

FEDERAL COMMUNICATIONS COMMISSION

CALEA Monitoring Report for Broadband Access and VOIP Services**Notice to Individuals Required by the Privacy Act of 1974 and the Paperwork Reduction Act of 1995**

Public reporting burden for this collection of information is estimated to range from 1 hour to 80 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate, or any other aspect of this collection of information, including suggestions for reducing the burden to Federal Communications Commission, AMD-PERM, Washington, DC 20554, Paperwork Reduction Project (3060-0809), or via the Internet to PRA@fcc.gov. DO NOT SEND COMPLETED APPLICATION FORMS TO THIS ADDRESS.

Individuals are not required to respond to a collection of information unless it displays a currently valid OMB control number. This collection has been assigned OMB control number 3060-0809.

As of December 3, 2001, all parties and entities doing business with the Commission must obtain a unique identifying number called the FCC Registration Number (FRN) and supply it when doing business with the Commission. Failure to provide the FRN may delay the processing of the application. This requirement is to facilitate compliance with the Debt Collection Improvement Act of 1996 (DCIA). The FRN can be obtained electronically through the FCC webpage at <https://svartifoss2.fcc.gov/cores/CoresHome.html> or by manually submitting FCC Form 160. FCC Form 160 is available from the FCC's web site at <http://www.fcc.gov/formpage.html>, by calling the FCC's Forms Distribution Center 800-418-FORM (3676), or from Right Fax by dialing (202) 418-0177.

If you owe a past debt to the Federal Government, any information you provide may also be disclosed to the Department of Treasury Financial Management Service, other federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide this information to these agencies through the matching of computer records when authorized. In addition, all information provided in this form will be available for public inspection. If information requested on the form is not provided, processing of the application may be delayed or the application may be returned without action.

This notice is required by the Privacy Act of 1974, Public Law 93-579, December 31, 1974, 5 U.S.C. Section 552a(e)(3) and the Paperwork Reduction Act of 1995, Public Law 104-13, October 1, 1995, 44 U.S.C. 3507.



General Instructions for Form 445

Purpose of Form 445

FCC Form 445 is used to monitor the progress of telecommunications carriers that provide facilities-based broadband Internet access or interconnected Voice over Internet Protocol (VOIP) services in complying with the Communications Assistance for Law Enforcement Act (CALEA) and the Commission's requirements for such facilities and services. See *Communications Assistance for Law Enforcement Act and Broadband Access and Services*, ET Docket No. 04-295, Second Report and Order and Memorandum Opinion and Order, FCC 06-56 (released May 12, 2006), 21 FCC Rcd 5360 (2006) (*Second Report and Order*). See also 47 C.F.R. § 1.2000 et seq.

Who Must File and When

The telecommunications carriers that use this form are those carriers that provide facilities-based broadband Internet access or interconnected VOIP service that the Commission has determined shall comply with CALEA. These carriers include common carriers offering telecommunications services for sale to the public, as well as those entities that the Commission has determined are telecommunications carriers subject to CALEA. See *Communications Assistance for Law Enforcement Act and Broadband Access and Services*, ET Docket No. 04-295, First Report and Order and Further Notice of Proposed Rulemaking, FCC 05-153 (released Sept. 23, 2005), 20 FCC Rcd 14989 (2005) (*First Report and Order*).

Telecommunications carriers shall file FCC Form 445 by the date specified in a Public Notice issued by the Commission.

Filing Instructions

Carriers shall file with the Commission one original and two copies of FCC Form 445, addressed to:

Secretary
Federal Communications Commission
Attention: CALEA Monitoring Report
445 12th Street, S.W.
Washington, D.C. 20554

Carriers shall file with the Federal Bureau of Investigation one copy of FCC Form 445, addressed to:

CALEA Implementation Unit
14800 Conference Center Drive, Suite 300
Chantilly, VA 20151-0450

FCC Form 445 will be treated as presumptively confidential pursuant to section 0.457(g) of the Commission's rules, 47 C.F.R. § 0.457(g), and must be filed under seal by the petitioner. Petitioners must mark the top of each page of their report "Confidential—Not for Public Inspection." Persons seeking access to any information from a section 109(b)(1) proceeding must request such access pursuant to section 0.461 of the Commission's rules, 47 C.F.R. § 0.461.

Instructions for Completing Form 445

Telecommunications carriers may report on their entire network, including those that are comprised of multiple types of facilities, on one form by following the directions provided below. Alternatively, if a carrier is comprised of multiple distinct legal entities, separate reports may be filed for each legal entity and its network facilities.

1. **Name:** Enter the legal name of the telecommunications carrier that provides facilities based broadband Internet access or interconnected VoIP service and that is obligated to comply with Communications Assistance for Law Enforcement Act (CALEA). *See Communications Assistance for Law Enforcement Act and Broadband Access and Services*, ET Docket No. 04-295, Second Report and Order and Memorandum Opinion and Order, FCC 06-56 (released May 12, 2006), (*Second Report and Order*). *See also* 47 C.F.R. § 1.2000 et seq.
2. **State:** If applicable, enter the state where the named telecommunications carrier is incorporated.
3. **FCC Registration No.:** Enter the FCC Registration Number (FRN) for the company or entity named in (1) above. The FCC Registration Number is a 10-digit number that is assigned to an entity registering with the Commission Registration System (CORES). The entity that you register will have a unique FRN that is used to identify each entity with the Commission. If the named company or entity does not have an FRN, a new FRN may be obtained from the FCC. You can register electronically for a FRN at <http://www.fcc.gov> and click on the CORES Registration link, or by filing FCC Form 160, CORES Registration which may be obtained either at <http://www.fcc.gov/formpage.html> or by calling the FCC's Form Distribution Center at 1-800-418-FORM [3676]. Mailing instructions are found on the form <https://svartifoss2.fcc.gov/coresWeb/publicHome.do>
4. **Filer 499 ID:** If the named company or entity has an associated Filer 499 ID, please enter that ID. An ID number is assigned by the Universal Service Administrative Company (USAC) to those companies required to file USAC Form 499, Telecommunications Reporting Worksheet. Leave this field blank if the named company or entity does not have a Filer 499 ID and is not required to have one.
5. **Affiliate Name(s):** List any affiliates of the named telecommunications carrier that are involved in actual implementation or operation of CALEA requirements for the named telecommunications carrier. For example, a national telecommunications carrier could have operation business units organized by state or regional boundaries that would have actual responsibility for installation and operation of CALEA requirements. If so, identify the names of these affiliate business units.
6. **Parent Company:** If the named telecommunications carrier is a wholly owned subsidiary of another company, name the parent company.
7. **Contact Information:** Provide the name and contact information for a person with responsibility for answering FCC questions regarding the named telecommunications carrier's CALEA plans and filings.
8. **Network will be in compliance by 5/14/07:** If the network operated by the named telecommunications carrier is expected to be in compliance with CALEA requirements by 5/14/07, either in whole or in part, check this box. In addition, check the boxes for all network facility types affected by CALEA requirements that will be in compliance by 5/14/07. For example, if the named telecommunications carrier employs wireline, cable, and satellite facilities in providing services covered by the CALEA order, each of these boxes should be checked. If other types of facilities are affected, check the box for Other and indicate the type of facility, e.g., broadband over powerline (BPL).
9. **Network will not be in compliance by 5/14/07:** If the network operated by the named telecommunications carrier is not expected to be in compliance with CALEA requirements by 5/14/07, either in whole or in part, check this box. Also, check the boxes for all network facility types affected by CALEA requirements that will not be in compliance by 5/14/07. Indicate the expected date by which the network facilities will be in compliance with CALEA requirements (i.e., a date beyond 5/14/07) or, if not known, indicate "unknown." Also indicate by checking the appropriate box(es) the reason(s) for the expected delay and provide more detailed information under "Delaying Items."

10. **Compliance Method:** Indicate what industry standards, if applicable, are being used to meet CALEA obligations. If more than one version of an industry standard exists, indicate which version is being implemented for the network. If any custom or proprietary solutions are being used, indicate by checking the appropriate box. If the Department of Justice (DOJ) has been consulted regarding these custom solutions, indicate by checking the box. Finally, if a Trusted Third Party is used for CALEA implementation, please check this box and also provide the name of the Trusted Third Party, *see Communications Assistance for Law Enforcement Act and Broadband Access and Services*, ET Docket No. 04-295, Second Report and Order and Memorandum Opinion and Order, FCC 06-56 (released May 12, 2006), (*Second Report and Order*).
11. **Delaying Items:**
- a. **Equipment:** Indicate any equipment item by model type/manufacture that is responsible for the expected delay.
 - b. **Network Installation:** If delay is caused by network installation issues, provide a brief description of circumstances contributing to the delay.
 - c. **Manufacturer Support:** If delay is caused by problems associated with manufacturer support, provide a brief description of circumstances contributing to the delay.
 - d. **Other:** Explain any other circumstances contributing to delay in meeting compliance requirements.
 - e. **Mediation Actions Taken:** Explain what steps are being taken to resolve the circumstances that are delaying compliance.
12. **Certification:** An officer or equivalent controlling party of the named telecommunications carrier is required to certify the accuracy of the information contained in FCC Form 445.