

ALERT

ETC Annual Reports are Due to the FCC on July 2, 2012

May 14, 2012

Last week, the Wireline Competition Bureau published notice in the Federal Register regarding the effective date of new rules that apply to all Eligible Telecommunications Carriers (ETCs). Specifically, the Bureau announced that sections 54.313(a)(2) through (a)(6) and (h) of the Federal Communications Commission's rules are now effective and that ETCs must submit a report containing the information required by these rules to the Commission and the relevant state commission (which includes the relevant authority in a U.S. Territory or a Tribal government) by **July 2, 2012**. See 77 Fed. Reg. 26987 (2012).

The report must contain the following information for the prior calendar year: (i) detailed information on network outages of at least 30 minutes that potentially affected at least ten percent of the end users served in a designated service area or a 911 special facility; (ii) the number of unfulfilled customer requests for service and details regarding the ETC's attempts to provide service to those potential customers; (iii) the number of complaints per 1,000 connections (fixed or mobile); (iv) a certification that the ETC is complying with service quality standards and consumer protection rules; (v) a certification that the ETC can function in emergency situations; and (vi) a report of all flat rates for residential local service and state fees as well as all rates and the number of lines below the local urban rate floor. 47 C.F.R. §§ 54.313(a)(2)-(a)(6), (h). ETCs must submit this report to the Commission's Office of the Secretary, referencing WC Docket No. 10-90.

The Commission has clarified that the report due on July 2, 2012 from state-designated ETCs does not have to include information that these ETCs were not previously required to collect. *Connect America Fund*, WC Docket No. 10-90, FCC 12-52, Third Order on Reconsideration, ¶ 6

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(rel. May 14, 2012). However, if a state-designated ETC is subject to a state requirement to report some or all of this information annually to the state, the ETC must include this same information in its 2012 report to the Commission.