewer  
Office of the Governor  
1700 West Washington  
Phoenix, AZ 85007

**ARKANSAS**

Public Service Commission  
P.O. Box 400  
Little Rock, AR 72203-0400

The Honorable Mark Beebe  
Office of the Governor  
State Capitol, Room 250  
Little Rock, AR 72201

**CALIFORNIA**

Public Utilities Commission  
505 Van Ness Avenue  
Room 5218  
San Francisco, CA 94102

The Honorable Jerry Brown  
Office of the Governor  
State Capitol Building,  
Suite 1173  
Sacramento, CA 95814

**COLORADO**

Public Utilities Commission  
1560 Broadway  
Suite 250  
Denver, CO 80202

The Honorable John Hickenlooper  
Office of the Governor  
136 State Capitol  
Denver, CO 80203

**CONNECTICUT**

Department of Public Utility Control  
10 Franklin Square  
New Britain, CT 06051

The Honorable Dannel P. Malloy  
Office of the Governor  
State Capitol  
210 Capitol Avenue  
Hartford, CT 06106

**DELAWARE**

Public Service Commission  
Cannon Building  
861 Silver Lake Boulevard  
Suite 100  
Dover, DE 19904

The Honorable Jack Markell  
Office of the Governor  
150 Martin Luther King Jr. Blvd.  
South  
2nd Floor  
Dover, DE 19901

**DISTRICT OF COLUMBIA**

District of Columbia Public Service  
Commission  
1333 H Street, NW  
Suite 200, West Tower  
Washington, DC 20005

The Honorable Vincent C. Gray  
John A. Wilson Building  
1350 Pennsylvania Avenue, NW  
Suite 316  
Washington, DC 20004

**FLORIDA**

Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

The Honorable Rick Scott  
Office of the Governor  
The Capitol  
400 S. Monroe Street  
Tallahassee, FL 32399

**GEORGIA**

Public Service Commission  
244 Washington Street, SW  
Atlanta, GA 30334-9052

The Honorable Nathan Deale  
Office of the Governor  
203 State Capitol  
Atlanta, GA 30334

**HAWAII**

Public Utilities Commission  
465 South King Street  
Room 103  
Honolulu, HI 96813

The Honorable Neal Ambercrombie  
Governor, State of Hawaii  
Executive Chambers  
State Capitol  
Honolulu, HI 96813

**IDAHO**

Public Utilities Commission  
P.O. Box 83720  
Boise, ID 83720-0074

The Honorable C.L. Otter  
Office of the Governor  
P.O. Box 83720  
Boise, ID 83720

**ILLINOIS**

Commerce Commission  
527 East Capital Avenue  
Springfield, IL 62701

The Honorable Pat Quinn  
Office of the Governor  
207 State House  
Springfield, IL 62706

**INDIANA**

Consumer Affairs Division  
302 West Washington Street  
Room E-306  
Indianapolis, IN 46204

The Honorable Mike Pence  
Office of the Governor  
Statehouse  
Indianapolis, IN 46204-2797

**IOWA**

Utilities Board  
1375 E. Court Avenue, Room 69  
Des Moines, IL 50319-0069

The Honorable Terry E. Branstad  
Office of the Governor  
1007 East Grand Avenue  
Des Moines, IA 50319

**KANSAS**

Corporation Commission  
1500 SW Arrowhead Road  
Topeka, KS 66604-4027

The Honorable Sam Brownback  
Office of the Governor  
State Capitol  
300 SW 10th Avenue  
Suite 241S  
Topeka, KS 66612-1590

**KENTUCKY**

Public Service Commission  
211 Sower Boulevard  
P.O. Box 615  
Frankfort, KY 40602

The Honorable Steve Beshear  
Office of the Governor  
700 Capital Avenue, Suite 100  
Frankfort, KY 40601

**LOUISIANA**

Public Service Commission  
Galvez Building 12th Floor  
602 North Fifth Street  
Post Office Box 91154  
Baton Rouge, Louisiana 70821-9154

The Honorable Bobby Jindal  
Office of the Governor  
P.O. Box 94004  
Baton Rouge, LA 70804-9004

**MAINE**

Public Utilities Commission  
18 State House Station  
Augusta, ME 04333-0018

The Honorable Paul LePage  
Office of the Governor  
#1 State House Station  
Augusta, ME 04333

**MARYLAND**

Maryland Public Service Commission  
6 St. Paul Street  
16th floor  
Baltimore, MD 21202

The Honorable Martin O'Malley  
Office of the Governor  
State House  
100 State Circle  
Annapolis, MD 21401

**MASSACHUSETTS**

Department of Telecommunications  
and Cable  
Geoffrey G. Why, Commissioner  
1000 Washington Street, Suite 820  
Boston, MA 02118-6500

The Honorable Deval Patrick  
Massachusetts State House  
Office of the Governor  
Room 280  
Boston, MA 02113

**MICHIGAN**

Public Service Commission  
4300 W. Saginaw Highway  
P.O. Box 30221  
Lansing, MI 48909

The Honorable Rick Snyder  
Office of the Governor  
P.O. Box 30013  
Lansing, MI 48908

**MINNESOTA**

Minnesota Public Utilities Commission  
121 7th Place East  
Suite 350  
St. Paul, MN 55101-2147

The Honorable Mark Dayton  
Office of the Governor  
130 State Capitol  
75 Rev. Dr. Martin Luther King, Jr.  
Blvd  
St. Paul MN 55155

**MISSISSIPPI**

Public Service Commission  
Woolfolk Building  
501 N. West Street, Suite 201A  
Jackson, MS 39201

The Honorable Phil Bryant  
Office of the Governor  
P.O. Box 139  
Jackson, MS 39205

**MISSOURI**

Public Service Commission  
200 Madison Street  
P.O. Box 360  
Jefferson City, MO 65102

The Honorable Jay Nixon  
Office of the Governor  
P.O. Box 720  
Jefferson City, MO 65102

**MONTANA**

Public Service Commission  
1701 Prospect Avenue  
P.O. Box 202601  
Helena, MT 59620-2601

The Honorable Steve Bullock  
Office of the Governor  
Montana State Capitol Building  
P.O. Box 200801  
Helena, MT 59620-0801

**NEBRASKA**

Public Service Commission  
1200 N. Street, Suite 300  
Lincoln, NE 68508

The Honorable Dave Heineman  
Office of the Governor  
P.O. Box 94848  
Lincoln, NE 68509-4848

**NEVADA**

Public Utilities Commission  
1150 East William Street  
Carson City, NV 89701

The Honorable Brian Sandoval  
Office of the Governor  
State Capitol Building  
101 North Carson Street  
Carson City, NV 89701

**NEW HAMPSHIRE**

Public Utilities Commission  
21 South Fruit Street  
Suite 10  
Concord, NH 03301-2429

The Honorable Maggie  
Hassan Office of the  
Governor State House  
107 North Main Street Concord, NH 03301

**NEW JERSEY**

Board of Public Utilities  
44 S. Clinton Avenue  
9th floor  
PO Box 350  
Trenton, NJ 08625

The Honorable Chris Christie  
Office of the Governor  
P.O. Box 001  
Trenton, NJ 08625

**NEW MEXICO**

Public Regulation Commission  
Consumer Relations Division  
P.O. Drawer 1269  
Santa Fe, NM 87504-1269

The Honorable Susana Martinez  
Office of the Governor  
490 Old Santa Fe Trail  
Room 400  
Santa Fe, NM 87501

**NEW YORK**

New York Public Services Commission  
Office of Consumer Services  
3 Empire State Plaza  
Alban. NY 12223-1350

The Honorable Andrew Cuomo  
Office of the Governor  
NYS State Capitol Building  
Albany, NY 12224

**NORTH CAROLINA**

Utilities Commission - Public Staff  
Consumer Services  
4326 Mail Service Center  
Raleigh NC 27699-4326

The Honorable Pat McCrory  
Office of the Governor  
20301 Mail Service Center  
Raleigh, NC 27699-0301

**NORTH DAKOTA**

Public Service Commission  
600 East Boulevard Avenue  
Department 408  
Bismarck, ND 58505-0480

The Honorable Jack Dalrymple  
Office of the Governor  
State Capitol  
600 East Boulevard Avenue  
Bismarck, ND 58505-0001

**OHIO**

Public Utilities Commission of Ohio  
180 East Broad Street  
Columbus, OH 43215-3793

The Honorable John Kasich  
Office of the Governor  
Riffe Center, 30th Floor  
77 South High Street  
Columbus, OH 43215-6108

**OKLAHOMA**

Corporation Commission  
P.O. Box 52000  
Oklahoma City, OK 73152-2000

The Honorable Mary Fallin  
Office of the Governor  
State Capitol Building  
2300 N. Lincoln Boulevard  
Room 212  
Oklahoma City, OK 73105

**OREGON**

Public Utility Commission  
Consumer Services Division  
P.O. Box 1088  
Salem, OR 97308-1088

The Honorable Jolm Kitzhaber  
Office of the Governor  
State Capitol Building  
900 Court Street NE, 160  
Salem, Oregon 97301

**PENNSYLVANIA**

Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

The Honorable Tom Corbett  
Office of the Governor  
508 E Floor Main Capitol Building  
Harrisburg, PA 17120

**RHODE ISLAND**

Public Utilities Commission  
89 Jefferson Boulevard  
Warwick, RI 02888

The Honorable Lincoln D. Chaffee  
Office of the Governor  
82 Smith State  
Providence, RI 02903

**SOUTH CAROLINA**

Department of Consumer Affairs  
Consumer Services Department  
PO Box 5757  
Columbia, SC 29250

The Honorable Nikki Haley  
Office of the Governor  
1205 Pendleton Street  
Columbia, SC 29211

**SOUTH DAKOTA**

Public Utilities Commission  
Consumer Affairs  
500 East Capitol Avenue  
Pierre, SD 57501-5070

The Honorable Dennis Duagaard  
Office of the Governor  
500 East Capitol Avenue  
Pierre, SD 57501

**TENNESSEE**

Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37243-0505

The Honorable Bill Haslam  
Office of the Governor 1st  
Floor, State Capitol  
Nashville, TN 37243

**TEXAS**

Public Utility Commission  
1701 North Congress Avenue  
P.O. Box 13326  
Austin, TX 78711

The Honorable Rick Perry  
Office of the Governor  
P.O. Box 12428  
Austin, TX 78711-2428

**UTAH**

Public Service Commission  
Heber M. Wells Building  
160 East 300 South  
Salt Lake City, UT 84114

The Honorable Gary R. Herbert  
Office of the Governor  
State Capitol Complex  
350 North State Street, Suite 200  
PO Box 142220  
Salt Lake City, UT 84114

**VERMONT**

Public Service Board  
112 State Street  
Montpelier, VT 05620-2701

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

**VIRGINIA**

State Corporation Commission  
Division of Communications  
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**WASHINGTON**

Utilities & Transportation Commission  
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Olympia, WA 98504

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Olympia, WA 98504-0002

**WEST VIRGINIA**

West Virginia Public Service  
Commission  
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Charleston, WV 25301

The Honorable Earl Ray Tomblin  
Office of the Governor  
State Capitol  
1900 Kanawha Boulevard E. Charleston, WV  
25305

**WISCONSIN**

Wisconsin DATCP  
Consumer Affairs Unit  
2811 Agriculture Drive  
P.O. Box 8911  
Madison, WI 53708-

The Honorable Scott Walker  
Office of the Governor  
115 East Capitol  
Madison, WI 53702

**WYOMING**

Public Service Commission  
2515 Warren Avenue  
Suite 300  
Cheyenne, WY 82002

The Honorable Matt Mead  
Office of the Governor  
State Capitol  
200 West 24th Street  
Cheyenne, WY 82002

Secretary of Defense  
Attn: Special Asst. for  
Telecommunications  
Pentagon  
Washington, DC 20301

