

Reminder: Federal Communications Commission – February through April 1st Filings

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February 14, 2025

Each month, Kelley Drye’s Communications Group offers this reminder of upcoming filing deadlines that may affect our clients and friends. Please review the deadlines below and contact us if you would like assistance or have any questions.

I. Featured Upcoming Compliance Deadlines

II. Filing Deadlines in Select Rulemakings, Inquiries, and Other Proceedings

III. Select Ongoing Filing Requirements

I. FEATURED UPCOMING COMPLIANCE DEADLINES

The following are reminders for upcoming Federal Communications Commission (“FCC”) reports and compliance requirements:

A. Customer Proprietary Network Information (CPNI) Annual Compliance Certification (due March 3, 2025)

In accordance with section 64.2009(e) of the FCC’s rules, telecommunications carriers and interconnected VoIP service providers must file annually a certificate of compliance with the CPNI rules. The next certification is due **March 3, 2025**, (because March 1 is a Saturday) and may be filed either through ECFS (in EB Docket No. 06-36) or through the FCC’s web-based application, located at <https://apps.fcc.gov/eb/CPNI/>.

The upcoming certification covers calendar year 2024 and must:

1. Be signed by a company officer who certifies to his/her personal knowledge that the company has adequate procedures to ensure compliance with the CPNI rules;
2. Explain how the operating procedures ensure the company is, or is not, in compliance with the rules;
3. Explain any actions taken against data brokers or provide a statement that the carrier has not taken any such action; and
4. Summarize all customer complaints received in the past year concerning the unauthorized release of CPNI.

B. The Broadband Data Collection (Modernized Form 477) Report (due March 3, 2025)

The Broadband Data Collection (“BDC”) Report, successor to the Form 477 Local Competition and Broadband Report, containing data as of December 31, is **due by March 3, 2025**, (because March 1 is a Saturday). 2020 Census geography codes must be used when creating and filing your data. The report requires the submission of information regarding broadband connections in service to end user locations, wired and wireless local telephone services, and interconnected VoIP services in all states and territories as well as Washington, D.C.

Who Must File:

- Facilities-based providers of fixed and/or mobile broadband internet access who have one or more end-user connections in service on December 31, 2024.
- Facilities-based providers of mobile voice service who have one or more end-user connections in service on December 31, 2024.
- All providers of fixed voice service, including local telephone service providers or providers of interconnected voice over internet protocol (VoIP) service (see <https://us-fcc.app.box.com/v/WhoMustFileForm477> for descriptions and definitions of these provider types).

Filing Process:

For data as of December 31, 2024, the BDC Report must be submitted electronically using the [Broadband Data Collection \(BDC\) System](#). Filers will need to use their Federal Registration Number (“FRN”) and associated password to access this system.

Please be aware that, following the initial change from use of the Form 477 interface to the BDC system, the FCC has posted additional website resources for this report and for related broadband data matters. These include the [Broadband Data Collection Help Center](#) (which includes a link to the earlier [Form 477 Resources](#) page) and a new [BDC System User Guide](#) (issued in December, 2024).

C. Revisions to February 3, 2025, Form 499-Q Quarterly Telecommunications Reporting Worksheet (due March 20, 2025)

Carriers and providers of interstate and international telecommunications that seek to revise their February 3, 2025, Form 499-Q filing must do so within 45 days of the Form 499-Q filing deadline (which, in 2025, was February 3 because February 1 was a Saturday).

As a reminder, Form 499-Q filers are required to submit the form electronically through USAC’s E-File system, available at <https://www.usac.org/service-providers/>.

D. Supply Chain Annual Reporting (due March 31, 2025)

Pursuant to Section 5 of the Secure and Trusted Communications Networks Act of 2019 and [§1.50007 of the Commission’s rules](#), providers of advanced communications service are required to submit their annual Supply Chain Annual Report (unless exempted as described below). In this submission, due by **March 31, 2025**, for information **as of December 31, 2024**, providers must report and certify whether they have purchased, rented, leased, or otherwise obtained any covered communications equipment or service on the list of covered communications equipment and services (the “[Covered List](#)”) on or after August 14, 2018. Providers with such covered

communications equipment or service must submit information annually “including the type, location, date purchased, rented, leased or otherwise obtained, and any removal and replacement plans.” (47 C.F.R. § 1.50007). Filings are required from:

- Providers that reported and certified such covered communications equipment and/or services in 2024; and
- Providers reporting the presence of newly obtained covered equipment or services (since their last report).

Providers that do not have any covered communications equipment or services are only required to submit an initial report and certification. Therefore, a provider that made, or relied upon, such a certification for the 2024 report and that still has no covered communications equipment or services (as currently included in the Covered List) is not required to make a filing this year.

Providers are reminded that the Covered List is subject to change. Should the Commission subsequently add equipment and/or services to the Covered List (as it did in March 2022, September 2022, and July 2024), providers with such equipment or services must report on these ***within 60 days of the change to the Covered List.***

Instructions for the submissions, access to the filing portal, and more extensive materials regarding the Supply Chain Annual Reporting requirement are located at <https://www.fcc.gov/supplychain>.

E. Quarterly Sec. 63.10(c) Dominant International Carrier Reports (due March 31, 2025)

- International telecommunications service providers that are classified as dominant are required to submit (i) a quarterly international traffic and revenue report and (ii) a quarterly provisioning and maintenance report. These reports are due within 90 days from the end of the preceding calendar quarter.
- Facilities-based international telecommunications service providers that are classified as dominant also are required to file a quarterly circuit status report. This report is due within 90 days from the end of the preceding calendar quarter (i.e., **March 31, 2025**).

F. Quarterly Section 1.767(I) Submarine Cable Licensee Reports (due March 31, 2025)

Submarine cable licensees that are, or are affiliated with, carriers with market power in any of the submarine cable’s destination countries are required to file a provisioning and maintenance report and a circuit status report within 90 days from the end of the preceding calendar quarter (i.e., **March 31, 2025**).

G. Submarine Cable Circuit Capacity Reports (due March 31, 2025)

Each year the FCC collects data regarding capacity held on international submarine cable facilities by cable system operators and, separately, capacity holders through the following reports:

- **Cable Operators on International Submarine Cable Systems - Circuit Capacity Report**
Licensee(s) of submarine cables between the United States and a foreign point must report available and planned capacity on the cable as of December 31, 2024.
- **Capacity Holders on International Submarine Cable Systems - Circuit Capacity Report**
Cable landing licensees and common carriers that hold capacity on the U.S. end of submarine cable systems between the United States and foreign points, as of December 31, 2024, must

report available capacity held via cable ownership, indefeasible right of use, or inter-carrier lease on the U.S. end of such systems.

The circuit capacity reports are due **March 31, 2025**, and must be submitted via the [online filing portal](#). Filers should be sure to review the FCC's [Section 43.82 filing manual](#) for further details regarding the reports.

H. Form 499-A Annual Telecommunications Reporting Worksheet (due April 1, 2025)

All intrastate, interstate, and international providers of telecommunications within the United States, including, but not limited to, telecommunications common carriers, inter connected VoIP providers, telecommunications providers that provide services 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. In addition, 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. The Form 499-A is also the basis for a carrier's annual FCC regulatory fee (*i.e.*, the Interstate Telecommunications Service Provider ("ITSP") Fee). For new providers, the Form 499-A also serves as a carrier's FCC registration.

The Form 499-A worksheet, reporting CY 2024 revenues, must be filed by **Tuesday, April 1, 2025**. Filers are required to submit the Form 499-A electronically through USAC's available at <https://www.usac.org/service-providers/>. Additional guidance is available in the FCC's October 22, 2024, [release](#) of the [2025 Form 499-A](#) and associated [2025 Form 499-A Instructions](#).

- **NOTE:** Any **revisions to a filer's 2024 Form 499-A** (reporting CY 2023 revenues and due on or before April 1, 2024) which effect a reduction in the filer's USF contribution obligations are due by **April 1, 2025**. There is no deadline for Form 499-A revisions that result in an increased contribution obligation.

G. Accessibility Recordkeeping Compliance and Contact Information Reporting Requirement (due April 1, 2025)

Telecommunications service providers, providers of advanced communications services ("ACS") like electronic messaging, in-app voice calls and video conferencing, interconnected VoIP providers (collectively, "service providers") and equipment manufacturers, subject to sections 255, 716, or 718 of the Communications Act (as amended by the Twenty-First Century Communications and Video Accessibility Act ("CVAA")) are required to comply, subject to certain exceptions, with recordkeeping requirements to demonstrate that services and equipment are accessible by individuals with disabilities.

Service providers, providers of ACS, and equipment manufacturers must submit an annual certification that records are being kept in accordance with the rules. The certification must state that the service provider or manufacturer has established operating procedures to ensure compliance with the recordkeeping requirements and that records are being kept accordingly. An authorized officer with personal knowledge of the representations in the certification must submit an affidavit or declaration, executed under penalty of perjury, verifying the truth and accuracy of the certification. The certification also must include contact information for the person(s) responsible for

resolving consumer complaints and the agent designated for service of formal and informal complaints.

The certification must be submitted by **Tuesday, April 1, 2025** utilizing the Federal Communications Commission's online filing system which can be found at <https://apps.fcc.gov/rccci-registry/>. Additional guidance for filers is available [here](#).

II. FILING DEADLINES IN SELECT RULEMAKINGS, INQUIRIES, AND OTHER PROCEEDINGS:

- ***RULEMAKINGS and INQUIRIES***

Reallocation of the 1675-1680 MHz band. On January 8, 2025, the Wireless Telecommunications Bureau ("WTB") released a [Public Notice](#) in WT Dkt. No. 19-116, requesting comments "to supplement the record on a proposal to re-allocate the 1675-1680 MHz band for shared use between incumbent federal operations and non-federal fixed or mobile operations on a co-primary basis." WTB notes significant developments in the proceeding since the last round of comments, citing, in particular, reports prepared by NOAA (filed by NTIA) in 2022 and 2024. The 2024 report concluded that it is technically feasible to share the 1675-1680 MHz band, which NOAA uses for transmission of time-sensitive satellite data, with commercial wireless services, subject to certain conditions. Following publication in the [January 29, 2025, Federal Register](#), comments are due on **February 29, 2025**, with reply comments due on **March 17, 2025**.

Interoperable Video Conferencing Services ("IVCS") Accessibility. On September 26, 2024, the FCC adopted a [Second Report and Order and Further Notice of Proposed Rulemaking](#) (with [Erratum](#) on December 4, 2024) in CG Dkt. Nos 23-161, 10-213 and 03-123, seeking comment on further steps to "ensure the accessibility of video conferencing, including potential amendments to the Part 14 rules to provide additional specificity on user control of IVCS accessibility features and to address IVCS accessibility for individuals with vision, cognitive, and mobility disabilities." The FCC also requests comment regarding the need for changes in the Part 64 rules to "facilitate the provision of TRS in video conferences and protect the TRS Fund from waste, fraud, and abuse in this context." Following publication in the [January 2, 2025 Federal Register](#), opening comments were due on February 3, 2025, with reply comments due on **March 3, 2025**.

Alaska Connect Fund. On November 1, 2024, the FCC adopted a [Further Notice of Proposed Rulemaking](#) in WC Dkt. Nos. 10-90, 23-328, 16-271, 14-58, and 09-197 and WT Dkt. No. 10-208, seeking comment on Alaska Connect Fund ("ACF") issues. These include implementation of ACF Phase II, service level goals for ACF Mobile Phase II, the appropriate methodology and mechanism to determine and distribute support amounts for duplicate support areas, methods to distribute support to unserved areas, Tribal consent requirements for the ACF and related issues. Following publication in the [December 4, 2024, Federal Register](#), comments were due on February 3, 2025, with reply comments due on **March 4, 2025**.

Submarine Cable Landing License Regulatory Framework. On November 21, 2024, the FCC adopted a [Notice of Proposed Rulemaking](#) in OI Dkt. No. 24-523 and MD Dkt. No. 24-524 to examine comprehensively the regulatory framework surrounding submarine cable system landing licenses, proposing, or raising the prospect of, major changes in who must hold a submarine cable license, shorter license terms, periodic reviews of licenses, and other significant rule modifications leading to greater applicant and licensee obligations. Comments will be due **within 30 days of the publication of the Notice in the Federal Register**, which has not occurred as of February 14, 2025.

- **PAPERWORK ACT REDUCTION (“PRA”) Comments**

Next Generation 911 (“NG911”). On July 19, 2024, the FCC adopted a [Report and Order](#) in PS Dkt. Nos. 21-479 and 18-64 to advance the nationwide transition to NG911. The new rules require wireline providers, Commercial Mobile Radio Service (CMRS) providers, covered text providers, providers of interconnected Voice over internet Protocol (VoIP) services, and providers of internet-based Telecommunications Relay Service (internet-based TRS) (collectively “OSPs”) to begin (or continue) their transition to NG911 and to do so in coordination with 911 Authorities, as defined in the Report and Order. PRA review is required for certain new notification and recordkeeping requirements applicable to both the affected providers and to 911 Authorities, including (i) 911 Authorities’ provision of notification containing certain certifications and information in order to issue valid requests to providers for delivery of 911 traffic in IP-based formats; (ii) supporting information to be provided in any challenge of such requests by OSPs; and information that would be provided in “voluntary mutual agreements” between OSPs and 911 Authorities to establish terms different from the Commission's rules. Following publication in the [January 21, 2025, Federal Register](#), PRA comments on the information collection are due by **February 20, 2025**.

IoT Cybersecurity Labeling Program. In March, 2024, the FCC adopted a [Report and Order and Further Notice of Proposed Rulemaking](#) in PS Dkt. No. 23-239, establishing a program for voluntary cybersecurity labeling for consumer wireless Internet of Things (“IoT”) products, often referred to as the Cyber Trust Mark program. Subsequently, on September 10, 2024, the Public Safety and Homeland Security Bureau issued a [Public Notice](#) announcing the filing window to apply for designation as Cybersecurity Labeling Administrators (“CLAs”) and Lead Administrator. Among other responsibilities attaching to the CLAs and the Lead Administrator will be the creation, management and implementation of a cybersecurity risk management plan, which requirement is subject to advance OMB approval. Following publication in the [December 30, 2024, Federal Register](#), PRA comments on the adoption of the responsibilities for CLAs are due on **February 28, 2025**.

Reporting Requirements for Commercial Television Broadcast Station Blackouts. On January 3, 2025, the FCC released a [Report and Order](#) (“Order”) in MB Dkt. No. 23-427, adopting a requirement that it be notified “of broadcast station blackouts lasting over 24 hours that occur on cable and satellite TV platforms due to a retransmission consent negotiation impasse.” The Order further calls for the establishment of a “centralized, Commission-hosted database of basic blackout information” to increase transparency regarding the frequency and duration of such events. New information collection requirements arising from the Order are subject to PRA review. Following publication in the [January 23, 2025, Federal Register](#), PRA comments are due on **March 24, 2025**.

III. SELECT ONGOING FILING REQUIREMENTS

- **Pro Forma Assignments and Transfers**

Assignments of Authorization and Transfers of Control can be filed either as *pro forma* applications or non-*pro forma* applications.

A pro forma assignment or transfer is one in which the form of ownership changes but actual control of the license remains with the same entity or person. Most *pro forma* assignments and transfers may be approved under streamlined Forbearance procedures in the case of most telecommunications carriers (*e.g.*, Section 214 authorization holders, wireless licensees (excluding those with installment payment or designated entity issues) and earth station licensees). Unlike non-pro forma assignments and transfers of control, where there is a substantial change in direct or indirect ownership or control, *i.e.*, a *de jure* or *de facto* change introducing a new party or person

with a controlling interest, requests regarding *pro forma* changes where the ultimate control and ownership remains the same do not require prior FCC approval provided that the parties **notify the FCC of the change within 30 days**. Note that private licenses are not subject to forbearance such that FCC advance approval generally is required for *pro forma* transfers and assignments of private licenses.

- **Additional Requirements for International Section 214 and Subsea Cable Landing License Applications for Authority or Involving Substantive Assignments, Transfers of Control, or Modifications of such Authority, and for Section 310(b) Petitions**

Pursuant to an August, 2024, [Public Notice](#), additional requirements are now in effect for all applications for international Section 214 authorizations and submarine cable landing licenses as well as any applications for assignment, transfer of control or modification, in connection with such authorizations and licenses, where applicants have direct or indirect foreign ownership above threshold levels (generally 10% or more equity or voting interests, or based upon other FCC-recognized indicia of control). The requirements also apply to petitions for declaratory ruling related to foreign ownership under section 310(b) of the Communications Act. Parties making such filings must submit responses to a set of “Standard Questions” to the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector (the “Committee”) prior to, or concurrent with, filing their application with the FCC and also must submit a copy of their FCC application to the Committee within three business days after filing. Additional information and the Standard Questions (which vary by category of applicant) are available on the Office of International Affairs (“OIA”) dedicated [webpage](#).

Additionally, specified certifications and point of contact information must now be included in all applications involving international Section 214 authorizations or submarine cable landing licenses (regardless of ownership) as well as petitions for declaratory ruling relating to foreign ownership. Details for this required content are available at the OIA dedicated [webpage](#).

- **Change in FCC Form 499 Filer Information**

Filers must update their registration information, including a DC Agent for Service of Process in accordance with these instructions to the FCC Form 499-A. Filers must file updated information within one week of the contact information change. Filers wishing to update Preparer information, headquarters address, billing contact information, or DC Agent for Service of Process, can submit either an FCC Form 499-A or an FCC Form 499-Q or, for billing-related matters only, email USAC’s billing department. Filers wishing to update any other information must submit a revised FCC Form 499-A. For more information, see <https://www.usac.org/service-providers/contributing-to-the-usf/making-revisions/>.

Filers that cease providing telecommunications must deactivate their Filer ID with USAC by submitting a letter with termination date and information on their successor entity to USAC. Filers must also update their CORES ID information with the Commission

Filers must file within 30 days of the date that the company ceases to provide telecommunications service or telecommunications.

FCC: <https://apps.fcc.gov/cores/userLogin.do>

USAC: www.usac.org/service-providers/contributing-to-the-usf/manage-your-499-id

- **Change in Robocall Mitigation Plans**

Voice service providers, gateway providers, and non-gateway intermediate providers are required under the FCC's Caller ID Authentication rules (47 C.F.R. § 64.6300 *et sec.*) to implement an appropriate robocall mitigation program and remit information about that program in the FCC's Robocall Mitigation Database ("RMD"). **Providers are required to update their filings in the RMD within 10 business days of any change to the information provided, including the following:**

- Certification as to the implementation of STIR/SHAKEN in the provider's network;
- The extension(s) that apply to the provider's implementation of the STIR/SHAKEN framework;
- The specific reasonable steps the provider has taken to avoid originating, carrying, or processing illegal robocall traffic as part of a robocall mitigation program;
- The provider's commitment to respond to all traceback requests and law enforcement requests for information on illegal robocalling; and
- The provider's business name, d/b/a name(s), former name(s), its legal address and contact information for one person within the company responsible for addressing robocall mitigation-related issues.

The link for remitting the required RMD filing is available [here](#).

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This reminder is made available for informational purposes only and does not constitute legal advice to the reader. Kelley Drye does not assume an obligation to update the information provided herein or correct any inadvertent errors.

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Attorneys in Kelley Drye's Communications Practice Group are experienced in addressing universal service filing and affected provider contribution issues and are available to assist clients with determining how to report their revenues for universal service purposes and to respond to FCC and Universal Service Administrative Company ("USAC") inquiries, investigations, and audits. For more information, please contact your current Kelley Drye attorney or any member of the [Communications Practice Group](#).