

## Common FCC Filing Requirements for Firms Providing Telecommunications Service

Although the FCC does not regulate the rates of competitive telecommunications service providers or interconnected VoIP providers it does have a large number of filing requirements that providers need to be aware of. Failure to make some or all of these filings can result in significant monetary fines and even loss of license. Although not exhaustive, this list describes some of the more common requirements and indicates the general class of affected providers.

### *Domestic Section 214 Discontinuance*

**Need to file if:** Plan to discontinue, reduce or impair an existing domestic telecommunications service. Note that it is not necessary to file an application for authority under section 214 of the Act before becoming a carrier.

**Affected Carriers:** LECs, IXCs, Interconnected VoIP Providers; Not applicable to CMRS resellers.

### *International Section 214 Approval and Discontinuance*

**Need to file if:** Plan to provide or resell international telecommunications services. Plan to discontinue, reduce or impair an existing international telecommunications service.

**Affected Carriers:** LECs, IXCs, CMRS providers; “recommended” for Interconnected VoIP providers if calls will originate or terminate on the PSTN. (Note: FCC Part 63 rules refer to an applicant, entity and carrier. Section 214 of the Communications Act refers to a carrier, which is defined as a common carrier, which in turn is defined as a “person engaged as a common carrier for hire in interstate or foreign communications by radio or wire.”)

### *FCC Form 395 Common Carrier Annual Employment Report and Discrimination Complaint Requirement*

**Need to file if:** You are an FCC licensee or permittee of common carrier stations with 16 or more full-time employees. Resellers typically are not licensees or permittees. A 214 is not a license for this purpose.

**Affected Carriers:** Radio or broadcast license holders.

## ***FCC Form 477 Local Telephone Competition and Broadband Reporting***

**Need to file if:** You offer local telephone service or provide broadband connections.

**Affected Carriers:** A facilities-based provider of broadband connections to end user locations - that is, a provider who owned or equipped one or more wired "lines" or wireless "channels" to end user locations that enable end users to receive information from and/or send information to the Internet at information transfer rates exceeding 200 kilobits per second in at least one direction.

A LEC who provides local exchange telephone service to one or more end user customers.

An interconnected VoIP service provider.

A mobile telephony service provider who is not solely a reseller.

## ***FCC Form 499-A Telecommunications Reporting Worksheet***

[Also satisfies carrier's agent for service of process and registration requirements.]

**Need to file if:** You must file if you are defined as a telecommunications carrier under §3(44) of the Telecommunications Act or if you offer any interstate or international telecommunications services or interconnected VoIP.

**Affected Carriers:** LECs, IXCs, wireless providers, Interconnected VoIP providers, and non-interconnected VoIP providers with end user revenues (pay TRS only).

## ***FCC Form 499-Q Telecommunications Reporting Worksheet***

**Need to file if:** You are required to contribute to the maintenance of universal service support mechanisms. This includes all FCC Form 499-A filers with interstate end-user telecommunications revenues that are sufficiently large to result in an annual contribution of \$10,000 or more.

**Affected Carriers:** LECs, IXCs, wireless providers, Interconnected VoIP providers who are not *de minimis*.

## ***FCC Form 502 Numbering Resource Utilization/Forecast (NRUF)***

**Need to file if:** You are a carrier and have received numbers from the North American Numbering Plan Administrator (NANPA), a Pooling Administrator, or another telecommunications carrier. However, subscriber toll-free numbers are not subject to being reported.

**Affected Carriers:** LECs, wireless providers and resellers of these services.

## ***Section 1.47(h) Designation of Agent for Service of Process***

**Need to file if:** All carriers subject to the Communications Act must designate an Agent for Service of Process that is located in the District of Columbia. See Form 499-A, above.

**Affected Carriers:** LECs, IXCs, wireless providers, Interconnected VoIP providers, and non-interconnected VoIP providers with end user revenues.

## ***Section 1.8001 Commission Registration System (CORES)***

**Need to file if:** Each individual or organization doing business with the FCC is required to provide and maintain a current official contact address using the Commission's Registration System (CORES). Registrants are assigned a 10-digit FRN (FCC Registration number). Individuals and organizations must have a valid FRN in order to make payments to the FCC. Note that most Telecommunications service providers must also register using the FCC Form 499.

**Affected Carriers:** LECs, IXCs, wireless providers, Interconnected VoIP providers and non-interconnected VoIP providers with end user revenues.

## ***Interstate Service Tariff***

**Need to file if:** Most non-dominant carriers were required to CANCEL their interstate interexchange tariffs by July 31, 2001. However, non-dominant carriers are permitted to continue to file tariffs for 101-XXX dial-around type services. Non-dominant carriers also are permitted to tariff services for customers who subscribe to domestic interstate interexchange services indirectly through a local exchange carrier. Such tariffs will only be applicable for an individual customer until the parties consummate a written agreement, but in no event for a period of more than 45 days. Carriers may also file interstate access tariffs. Carriers who provide interstate and/or international telecommunications services must post their rates, terms and conditions on their web sites.

**Affected Carriers:** IXC's.

## ***Section 64.709 Interstate Service INFORMATIONAL Tariff Requirement***

**Need to file if:** Non-dominant carriers providing operator services must have on file informational tariffs. Informational tariffs must be filed when offering new operator services or at the same time existing services are detariffed.

**Affected Carriers:** IXC's offering interstate operator services.

## ***Section 64.1195 Carrier Registration Requirement***

**Need to file if:** All interstate telecommunications carriers subject to the Communications Act must file. See Form 499-A, above.

**Affected Carriers:** LECs, IXC's, wireless providers, interconnected VoIP providers, and non-interconnected VoIP providers with end user revenues.

### ***Section 64.1900 Geographic Rate Averaging Certification***

**Need to file if:** Each non-dominant provider of detariffed interstate interexchange service must certify that it provides such service in compliance with its geographic rate average and rate integration obligations pursuant to section 254(g) of the Communications Act.

**Affected Carriers:** IXC.

### ***Section 64.2009 Annual CPNI Compliance Certification***

**Need to file if:** Section 64.2009(e) of the Commission's rules applies to telecommunications carriers (47 U.S.C. § 153) and to interconnected VoIP providers (47 C.F.R. § 9.3).

**Affected Carriers:** LECs, IXCs, wireless providers, and interconnected VoIP providers.

### ***Section 1.20005 System Security and Integrity Manuals as required by the Communications Assistance for Law Enforcement Act (CALEA)***

**Need to file if:** Every telecommunications carrier person or entity engaged in the transmission or switching of wire or electronic communications as a common carrier for hire; a person or entity engaged in providing commercial mobile service (as defined in sec. 332(d) of the Communications Act of 1934 (47 U.S.C. 332(d))); or (3) A person or entity that the Commission has found is engaged in providing wire or electronic communication switching or transmission service such that the service is a replacement for a substantial portion of the local telephone exchange service and that it is in the public interest to deem such a person or entity to be a telecommunications carrier for purposes of CALEA.

**Affected Carriers:** LECs, IXCs, wireless providers, and interconnected VoIP providers, but not IXC or LEC resellers.

**Section 64.5001 Quarterly PIU Reporting and Certification**

**Need to file if:** Prepaid card providers must report percentage of interstate use (PIU) factors and associated call volumes to carriers that provide them with transport services. In addition, they must file traffic information and certifications with the FCC.

**Affected carriers:** LECs and IXC's offering prepaid cards that do not have a track record of filing 499As and 499Qs for two years. Once the track record is established, the filing is no longer required.

**Regulatory Fees**

**Need to file if:** Provided any telecommunications or broadcast service, provided an international bearer circuit, or held a FCC spectrum license.

**Affected Carriers:** LECs, IXC's, interconnected VoIP providers, and facilities-based wireless providers.

**Section 43.62(b) International Traffic and Revenue Reports**

**Need to file if:** Provided any service between the U.S and foreign points in the prior calendar year. This includes "pure resale" calls that resale carriers billed but which were actually handled by an underlying carrier.

**Affected Carriers:** IXC's and wireless providers. Interconnected VoIP providers with Section 214 authority.

**Section 43.62(a) International Circuit Capacity Report**

**Need to file if:** Hold ownership, indefeasible-right-of-user, or leasehold interest in bare capacity in the US end of international facilities (including international circuits, satellites and/or submarine cable) in the prior calendar year.

**Affected Carriers:** Facilities-based IXC's.

### ***Section 14.31 (b) Annual CVAA Recordkeeping Compliance Certificate***

**Need to file if:** Section 14.31(b) of the Commission's rules applies to all service provider subject to §255, 716, or 718 of the Communications Act. (The certificate must state that the covered entity has established operating procedures that are adequate to ensure compliance with the FCC's disability access recordkeeping rules and that records are being kept in accordance with those rules.)

**Affected Carriers:** LECs, IXC, wireless providers, aggregators, interconnected VoIP providers, and non-interconnected VoIP providers.

### ***FCC Form 655 Hearing Aid Compatibility Status Report***

**Need to file if:** Digital commercial mobile radio service providers, including mobile virtual network operators (MVNO) and resellers providing service over frequencies in the 800 MHz-950 MHz or 1.6-2.5 GHz bands are required to use this electronic form to report on the status of compliance with the Commission's hearing aid compatibility requirements.

**Affected Carriers:** Wireless providers.