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July 22, 2004

VIA OVERNIGHT DELIVERY

Jean D. Jewell, Secretary
Idaho Public Utilities Commission
State House
472 W. Washington Street
Boise, ID 83702

WIN- T-00-01
GERT. #379

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2004 JUL 23 AM 9:43
IDAHO PUBLIC
UTILITIES COMMISSION

Re: Notification of Winstar Communications, LLC's Discontinuance of Certain Services in the State of Idaho

Dear Ms. Jewell:

Winstar Communications, LLC ("Winstar"), through its undersigned counsel and pursuant to Idaho Code § 62-612, hereby notifies the Commission of the discontinuance of certain services in selected areas defined herein.¹ Specifically, Winstar proposes to discontinue the provision of frame relay services and/or Winstar switched private line services to customers in a number of Idaho locations. Pursuant to an agreement with staff, Winstar is providing notice via direct mail in lieu of publication in a newspaper within the areas affected by the proposed discontinuance.

In connection with this Notification, Winstar submits the following information:

¹ Winstar has previously filed a discontinuance notification on May 3, 2004 as well as two discontinuance applications with the FCC. See *In re Section 63.71 Application of Winstar Communications, LLC for Authority to Discontinue Certain Services*, Section 63.71 Application, WBC Docket No. 04-154 (filed Apr. 15, 2004) and *In re Section 63.71 Application of Winstar Communications, LLC for Authority to Discontinue Certain Services*, Section 63.71 Application, WC Docket No. 04-212 (filed May 13, 2004). More recently, Winstar determined that it would discontinue service to all remaining non-federal governmental customers that receive local, domestic and international long distance, toll free, ATM, frame relay, Winstar switched private line, and other high-speed data transmission services. Winstar has filed a separate Section 63.71 Application for the discontinuance of services to these customers. See *In re Section 63.71 Application of Winstar Communications, LLC for Authority to Discontinue Certain Services*, Section 63.71 Application, WC Docket No. _____ (filed July 15, 2004).

I. Description of Discontinuance

1. Name, address, and brief description of carrier

Winstar Communications, LLC
520 Broad Street
Newark, NJ 07102

Winstar is authorized to provide intrastate telecommunications services in Idaho pursuant to a Certificate issued by the Commission.² Winstar does not seek to surrender its certificate at this time.

Winstar's toll-free customer service telephone number for customer inquiries concerning this discontinuance is 1-800-778-3757.

2. Date of planned service discontinuance

The anticipated date for the discontinuance of service in the markets described below in paragraph 3 is August 31, 2004, or as soon thereafter as the necessary state and federal regulatory authorizations have been obtained.

3. Points of geographic areas of service and number of customers affected

Winstar seeks authority to discontinue the provision of certain services provided to non-federal governmental customers in the following counties: Ada, Benewah, Clearwater, Kootenai, Latah and Nez Perce. This discontinuance will affect approximately 29 frame relay customers in Idaho.

4. Brief description of the type of service affected

Winstar intends to discontinue the provision of frame relay services and Winstar switched private line services to commercial customers in Idaho. Winstar's federal government customers, Winstar's fixed wireless services and offerings supporting mobile carrier infrastructures, cable, Wi-Fi and other backhaul systems, private networks, closed networks, and Winstar's spectrum lease offerings remain unaffected by this Notification.

² See Docket No. WWI-T-00-1, Order No. 28454 (Aug. 2, 2000). The Commission was notified of the transfer of the Certificate of Winstar Wireless, Inc. to Winstar Communications, LLC by letter dated February 1, 2002.

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

Written notice to all affected customers substantially in the form of the sample letters attached as Exhibits A and B, was mailed to customers on June 15, 2004 and June 18, 2004. The customer notice letters were prepared in accordance with the requirements of Section 63.71(a) of the FCC's Rules.

6. Ongoing Efforts to Provide for Continuity of Service

Winstar will work with alternative carriers to effectuate a seamless transition of the affected customer to the alternative carrier's facilities. Winstar will release to its customer all pertinent end-user information required to transfer service to another carrier.

7. Additional questions regarding this Notification may be addressed to:

Jean L. Kiddoo
Brian McDermott
Swidler Berlin Shereff Friedman, LLP
3000 K Street, Suite 300
Washington, D.C. 20007
Tel: (202) 424-7500
Fax: (202) 424-7645
Email: JLKiddoo@swidlaw.com
BMMcDermott@swidlaw.com

For purposes of this Notification, Winstar may be contacted at:

Joseph M. Sandri
Senior Vice President & Regulatory Counsel
Winstar Communications, LLC
1850 M Street, NW, Suite 300
Washington, DC 20036
Tel: (202) 367-7643
Fax: (202) 659-1931
Email: jsandri@winstar.com

II. Circumstances of Discontinuance

As part of Winstar's plan to refocus its business plan in order to maintain long term profitability, Winstar has determined to discontinue the provision of certain services in a number of locations nationwide, including locations in Idaho. Specifically, Winstar will discontinue service to certain customers who receive commercial frame relay service and/or Winstar

switched private line service in Idaho. This discontinuance Notification does not affect Winstar's federal government customers, Winstar's fixed wireless services and offerings supporting mobile carrier infrastructures, cable, Wi-Fi, and other backhaul systems, private circuits, closed networks, or Winstar's spectrum lease offerings.

III. Public Interest Considerations

Winstar's disconnection of service to certain customers, while regrettable, is necessary and appropriate, and will not adversely affect the public convenience and necessity. The public will not be unduly harmed by the discontinuance of the services described above because customers have been given notice that affords them an opportunity to transfer to a new carrier. As indicated herein, Winstar has undertaken a customer notification initiative that is aimed at providing affected customers with sufficient notice and opportunity to select another provider. Further, Winstar is making a concerted effort to ensure an orderly transition of service for all affected customers.

IV. Conclusion

An original and seven (7) copies of this Notification are enclosed for filing. Please date-stamp and return the enclosed extra copy of this letter. Winstar intends to proceed as described above on or shortly after August 31, 2004. Therefore, Winstar respectfully requests that the Commission notify Winstar if it has any questions regarding the proposed discontinuance or believes that further action is required.

Respectfully submitted,



Jean L. Kiddoo
Brian McDermott

Counsel for Winstar Communications, LLC

Enclosures

Exhibit A

Sample June 15, 2004 Discontinuance Notice Letter



Winstar Communications, LLC
520 Broad Street
Newark, New Jersey 07102

NOTICE OF COMMUNICATION SERVICES DISCONTINUANCE
DO NOT DISREGARD THIS NOTICE
YOU MUST CHOOSE A NEW SERVICE PROVIDER BY JULY 15, 2004

June 15, 2004

RE: **Frame Relay, ATM or PRIVATE LINE Account # /ALL SERVICE LOCATIONS**

Dear Winstar Customer:

We regret to inform you that Winstar plans to reconfigure and redesign the services it offers in your geographic area. As a result, we have determined that we can no longer provide your Frame Relay, ATM or Private Line services. We have also informed the Federal Communications Commission of this development. **Accordingly, Winstar will discontinue all FRAME RELAY, ATM, PRIVATE LINE AND ALL OTHER TELECOMMUNICATIONS AND DATA COMMUNICATIONS SERVICES that you receive in your current service location(s). Subject to regulatory approval, the anticipated date for the discontinuance of your Frame Relay, ATM or Private Line service is Tuesday, August 31, 2004. This notification does not alter any prior notification dates of other service discontinuance.**

YOUR ACTION IS REQUIRED! YOU MUST CONTRACT WITH A NEW SERVICE PROVIDER AS QUICKLY AS POSSIBLE, BUT NOT LATER THAN JULY 15, 2004 OR YOU MAY LOSE YOUR SERVICES.

Select a new carrier as soon as possible to avoid any interruption of service. Please do not delay in arranging for a new service provider, as some carriers may require several weeks to install new services. To help avoid service disruption, please check carefully that all service types you currently have with Winstar (Frame Relay, ATM, Private Line and all other telecommunications and data communications services) are moved to your new carrier. Once you have contracted with your new provider, Winstar will work with the carrier you have selected to assist in the transition of your service. **WilTel Communications LLC**, a nationwide telecommunication provider, has advised us that it would welcome the opportunity to work with you to convert your service to a comparable WilTel service. WilTel has already begun working with Winstar to make your transition as smooth as possible should you select WilTel, and has attached a price quote for replacement of your existing service. It is important to note that WilTel's quote is for end-to-end service, including the local access to your service location. Your current Winstar invoice may not include all local access charges being billed to you. A copy of WilTel's contract terms and conditions is also provided for your review, but you must complete the new agreement with WilTel. You may contact WilTel with questions about your quote or to discuss the services WilTel offers at **1-800 448-4046**, or email questions to winstarproject@wiltel.com. You must contract with a new provider by July 15, 2004 or it is likely you will lose all services on August 31, 2004.

The Federal Communications Commission ("FCC") permits customers to object to discontinuance of their service by a telecommunications provider. As provided in the FCC's rule 47 CFR 63.71:

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 within 15 days after receipt of this notification. Address them to the Federal Communications Commission, Washington, D.C. 20554, referencing the Section 63.71 Application of Winstar Communication, LLC. 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.

Winstar appreciates the opportunity we have had to serve you. We are committed to making your service transition as smooth as possible. Please review the attached list of Frequently Asked Questions. If you have any further questions regarding the discontinuance of our services, please contact us at **1-800-778-3757**.

Sincerely yours,
Winstar Customer Service

Attachment: Frequently Asked Questions

FREQUENTLY ASKED QUESTIONS – June 15, 2004 Notification

I received a Notice of Discontinuance of my Frame Relay, ATM, or Private Line Service. What should I do now?

Please do not delay in arranging for a new service provider, as some carriers may require several weeks to install new services. You should contact other carriers that serve your area to discuss their rates and terms and make immediate arrangements to migrate your service to a new carrier. A list of carriers serving your area can usually be found in the front of your local telephone book. *As noted in the attached letter, WilTel Communications LLC has advised us that it would welcome an opportunity to work with our customers to convert their Winstar service to any comparable WilTel service. You must contract directly with WilTel or another carrier to prevent losing your services. You may contact WilTel to discuss the services they offer at 1-800 448-4046.* To help avoid unplanned service disruption, please check carefully that all service types you currently have with Winstar (Frame Relay, ATM, Private Line and all other telecommunications and data communications services) are moved to your new carrier. Once you have contracted with a new provider, Winstar will make every effort to assist in a smooth service transition. **This notification does not alter any prior notification dates of other service discontinuance.**

Who is WilTel Communications LLC?

WilTel Communications LLC provides advanced data, IP, voice and video solutions to enterprises and telecommunications carriers. Such customers include leading global telecommunications, media and entertainment companies - companies where innovative network solutions enhance or enable the products and services they deliver. WilTel's advanced network infrastructure reaches border-to-border and coast-to-coast with international connectivity to accommodate global traffic. For more detailed information, visit www.wiltel.com.

Can I still contact Winstar if I have issues related to my account?

Yes. Winstar's National Customer Satisfaction Center will be available to assist with your transition and any related questions you have. If you have a customer request or inquiry, you may either call us at 800-778-3757 or you may contact us at assistance@winstar.com. We are committed to providing personal assistance with every inquiry.

I have an installation scheduled with Winstar. What is the status?

Please contact Winstar immediately at 800-778-3757 if you choose to cancel your pending orders.

What will happen to my bill?

You will need to pay all charges applicable to your account through the date your service is switched and calls are carried by your new provider. A final invoice will be sent to you showing applicable charges through that date, which will be due and payable per Winstar's payment policy. You will not be charged any early termination fees.

I have a long-term contract with Winstar. Will I be charged for leaving?

No. Winstar customers in the service locations affected by this discontinuance will not be invoiced for early termination fees related to the breaking of a contract term.

I am having technical trouble with my service. Who do I speak to?

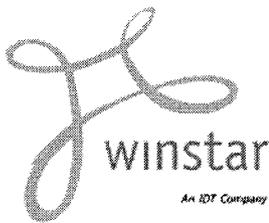
Winstar will continue to respond to reports of technical problems. If you are having technical trouble, call us at (888) WINSTAR (888-946-7827).

I have a question that was not answered in these FAQs. How do I contact Winstar?

If you have a question that was not addressed in these FAQs you may either send us an email to assistance@winstar.com or you may contact us at 800-778-3757.

Exhibit B

Sample June 18, 2004 Discontinuance Notice Letter



Winstar Communications, LLC
520 Broad Street
Newark, New Jersey 07102

NOTICE OF COMMUNICATION SERVICES DISCONTINUANCE
DO NOT DISREGARD THIS NOTICE
YOU MUST CHOOSE A NEW SERVICE PROVIDER BY JULY 15, 2004

June 18, 2004

RE: **Frame Relay, ATM or PRIVATE LINE Account # / ALL SERVICE LOCATIONS**

Dear Winstar Customer:

We regret to inform you that Winstar plans to reconfigure and redesign the services it offers in your geographic area. As a result, we have determined that we can no longer provide your Frame Relay, ATM or Private Line services. We have also informed the Federal Communications Commission of this development. **Accordingly, Winstar will discontinue all FRAME RELAY, ATM, PRIVATE LINE AND ALL OTHER TELECOMMUNICATIONS AND DATA COMMUNICATIONS SERVICES that you receive in your current service location(s). Subject to regulatory approval, the anticipated date for the discontinuance of your Frame Relay, ATM or Private Line service is Tuesday, August 31, 2004. This notification does not alter any prior notification dates of other service discontinuance.**

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Sincerely yours,
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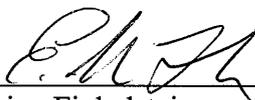
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VERIFICATION

I, E. Brian Finkelstein, state that I am Chief Executive Officer of Winstar Communications, LLC, a Party in the foregoing Notification; that I am authorized to make this Verification on behalf of Winstar Communications, LLC; that the foregoing was prepared under my direction and supervision; and that the contents 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 this 13 day of July, 2004.



Name: E. Brian Finkelstein
Title: Chief Executive Officer
Winstar Communications, LLC