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

In the Matter of	
Section 63.71 and 63.19 Application of	
LB Communications, Inc. for Authority	
Pursuant to Section 214 of the	
Communications Act of 1934, to	
Discontinue the Provision of Service	

WC Docket No. 17-

## SECTION 63.71 AND 63.19 APPLICATION OF <u>LB COMMUNICATIONS, INC.</u>

LB Communications, Inc. ("LB Communications") hereby submits this application for

authority under Section 214 of the Communications Act of 1934, 47 U.S.C. § 214, and Sections

63.71 and 63.19 of the Commission's rules, 47 C.F.R. §§ 63.71 and 63.19, to discontinue the

provision of voice services provided through the Lebara Talk mobile application.

As required by Section 63.71(a) and (b) of the Commission's rules, LB Communications

provides the following information:

#### 1. Name and Address of Carrier (47 C.F.R. §§ 63.71(a)(1) and (b)(2))

LB Communications, Inc. 65 Challenger Road Third Floor Ridgefield Park, NJ 07660

# 2. Date of Planned Discontinuance (47 C.F.R. §§ 63.71(a)(2) and (b)(2))

LB Communications plans to discontinue provision of Lebara Talk on or about February

15, 2017, or as soon as possible after receipt of Commission authorization to discontinue service.

### 3. Points of Geographic Areas of Service Affected (47 C.F.R. §§ 63.71(a)(3) and (b)(2))

LB Communications proposes to discontinue this service in each of the fifty United States and the District of Columbia. Brief Description of Type of Service Affected (47 C.F.R. §§ 63.71(a)(4) and (b)(2))

LB Communications provides voice service through the Lebara Talk mobile voice and messaging application. This service is being discontinued because it is no longer consistent with LB Communications' business plans and will not remain commercially viable.

### 5. Brief Description of the Dates and Methods of Notice to All Affected Customers (47 C.F.R. §§ 63.71(b)(3))

In accordance with Section 63.71(a), on January 18, 2017, LB Communications provided written notice to all affected customers through the Lebara Talk mobile application. In addition to this formal notification, beginning December 8, 2016, LB Communications has provided weekly written notice to each of its affected customers to advise them of LB Communications' plan to discontinue service. Samples of the notice messages sent to affected customers and a copy of the discontinuance notice provided at the link contained in the January 18 notice are attached hereto as Attachment A.

#### 5. Regulatory Classification of Carrier (47 C.F.R. §§ 63.71(b)(4))

LB Communications is considered non-dominant with respect to the affected service.

In accordance with Section 63.71 of the Commission's rules, a copy of this Application is being sent via first class U.S. Mail to the governors and public service commissions of the affected states and to the Special Assistant for Telecommunications to the Secretary of Defense.

The public convenience and necessity will not be impaired by this service's discontinuance because all customers have been given notice affording them ample time to acquire one of the many substitutes that are readily available to them. LB Communications respectfully requests that the Commission approve its Section 63.71 application to discontinue service.

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Respectfully submitted,

· /s/

Sherrese M. Smith Andrew J. Erber Paul Hastings LLP 875 15th Street, N.W. Washington, DC 20005 (202) 551-1700 sherresesmith@paulhastings.com andrewerber@paulhastings.com

Counsel to LB Communications, Inc.

Dated: January 18, 2017

## ATTACHMENT A

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Message sent to affected users weekly beginning on December 8, 2016:

Lebara is discontinuing its VOIP program in the US. Please use funds by 15th Jan 2017. No reloads, effective immediately.

Messages sent to affected users on January 18, 2017:

As indicated in our weekly notices beginning on December 8, Lebara will discontinue its Lebara Talk service on or about February 15, 2017.

Please visit http://bit.ly/2jb0zsB to get more information and refund details.

Discontinuance notice provided at the above-referenced link:

#### DISCONTINUANCE NOTICE

Thank you for using Lebara Talk for your calling and messaging needs.

As we indicated in our weekly notices beginning December 8, 2016, LB Communications, Inc. d/b/a Lebara Talk will discontinue its service throughout the United States on or about February 15, 2017, subject to the approval of the Federal Communications Commission.

These notices have been provided in order to ensure that you will have ample time to make other arrangements. Our representatives are ready to assist you with questions or concerns, and can be reached at 1-844-259-5166.

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 LB Communications, Inc. 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.

LB Communications, Inc.'s address is 65 Challenger Road, Third Floor, Ridgefield Park, NJ 07660.

#### CERTIFICATE OF SERVICE

I, Alicia Smith, hereby certify that a copy of the foregoing Section 63.71 Application of LB Communications, Inc. was served on this 18th day of January, 2017, by mailing true and correct copies thereof, postage prepaid, to the following at the addresses listed below:

Office of Governor Robert Bentley 600 Dexter Avenue Montgomery, AL 36130

Office of Governor Bill Walker P.O. Box 110001 Juneau, AK 99811-0001

Office of Governor Doug Ducey 1700 West Washington Street Phoenix, AZ 85007

Office of Governor Asa Hutchinson State Capitol Room 250 500 Woodlane Avenue Little Rock, AR 72201

Office of Governor Edmund G. Brown, Jr. C/O State Capitol, Suite 1173 Sacramento, CA 95814

Office of Governor John W. Hickenlooper 136 State Capitol Bldg Denver, CO 80203

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

Office of Governor Jack Markell 150 Martin Luther King Jr. Blvd. South 2nd Floor Dover, DE 19901 Alabama Public Service Commission P.O. Box 304260 Montgomery, AL 36130

Regulatory Commission of Alaska 701 West Eighth Avenue, Suite 300 Anchorage, Alaska 99501-3469

Arizona Corporation Commission Commissioners Wing 1200 West Washington Phoenix, AZ 85007-2996

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

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

Colorado Department of Regulatory Agencies Public Utilities Commission 1560 Broadway, Suite 250 Denver, CO 80202

Connecticut Public Utility Regulatory Authority 10 Franklin Square New Britain, CT 06051

Delaware Public Service Commission 861 Silver Lake Boulevard Cannon Building, Suite 100 Dover, DE 19904 Executive Office of Mayor Muriel Bowser John A. Wilson Building 1350 Pennsylvania Avenue, NW Washington, DC 20004

Office of Governor Rick Scott The Capitol 400 South Monroe Street Tallahassee, FL 32399-0001

Office of Governor Nathan Deal 206 Washington Street 111 State Capitol Atlanta, GA 30334

Office of Governor David Y. Ige Executive Chambers State Capitol Honolulu, HI 96813

Office of Governor C.L. Otter State Capitol P.O. Box 83720 Boise, ID 83720

Office of Governor Bruce Rauner 207 State House Springfield, IL 62706

Office of Governor Eric Holcomb State House Indianapolis, IN 46204-2797

Office of Governor Terry Branstad 1007 East Grand Avenue State Capitol Des Moines, IA 50319

Office of Governor Sam Brownback Capitol, 300 SW 10th Avenue, Suite 241S Topeka, KS 66612-1590 Public Service Commission of the District of Columbia 1325 G Street, NW, Suite 800 Washington, DC 20005

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

Georgia Public Service Commission 244 Washington Street, SW Atlanta, GA 30334

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

Idaho Public Utilities Commission P.O. Box 83720 472 W. Washington Boise, ID 83720-0074

Illinois Commerce Commission 527 East Capitol Avenue Springfield, IL 62701

Indiana Utility Regulatory Commission PNC Center 101 West Washington Street Suite 1500 E Indianapolis, IN 46204

Iowa Utilities Board 1375 East Court Avenue, Room 69 Des Moines, IA 50319-0069

Kansas Corporation Commission 1500 SW Arrowhead Road Topeka, KS 66604-4027 Office of Governor Matt Bevin 700 Capitol Avenue, Suite 100 Frankfort, KY 40601

Office of Governor John Bel Edwards P.O. Box 94004 Baton Rouge, LA 70804-9004

Office of Governor Paul R. LePage #1 State House Station Augusta, ME 04333-0001

Office of Governor Larry Hogan 100 State Circle Annapolis, MD 21401-1925

Office of Governor Charlie Baker Massachusetts State House Room 280 Boston, MA 02133

Office of Governor Rick Snyder P.O. Box 30013 Lansing, MI 48909

Office of Governor Mark Dayton 116 Veterans Service Building 20 West 12th Street Saint Paul, MN 55155

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

Office of Governor Eric Greitens P.O. Box 720 Jefferson City, MO 65102 Kentucky Public Service Commission P.O. Box 615 211 Sower Boulevard Frankfort, KY 40602-0615

Louisiana Public Service Commission P.O. Box 91154 Galvez Building, 12th Floor 602 North Fifth Street Baton Rouge, LA 70821-9154

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

Maryland Public Service Commission William Donald Schaefer Tower 6 St. Paul Street, 16th Floor Baltimore, MD 21202

Massachusetts Department of Telecommunications and Cable 1000 Washington Street Suite 820 Boston, MA 02118-6500

Michigan Public Service Commission P.O. Box 30221 Lansing, MI 48909

Minnesota Public Utilities Commission 121 Seventh Place East, Suite 350 Saint Paul, MN 55101-2147

Mississippi Public Service Commission P.O. Box 1174 Jackson, MS 39215-1174

Missouri Public Service Commission P.O. Box 360 200 Madison Street Jefferson City, MO 65102-0360 Office of Governor Steve Bullock P.O. Box 200801 Helena, MT 59620-0801

Office of Governor Pete Ricketts P.O. Box 94848 Lincoln, NE 68509-4848

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

Office of Governor Chris Sununu State House 107 North Main Street Concord, NH 03301

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

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

Office of Governor Andrew M. Cuomo NYS State Capitol Building Albany, NY 12224

Office of Governor Roy Cooper 20301 Mail Service Center Raleigh, NC 27699-0301

Office of Governor Doug Burgum 600 East Boulevard Avenue Bismarck, ND 58505-0100 Montana Public Service Commission P.O. Box 202601 1701 Prospect Avenue Helena, MT 59620-2601

Nebraska Public Service Commission 1200 North Street, Suite 300 Lincoln, NE 68508

Nevada Public Utilities Commission 1150 East William Street Carson City, NV 89701-3109

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

New Jersey Board of Public Utilities 44 South Clinton Avenue, 7th Floor Trenton, NJ 08625

New Mexico Public Regulation Commission 1120 Paseo De Peralta PERA Building P.O. Box 1269 Santa Fe, NM 87504

New York State Public Service Commission Empire State Plaza Agency Building 3 Albany, NY 12223-1350

North Carolina Utilities Commission 4325 Mail Service Center Raleigh, NC 27699-4300

North Dakota Public Service Commission 600 E. Boulevard, Department 408 Bismarck, ND 58505-0480 Office of Governor John Kasich Riffe Center, 30th Floor 77 South High Street Columbus, OH 43215-6117

Office of Governor Mary Fallin Oklahoma State Capitol 2300 North Lincoln Boulevard, Room 212 Oklahoma City, OK 73105

Office of Governor Kate Brown State Capitol Building 900 Court Street NE, 160 Salem, OR 97301

Office of Governor Tom Wolf 508 Main Capitol Building Harrisburg, PA 17120

Office of Governor Gina M. Raimondo 82 Smith Street Providence, RI 02903

Office of Governor Nikki R. Haley 1205 Pendleton Street Columbia, SC 29201

Office of Governor Dennis Daugaard 500 East Capitol Avenue Pierre, SD 57501

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

Office of Governor Greg Abbott P.O. Box 12428 Austin, TX 78711-2428

Office of Governor Gary R. Herbert 350 North State Street, Suite 200 P.O. Box 142220 Salt Lake City, UT 84114-2220 Public Utilities Commission of Ohio 180 East Broad Street Columbus, OH 43215

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

Public Utility Commission of Oregon P.O. Box 1088 Salem, OR 97308-1088

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

Rhode Island Public Utilities Commission 89 Jefferson Boulevard Warwick, RI 02888

Public Service Commission of South Carolina 101 Executive Center Drive, Suite 100 Columbia, SC 29210

South Dakota Public Utilities Commission Capitol Building, 1st Floor 500 East Capitol Avenue Pierre, SD 57501-5070

Tennessee Regulatory Authority 502 Deaderick Street Nashville, TN 37243

Public Utility Commission of Texas 1701 North Congress Avenue P.O. Box 13326 Austin, TX 78711-3326

Utah Public Service Commission Herber M. Wells Building 160 East 300 South Salt Lake City, UT 84114 Office of Governor Phil Scott 109 State Street, Pavilion Montpelier, VT 05609

Office of Governor Terry McAuliffe P.O. Box 1475 Richmond, VA 23218

Office of Governor Jay Inslee P.O. Box 40002 Olympia, WA 98504-0002

Office of Governor Jim Justice State Capitol 1900 Kanawha Boulevard, East Charleston, WV 25305

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

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

Secretary of Defense Attn: Special Assistant for Telecommunications Pentagon Washington, DC 20301 Vermont Public Service Department 112 State Street, Third Floor Montpelier, VT 05620-2601

Commonwealth of Virginia State Corporation Commission Division of Communications P.O. Box 1197 Richmond, VA 23218

Washington Utilities and Transportation Commission P.O. Box 47250 Olympia, WA 98504-7250

Public Service Commission of West Virginia 201 Brooks Street Charleston, WV 25301

Public Service Commission of Wisconsin P.O. Box 7854 Madison, WI 53707-7854

Wyoming Public Service Commission 2515 Warren Avenue, Suite 300 Cheyenne, WY 82202

<u>/s/ Alicia Smith</u> Alicia Smith

