



TELECOMMUNICATIONS

SNAP UPSMdate

October 10, 2012

Reminder UPSMdate: Select Upcoming FCC Regulatory Deadlines

The FCC imposes a number of filing requirements on common carriers and on other related telecommunications companies. Some of these requirements have annual deadlines; others have deadlines systematically throughout the year. [Penalties and late fees for non-compliance](#) with these and other FCC deadlines can be significant, so regulatory compliance is critical. *This is a reminder of certain upcoming deadlines; it is not intended to be a comprehensive list of all regulatory filing requirements or deadlines nor is it legal advice. Also, this list does not include any state regulatory filing requirements.* We are pleased to provide information regarding other filing requirements at the federal level and filing requirements for any state upon request.

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Universal Service Fund (USF) – Forms 499-Q and 499-A

The FCC's Form 499-Q (due **quarterly**) and FCC Form 499-A (due **annually** on **April 1, 2011**). This obligation is directed to service providers with estimated annual universal service contributions above a *de minimus* level of revenue from interstate and international end users. The Universal Service Fund (USF) fee is to be paid based on reported interstate and international revenues, and is billed to the carrier by the Universal Service Administrative Company (USAC).

<u>USF Quarterly Contribution Factors 2012</u>		
Quarter 1 2012 (FCC 499-Q Form Due Feb. 1, 2012)	0.179	17.90%
Quarter 2 2012 (FCC 499-Q Form Due May 1, 2012)	0.174	17.40%
Quarter 3 2012 (FCC 499-Q Form Due Aug. 1, 2012)	0.157	15.70%
Quarter 4 2012 (FCC 499-Q Due Nov. 1, 2012)	0.174	17.40%

Prepaid Card Provider PIU Report

Every prepaid calling card service provider is required to report percentage of interstate usage (PIU) factors and call volumes to those carriers from which they purchase transport services by the **45th day of each calendar quarter**. Additionally, such providers must file **quarterly** certifications with the FCC; these certifications must include:

1. Percentages of intrastate, interstate and international calling card minutes for that reporting period;
2. Percentages of total prepaid calling card service revenue (excluding revenue that is exempt under the military exemption) that are interstate and international and therefore subject to federal USF assessments for the reporting period;
3. A statement that the prepaid calling card provider is making the required USF contribution based on the reported information; and
4. A statement that it has reported the required information to carriers from which it purchases transport services.

<u>PIU Reporting Period 2011</u>	PIU Report Due	FCC Certification Due
4th Quarter (Oct. 1 - Dec. 31)	Feb. 15, 2012	Mar. 31, 2012
1st Quarter (Jan. 1 - Mar. 31)	May 15, 2012	June 30, 2012
2nd Quarter (April 1 - June 30)	Aug. 15, 2012	Sept. 15, 2012
3rd Quarter (July 1 - Sept. 30)	Nov. 15, 2012	Dec. 15, 2012

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Annual CPNI Compliance Certification

[CPNI Compliance Certifications](#) must be filed *annually between January 1 and March 1* for data pertaining to the previous calendar year. These rules apply to telecommunications carriers and interconnected VoIP providers, including but not limited to: LECs (including ILECs, rural LECs and CLECs), IXC's, paging providers, CMRS providers, resellers, prepaid telecommunications providers, and calling card providers, interconnected VoIP providers and wholesalers.

Rate Integration Certification

The [Rate Integration Certification](#) must be filed **annually** by non-dominant providers of detariffed interexchange carriers (IXC's) services. IXC's must certify compliance with their geographic rate average and rate integration obligations under § 254(g) of the Communications Act. An officer of the company must sign the Certification under oath. The deadline for filing was *May 1, 2012*.

FCC Form 395 Annual Carrier Employment Report

[Form 395](#) must be filed by all licensees and permittees of common carrier stations with sixteen (16) or more full-time employees. The instructions for completion of this form may be found on the FCC web site. The form was due *May 31, 2012*.

If you have questions about any of these filing requirements or deadlines, or if we may be of assistance to you on any other matter, please feel free to contact us.

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Technology Law Group LLC (TLG) (www.tlgdc.com) is a Washington, DC-based law firm specializing in telecommunications transactional, litigation issues and regulatory issues. TLG's Managing Partner, Neil S. Ende, may be reached by phone at +1 202 895 1707 and by email at nende@tlgdc.com.

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