

Reminder: Federal Communications Commission - March Filings

Thomas W. Cohen, Henry T. Kelly, Chip Yorkgitis, Michael R. Dover, Winafred R. Brantl

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

I. Featured March Deadlines

II. Other March Deadlines

III. Ongoing Filing Requirements

I. Featured March Deadlines

Following are reminders for upcoming Federal Communications Commission (FCC) reports and compliance requirements due in March

Customer Proprietary Network Information (CPNI) Annual Compliance Certification

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 1, 2022](#) and must be filed in EB Docket No. 06-36.

The upcoming certification covers calendar year 2021 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 about the unauthorized release of CPNI.

Form 477: Local Competition and Broadband Report

The Local Competition and Broadband Report, containing data as of December 31, 2021, is [due by](#)

[March 1, 2022](#). 2020 Census geography codes must be used when creating and filing your data. To ease revisions, filings of data as of June 30, 2021, and before, will continue to rely on 2010 Census codes.

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:

1. Facilities-based providers of one or more broadband (*i.e.*, faster than 200 kbps, in at least one direction) connections (including wired facilities-based lines and wireless channels where the provider holds the license) to end users;
2. Incumbent local exchange carriers (“ILECs”) or competitive local exchange carriers (“CLECs”) that provide wired or fixed wireless local exchange service to one or more end user customers;
3. interconnected VoIP service providers with one or more revenue-generating end user customer of interconnected VoIP service; and
4. facilities-based providers of mobile telephony services that serve one or more mobile telephony subscribers.

Filing Process:

The Form 477 Report must be submitted electronically using the Form 477 filing [interface](#). Filers will need to use their Federal Registration Number (“FRN”) and associated password to access the system. The Form 477 submission must include in the Filer Identification information the name of the company official that certifies he/she examined the information contained in this Form 477 and that, to the best of his/her knowledge, information and belief, all statements of fact contained in this Form 477 are true and correct.

Note that the FCC recently made changes to the specific information about fixed and mobile broadband deployment that should be included in the Form 477 filing so be sure to review the [instructions](#) for more information.

II. Other March Deadlines:

- On January 28, the FCC released a [Report and Order](#) (FCC 22-8) updating the definition of “library” in its rules to provide clarity regarding the eligibility of Tribal libraries and promote increased participation of underrepresented Tribal libraries in the E-Rate program. The Commission stated that Tribal libraries would be eligible for the FY 22 funding year, for which applications are due by **March 22, 2022**
- On January 4, the FCC’s Wireline Competition Bureau (WCB) released an [Order](#) (DA 22-6) granting a request to extend the initial comment and reply comment deadlines for the Report on the Future of the Universal Service Fund. On [December 15, 2021](#), the FCC released a Notice of Inquiry commencing the proceeding for the Report on the Future of the Universal Service Fund as required by section 60104(c) of the Infrastructure Investment and Jobs Act. Pursuant to this Order. Comments were due, under the extension, by February 17, 2022, and the extended

reply comment date is **March 17, 2022**.

III. 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. Pro forma assignments and transfers may be approved under streamlined Forbearance procedures in the case of most telecommunications carriers (excluding licensees with installment payment or designated entity issues). These pro forma requests 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. FCC approval is required for private pro forma transfers and assignments.

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/serviceproviders/contributing-to-the-usf/makingrevisions/>

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: <https://www.usac.org/serviceproviders/contributing-to-the-usf/manage-your499-id/>

Change in Robocall Mitigation Plans

A voice service provider that has not fully implemented the STIR/SHAKEN call authentication framework for all calls must submit a robocall mitigation plan pursuant to 47 CFR § 64.6305(b). Any provider that makes a change in any of the following information **must submit a revised robocall mitigation plan within 10 business days of the change**. See 47 CFR § 64.6305(b)(5).

- Its certification as to the implementation of STIR/SHAKEN in its network;
- The extension(s) that apply to its implementation of the STIR/SHAKEN framework;
- The specific reasonable steps the voice service provider has taken to avoid originating illegal robocall traffic as part of its robocall mitigation program;
- Its 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 submitting a revised robocall mitigation plan is available here:

https://fccprod.servicenowservices.com/rmd?id=rmd_welcome

Attorneys in Kelley Drye'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. For more information, please contact any member of the [Communications Practice Group](#).