



# PUBLIC NOTICE

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DA 09-454

Released: February 25, 2009

## WIRELINE COMPETITION BUREAU ANNOUNCES RELEASE OF THE REVISED 2009 FCC FORM 499-A AND ACCOMPANYING INSTRUCTIONS

On February 25, 2009, the Commission released the revised FCC Form 499-A and accompanying instructions.<sup>1</sup> The revised forms and instructions incorporate nonsubstantive clarifications to ensure that all contributors are properly reporting revenues and are treating similar revenues uniformly. These nonsubstantive modifications are listed below.

### Instructions to the Telecommunications Reporting Worksheet, FCC Form 499-A:

- Years updated throughout.
- Who Must File: Section II.A (pages 4-5): Added a footnote citing the Wireline Competition Bureau's *August 2008 Waterway Communication System Contribution Order*.<sup>2</sup> The Commission also affirmed that audio bridging services are telecommunications services.<sup>3</sup>
- Who Must File: Section II.A (pages 4-5) and Line 305 and Line 406 (page 26): Amended to include Multi-Protocol Label Switching (MPLS), which is an updated technique that efficiently moves messages through an established network path and is a substitute for asynchronous transfer mode (ATM).<sup>4</sup>
- Who Must File: Section II.A.2 (page 8): Amended to clarify that entities explicitly exempt from contributing directly to the universal service support mechanisms must still file the FCC Form 499-A if they must contribute to TRS, LNP or NANPA.

<sup>1</sup> The information collections included in this form have received prior approval from the Office of Management and Budget. See *List of Office of Management and Budget (OMB) Approved Information Collection Requirements*, 73 Fed. Reg. 57543 (Oct. 3, 2008) (establishing an expiration date of September 30, 2010 for FCC Forms 499-A and 499-Q, OMB control number 3060-0855).

<sup>2</sup> See *Request for Review by Waterway Communication System, LLC and Mobex Network Services, LLC of a Decision of the Universal Service Administrator*, WC Docket No. 06-122, Order, 23 FCC Rcd 12836 (Wireline Comp. Bur. 2008).

<sup>3</sup> *Request for Review by InterCall, Inc. of Decision of Universal Service Administrator*, CC Docket No. 96-45, Order, 23 FCC Rcd 10731, 10737-38, para. 22 (2008).

<sup>4</sup> See Andrew G. Malis, *Converged Services over MPLS*, IEEE COMMUNICATIONS MAGAZINE, Sept. 2006, at 150-156; see also Stephen A. Thomas, *IP Switching and Routing Essentials: Understanding RIP, OSPF, BGP, MPLS, CR-LDP, and RSVP-TE* 339 (John Wiley and Sons, Inc. 2001).

- When and Where to File: Section II.C (page 9): Language added to clarify that there is no fee to file the FCC Form 499-A.
- Figure 2: Filing schedule (page 10): A row was added stating that filers that cease providing telecommunications must submit a letter to the Data Collection Agent with termination date and information on successor, if any, and must also update CORES registration. The appropriate filing address is listed in Figure 2.
- When and Where to File: Section II.C (page 11) and Contact Information (page 37): Contact phone number for TRS Administration corrected.
- Line 101 and corresponding instructions (page 13): Internet addresses updated.
- Line 105 and corresponding instructions (page 14-15): The description for the Prepaid Card category has been amended to clarify that these providers typically assign personal identification numbers (PINs), and providers that do not assign PINs but sell cards created by others are marketing agents that do not file. The description for the Private Service Provider category is amended to state that Satellite Service Providers are not included within the category. In addition, Conference Service Providers are instructed to check “Other Toll” and enter “CSP” in the explanation field.
- Block 3, Block 4-A and Block 4: Filer Revenue Information: Section III.C (page 18): Footnote 33 is amended to inform audio bridging service providers how to report revenues for calendar year 2008.
- Column (a) - total revenues: Section III.C (page 21): Amended to clarify that international settlement and settlement-like receipts for foreign-billed service should not be included in U.S. telecommunications revenues. Also clarified that a filer would not include settlement-like payments on Line 414 of the form, but instead those amounts would be reported on Line 418.
- Line 304 and corresponding instructions (page 26): Filers are instructed to include direct trunk transport, port changes, mileage charges and rearrangement charges that are normally treated as access charge revenues.
- Line 604 (page 33): Amended to indicate that the second check box also includes nonprofit tax-exempt entities qualified by state certification.

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