



**6712-01**

**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 54**

**[WC Docket Nos. 10-90, 14-58, 07-135, CC Docket No. 01-92; FCC 18-176, FCC 19-8; FRS 16878]**

**Connect America Fund, ETC Annual Reports and Certifications, Establishing Just and Reasonable Rates for Local Exchange Carriers, Developing a Unified Intercarrier Compensation Regime**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule; announcement of effective date.

**SUMMARY:** In this document, the Federal Communications Commission (Commission) announces that the Office of Management and Budget (OMB) has approved, for a period of three years, an information collection associated with the rules for the Connect America Fund contained in the Commission's Rate-of-Return Order, FCC 18-176 and the Connect America Fund (CAF) Phase II Transitions Order, FCC 19-8. This document is consistent with the Rate-of-Return and CAF Phase II Transitions Orders, which stated that the Commission would publish a document in the Federal Register announcing the effective date of the new information collection requirements.

**DATES:** The amendments to § 54.313(f)(1)(i) and (m) published at 84 FR 4711, February 19, 2019, and 84 FR 8619, March 11, 2019, are effective **[INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

**FOR FURTHER INFORMATION CONTACT:** Alexander Minard, Wireline Competition Bureau at (202) 418-7400 or TTY (202) 418-0484. For additional information concerning the Paperwork Reduction Act information collection requirements contact Nicole Ongele at (202) 418-2991 or via email: [Nicole.Ongele@fcc.gov](mailto:Nicole.Ongele@fcc.gov).

**SUPPLEMENTARY INFORMATION:** The Commission submitted revised information collection requirements for review and approval by OMB, as required by the Paperwork Reduction Act (PRA) of 1995, on May 13, 2020, which were approved by OMB on June 15, 2020. The information collection requirements are contained in the Commission's Rate-of-Return Order, FCC 18-176 published at 84 FR 4711, February 19, 2019 and CAF Phase II Transitions Order, FCC 19-8 published at 84 FR 8619, March 11, 2019. The OMB Control Number is 3060-0986. If you have any comments on the burden estimates listed in the following, or how the Commission can improve the collections and reduce any burdens caused thereby, please contact Nicole Ongele, Federal Communications Commission, Room 1-A620, 445 12<sup>th</sup> Street, SW, Washington, DC 20554. Please include the OMB Control Number, 3060-0986, in your correspondence. The Commission will also accept your comments via e-mail at PRA@fcc.gov.

To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an email to fcc504@fcc.gov or call the Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY).

## **SYNOPSIS**

As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3507), the Commission is notifying the public that it received OMB approval on June 15, 2020 for the information collection requirements contained in 47 CFR 54.313(f)(1)(i) and (m) published at 84 FR 4711, February 19, 2019 and 84 FR 8619, March 11, 2019. Under 5 CFR part 1320, an agency may not conduct or sponsor a collection of information unless it displays a current, valid OMB Control Number.

No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act that does not display a current, valid OMB Control Number. The OMB Control Number is 3060-0986.

The foregoing notice is required by the Paperwork Reduction Act of 1995, Pub. L. 104-13, October 1, 1995, and 44 U.S.C. 3507.

The total annual reporting burdens and costs for the respondents are as follows:

**OMB Control Number:** 3060-0986.

**OMB Approval Date:** June 15, 2020.

**OMB Expiration Date:** June 30, 2023.

**Title:** High-Cost Universal Service Support.

**Form Number:** FCC Form 481 and FCC Form 525.

**Type of Review:** Revision of a currently approved collection.

**Respondents:** Business or other for-profit, Not-for-profit institutions and State, Local or Tribal Government.

**Number of Respondents and Responses:** 2,034 respondents; 12,729 responses.

**Estimated Time per Response:** 0.1 - 15 hours.

**Frequency of Response:** On occasion, quarterly and annual reporting requirements, recordkeeping requirement and third party disclosure requirement.

**Obligation to Respond:** Required to obtain or retain benefits. Statutory authority for this information collection is contained in 47 U.S.C. 151-154, 155, 201-206, 214, 218-220, 251, 252, 254, 256, 303(r), 332, 403, 405, 410, and 1302.

**Total Annual Burden:** 54,519 hours.

**Total Annual Cost:** No Cost.

**Privacy Act Impact Assessment:** No impact(s).

**Nature and Extent of Confidentiality:** The Commission notes that the Universal Service Administrative Company (USAC) must preserve the confidentiality of all data obtained from respondents and contributors to the universal service support program mechanism; must not use the data except for purposes of administering the universal service program;

must not use the data except for purposes of administering the universal support program; and must not disclose data in company-specific form unless directed to do so by the Commission. Parties may submit confidential information in relation pursuant to a protective order. Also, respondents may request materials or information submitted to the Commission or to the Administrator believed confidential to be withheld from public inspection under 47 CFR 0.459 of the FCC's rules.

**Needs and Uses:** On November 18, 2011, the Commission adopted an order reforming its high-cost universal service support mechanisms. *Connect America Fund; A National Broadband Plan for Our Future; Establish Just and Reasonable Rates for Local Exchange Carriers; High-Cost Universal Service Support; Developing a Unified Intercarrier Compensation Regime; Federal-State Joint Board on Universal Service; Lifeline and Link-Up; Universal Service Reform – Mobility Fund*, WC Docket Nos. 10-90, 07-135, 05-337, 03-109; GN Docket No. 09-51; CC Docket Nos. 01-92, 96-45; WT Docket No. 10-208, Order and Further Notice of Proposed Rulemaking, 26 FCC Rcd 17663 (76 FR 73830 (Nov. 29, 2011) and 76 FR 78384 (Dec. 16, 2011)) (2011) (*USF/ICC Transformation Order*), and the Commission and Wireline Competition Bureau have since adopted a number of orders that implement the *USF/ICC Transformation Order*; see also *Connect America Fund et al.*, WC Docket No. 10-90 et al., Third Order on Reconsideration, 27 FCC Rcd 5622 (77 FR 30904 (May 24, 2012)) (2012); *Connect America Fund et al.*, WC Docket No. 10-90 et al., Order, 27 FCC Rcd 605 (77 FR 14297 (March 9, 2012)) (Wireline Comp. Bur. 2012); *Connect America Fund et al.*, WC Docket No. 10-90 et al., Fifth Order on Reconsideration, 27 FCC Rcd 14549 (78 FR 3837 (Jan. 17, 2013)) (2012); *Connect America Fund et al.*, WC Docket No. 10-

90 et al., Order, 28 FCC Rcd 2051 (78 FR 22198 (April 15, 2013)) (Wireline Comp. Bur. 2013); *Connect America Fund et al.*, WC Docket No. 10-90 et al., Order, 28 FCC Rcd 7227 (78 FR 70881 (Nov. 27, 2013)) (Wireline Comp. Bur. 2013); *Connect America Fund*, WC Docket No. 10-90, Report and Order, 28 FCC Rcd 7766 (78 FR 38227 (June 26, 2013)) (Wireline Comp. Bur. 2013); *Connect America Fund*, WC Docket No. 10-90, Report and Order, 28 FCC Rcd 7211 (78 FR 32991 (June 3, 2013)) (Wireline Comp. Bur. 2013); *Connect America Fund*, WC Docket No. 10-90, Report and Order, 28 FCC Rcd 10488 (78 FR 48622 (Aug. 9, 2013)) (Wireline Comp. Bur. 2013); *Connect America Fund et al.*, WC Docket No. 10-90 et al., Report and Order, Order and Order on Reconsideration and Further Notice of Proposed Rulemaking, 31 FCC Rcd 3087 (81 FR 24282 (April 25, 2016) and 81 FR 21511 (April 12, 2016)) (2016); *Connect America Fund et al.*, WC Docket Nos. 10-90, 16-271; WT Docket No. 10-208, Report and Order and Further Notice of Proposed Rulemaking, 31 FCC Rcd 10139 (81 FR 69696 (Oct. 7, 2016) and 81 FR 69772 (Oct. 7, 2016)) (2016); *Connect America Fund; ETC Annual Reports and Certifications*, WC Docket Nos. 10-90, 14-58, Report and Order, 32 FCC Rcd 5944 (82 FR 39966 (Aug. 23, 2017)) (2017). The Commission has received OMB approval for most of the information collections required by these orders.

More recently, through several orders, the Commission has changed or modified reporting obligations for high-cost support. In the *CAF Phase II Auction Order*, the Commission adopted rules requiring Connect America Phase II auction support recipients to certify the networks they operated in the prior year meet the Commission's performance requirements, to identify the total amount of support, if any, that was used

for capital expenditures in the previous calendar year, and to certify they have available funds for all project costs that will exceed the amount of support to be received from the authorization stemming from the Phase II auction for the next calendar year. *Connect America Fund, et al.*, WC Docket No. 10-90, et al., Report and Order and Further Notice of Proposed Rulemaking, 31 FCC Rcd 5949 (2016) (81 FR 44414 (July 7, 2016) and 81 FR 40235 (June 21, 2016)) (*CAF Phase II Auction Order*).

In the *New York Waiver Order*, the Commission extended to New York carriers who receive Connect America Phase II support in conjunction with the State's New NY Broadband Program the same annual reporting requirements adopted for Phase II auction recipients, as well as the requirement for the State public service commission to certify annually that those carriers' high cost support "was used in the preceding calendar year and will be used in the coming calendar year only for the provision, maintenance, and upgrading of facilities and services for which the support is intended." *Connect America Fund; ETC Annual Reports and Certifications*, WC Docket Nos. 10-90, 14-58, Order, 32 FCC Rcd 968 (2017) (*New York Waiver Order*).

In the *December 2018 Rate-of-Return Order*, the Commission modified the reasonable request certification rule applicable to rate-of-return ETCs to (1) require Connect America Fund-Alternative Connect America Cost Model (CAF-ACAM) support recipients to certify that they are meeting the relevant reasonable request standard and (2) require rate-of-return ETCs receiving legacy high-cost support to certify that they are meeting a 25 Mbps/3 Mbps reasonable request standard. *Connect America Fund et al.*,

WC Docket No. 10-90 et al., Report and Order, Further Notice of Proposed Rulemaking, and Order on Reconsideration, FCC 18-176, at 19-20, para. 17 (84 FR 4711 (Feb. 19, 2019) and 84 FR 2132 (Feb. 6, 2019)) (Dec. 13, 2018) (*December 2018 Rate-of-Return Order*). See also 47 CFR 54.313(f)(1)(i).

In the *CAF Phase II Transitions Order*, the Commission adopted rules requiring price cap or fixed competitive eligible communications carriers receiving phase-down support to certify that the phase-down support they received in the previous year was used to provide voice service to high-cost and extremely high-cost census blocks where they continue to have federal obligation to provide such services. *Connect America Fund*, WC Docket 10-90, Report and Order, FCC 19-8, at 11, para. 25 (84 FR 8619 (March 11, 2019)) (Feb. 15, 2019).

The Commission therefore revises this information collection, as well as Form 481 and its accompanying instructions, to reflect these new and revised requirements. We also increased the burdens associated with existing reporting requirements to account for additional carriers that will be subject to those requirements.

**FEDERAL COMMUNICATIONS COMMISSION.**

**Cecilia Sigmund,**  
**Federal Register Liaison Officer.**

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