



# Reminder: FCC Filings Due April 1, 2013

March 12, 2013

Please be reminded of the upcoming due date for the Reports listed below:

## Form 499-A Annual Telecommunications Reporting Worksheet

All intrastate, interstate and international providers of telecommunications within the United States, including interconnected VoIP providers, telecommunications providers that provide telecommunications on a non-common carrier basis, and payphone providers that are aggregators, are required to file FCC Form 499-A with the Universal Service Administrative Company ("USAC") each year with limited exceptions. Non-interconnected VoIP providers with interstate end-user revenues subject to Telecommunications Relay Service ("TRS") contributions must file the Form 499-A to report the revenues. The Form 499-A is used to determine a company's required contribution to the Universal Service Fund ("USF"), as well as to the Local Number Portability Administration ("LNPA"), North American Numbering Plan Administration ("NANPA") and TRS funds, in addition to serving as a carrier's FCC registration. The Form 499-A is due to USAC by **April 1, 2013**.  
Accessibility Recordkeeping Compliance and Contact Information Reporting Requirement

Beginning in 2013, telecommunications service providers, providers of advanced communications services ("ACS"), interconnected VoIP providers and equipment manufacturers subject to sections 255, 716 and 718 of the Act will be required to comply, subject to certain exceptions, with recordkeeping requirements to demonstrate that services and equipment are accessible by individuals with disabilities. Sections 716-718 of the Act and the rules implementing those sections detail these accessibility requirements. Telecommunications service providers and equipment manufacturers have had to comply with accessibility requirements since 2000, interconnected VoIP providers have had obligations since 2007 and providers of ACS must make services and equipment accessible by October 8, 2013, although they were required to begin considering accessibility as of January 30, 2012.

Beginning April 1, 2013, service providers and manufacturers subject to sections 255, 716 or 718 of the Act must submit a certification that records are being kept in accordance with the rules. The certification must state that the provider or manufacturer has established operating procedures to ensure compliance with the recordkeeping requirements and that records are being kept accordingly. The certification must be supported with an affidavit or declaration, executed under penalty of perjury, by an authorized officer with personal knowledge of the representations in the certification, verifying the truth and accuracy of the certification. The certification also must include contact information for the person(s) responsible for resolving complaints and the agent designated for service of formal and informal complaints. The certification must be submitted, by **April 1, 2013**, utilizing the Federal Communications Commission's online filing system which can be found [here](#).

Please be advised that attorneys in Kelley Drye & Warren's Communications practice group are experienced in addressing universal service filing and carrier contribution issues and are available to assist clients with determining how to report their revenues for universal service purposes, as well as with the filing of FCC Form 499-A. The Communications practice group also can assist in submission of the accessibility recordkeeping certification requirement. For more information regarding this client advisory, please contact your usual Kelley Drye attorney or any member of the Communications practice group. For more information on the Communications practice group, please click [here](#).