

Instructions for Local Telephone Competition and Broadband Reporting Form (FCC Form 477)

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I. PURPOSE

FCC Form 477 collects information about broadband connections to end user locations, wired and wireless local telephone services, and interconnected Voice over Internet Protocol (VoIP) services, in individual states. The term “state” includes the District of Columbia and the “Territories and possessions” (see 47 U.S.C. § 153(40)). Data obtained from this form will be used to describe the deployment of broadband infrastructure and competition to provide local telecommunications services. For additional information about this data collection, see *Development of Nationwide Broadband Data to Evaluate Reasonable and Timely Deployment of Advanced Services to All Americans, Improvement of Wireless Broadband Subscriber Data, and Development of Data on Interconnected Voice over Internet Protocol (VoIP) Subscriber Data*, WC Docket No. 07-38, Report and Order, 23 FCC Rcd 9691; Order on Reconsideration, 23 FCC Rcd 9800.

II. WHO MUST FILE THIS FORM?

Four types of entities must file this form. For purposes of this information collection, the terms “entity” and “entities” include all **commonly-controlled or commonly-owned affiliates**. (See 47 U.S.C. § 153(1) (establishing a greater than 10 percent equity interest, or the equivalent thereof, as indicia of ownership.))

A. Facilities-based Providers of Broadband Connections to End User Locations:

Entities that are facilities-based providers of **broadband connections** – which, for purposes of this information collection, are wired “lines” or wireless “channels” that enable the end user to receive information from and/or send information to the Internet at information transfer rates **exceeding 200 kbps in at least one direction** – must complete and file the applicable portions of this form for **each state** in which the entity provides **one or more** such connections **to end user locations**.

For the purposes of Form 477, a broadband “**end user**” is a residential, business, institutional, or government entity who uses broadband services for its own purposes and who does not resell such services to other entities or incorporate such services into retail Internet-access services. For purposes of Part I of Form 477, an Internet Service Provider (ISP) is not an “end user” of a broadband connection.

For the purposes of Form 477, an entity is a “**facilities-based**” **provider** of broadband connections **to end user locations** if any of the following conditions are met: (1) it **owns** the portion of the physical facility that terminates at the end user location; (2) it obtains unbundled network elements (UNEs), special access lines, or other leased facilities that terminate at the end user location and **provisions/equips** them as broadband, or (3) it **provisions/equips** a broadband wireless channel to the end user location over licensed or unlicensed spectrum.

A non-exhaustive list of examples of such entities includes incumbent and competitive local exchange carriers (LECs), cable system operators, fixed wireless service providers (including “wireless ISPs”), terrestrial and satellite mobile wireless service providers, BRS providers, electric utilities, municipalities, and other entities. Such entities do not include equipment suppliers unless the equipment supplier uses the equipment to provision a broadband connection that it offers to the public for sale. Such entities also do not include providers of terrestrial fixed wireless services (*e.g.*, “Wi-Fi” and other wireless Ethernet, or wireless local area network, applications) that only enable local distribution and sharing of a premises broadband facility, and they do not include air-to-ground services. The applicable portions of the form for facilities-based providers are: 1) Login & Filer Identification; 2) the relevant portion(s) of Part I; 3) Part IV (if necessary); and 4) Part VI.

B. Providers of Wired or Fixed Wireless Local Exchange Telephone Service:

Incumbent and competitive LECs must complete and file the applicable portions of the form for **each state** in which they provide local exchange service to **one or more** end user customers (which may include “dial-up” ISPs). For such entities, the applicable portions of the form are: 1) Login & Filer Identification; 2) Part II.A; 3) Part IV (if necessary); and 4) Part V.

Note: An Incumbent Local Exchange Carrier (“**ILEC**”) is any entity that was providing telephone exchange service (“local” phone service) in a particular area on February 8, 1996, the date on which the Telecommunications Act of 1996 was enacted into law. See 47 C.F.R. § 51.5. Any other entity filing Form 477 is a “**non-ILEC**.”

C. Providers of Interconnected Voice over Internet Protocol (VoIP) Service:

Interconnected VoIP service is a service that enables real-time, two-way voice communications; requires a broadband connection from the user’s location; requires Internet-protocol compatible customer premises equipment; and permits users generally to receive calls that originate on the public switched telephone network and to terminate calls to the public switched telephone network. See 47 C.F.R. § 9.3. Interconnected VoIP providers must complete and file the applicable portions of the form for **each state** in which they provide interconnected VoIP service to **one or more** subscribers, with the state determined for reporting purposes by the location of the subscriber’s broadband connection or the subscriber’s “Registered Location” as of the data-collection date, as discussed in these instructions. For such entities, the applicable portions of the form are: 1) Login & Filer Identification; 2) Part II.B; 3) Part IV (if necessary); and 4) Part V.

D. Providers of Mobile Telephony Services:

Facilities-based providers of mobile telephony services (see 47 C.F.R. § 20.15(b)(1)) must complete and file the applicable portions of this form for **each state** in which they serve **one or more** mobile telephony subscribers. A **mobile telephony service** is a real-time, two-way switched voice service that is interconnected with the public switched network using an in-network switching facility that enables the provider to reuse frequencies and accomplish seamless handoff of subscriber calls.

A mobile telephony service provider is considered “**facilities-based**” if it serves a subscriber using spectrum for which the entity holds a license, that it manages, or for which it has obtained the right to use via lease or other arrangement with a Band Manager. For such entities, the applicable portions the form are: 1) Login & Filer Identification; 2) Part III; and 3) Part IV (if necessary).

Summary Chart of Applicable Portions of this Form:

	Login / Filer Information	Part I	Part II	Part III	Part IV	Part V	Part VI
Facilities-based Providers of Broadband Connections to End User Locations	Yes	Yes			Yes (if necessary)		Yes
Providers of Wired or Fixed Wireless Local Exchange Telephone Service	Yes		Yes		Yes (if necessary)	Yes	
Providers of Interconnected Voice over Internet Protocol (VoIP) Service	Yes		Yes		Yes (if necessary)	Yes	

Providers of Mobile Telephony Services	Yes			Yes	Yes (if necessary)		
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III. INSTRUCTIONS FOR COMPLETING FCC FORM 477

(NOTE: Key terms that appear in this section are summarized in V. **Glossary of Selected Terms Appearing on FCC Form 477.**)

A. LOGIN & FILER IDENTIFICATION (All Filers)

- **LOGIN:** At the FCC Forms page, <http://www.fcc.gov/formpage.html>, click on the link for “477 Electronic Filing” in the “Form No.” column to reach the web-based **Form 477 submission Login Information** screen Enter the FCC Registration Number (FRN) that will be used for this submission, and the associated password. Instructions for obtaining a FRN appear at <https://fjallfoss.fcc.gov/coresWeb/publicHome.do>.

Data must be reported on separate Form 477 submissions for each state where the entity operates. For each state, data for ILEC operations must be reported on a separate form than data for non-ILEC operations. An entity with multiple ILEC operations in a particular state may choose to make a consolidated ILEC filing for that state. Similarly, an entity with multiple non-ILEC operations in a state may choose to make a consolidated non-ILEC filing for that state. A holding company, parent, or controlling entity with multiple FRNs may select the appropriate FRN to use for any particular submission or may use a single FRN for all submissions, provided that each submission is uniquely identified by the following items: FRN; Name of company or operations; Type of operations (ILEC or non-ILEC); and State.

Note: If you require the graphical user interface in an accessible format for persons with disabilities, select the “Yes” option button next to “**Accessible Version**”

- **FILER IDENTIFICATION:** After automatically validating the LOGIN information (FRN and password), the Form 477 graphical user interface presents a **main menu** screen, where the filer will **create new** Form 477 submissions for entities associated with the FRN. The main menu tracks the status of submissions as they are created, edited, and officially submitted to the FCC.

To start a new Form 477 submission, first use the main menu drop-down lists to specify the “Data as of” date and “State” for the data to be reported in the submission. Next, use the “Operations” option buttons to specify “ILEC” or “Non-ILEC” operations, and then click “**Create New.**” The graphical user interface will then present a **cover page** of filer identification information. **Complete** all items on the cover page that were not automatically filled with information entered in the “**Login**” or “**Create New**” processes:

- (1) FRN (**Automatically filled in with “Login”** information).
- (2) Name of the company or operations whose data are reported in this submission (**business entity name associated with FRN automatically filled in**).
- (3) Type of operations (ILEC or non-ILEC) for which data are reported in this submission (**automatically filled in with information from the “Create New” process**).

- (4) Use the drop-down list to select a single name, such as the holding company name, to identify **all** commonly-owned or commonly-controlled entities who are filing Form 477 data. (See 47 U.S.C. § 153(1) (establishing a greater than 10 percent equity interest, or the equivalent thereof, as indicia of ownership.)) Filers that have no holding company but are controlled by the same owners should decide on a single name to use for this question. Filers that are not affiliated with any other Form 477 filer should use the company name entered in (2); do this by selecting “same as company name” from the list. Select “not shown” if no appropriate name appears in the list, and enter the appropriate name in the space provided.
- (5) State for which data are reported in this submission (**automatically filled in with information from the “Create New” process**). **Note:** You may not combine data for operations in more than one state. For example, the only data that may be reported in a “headquarters state” submission are data for operations within that specific state.
- (6) Name of the person who prepared this submission (this person will be the first point of contact for any follow-up questions about the submitted data).
- (7) Telephone number and e-mail address for the contact person listed in (6).
- (8) Status of submission (**automatically updated by the graphical user interface**). **Note:** Requirements to make revised submissions are set out in section IV.E. of these instructions.
- (9) Use the option buttons to indicate whether non-disclosure is requested for some or all of the information in this submission because the filer believes that this information is privileged and confidential and public disclosure of such information would likely cause substantial harm to the competitive position of the filer.
- (10) Name of the official (corporate officer, managing partner, or sole proprietor) whose signature certifies that he/she has examined the information contained in this Form 477 and that, to the best of his/her knowledge, information and belief, all statements of fact contained in this Form 477 are true and correct. For purposes of this Form 477, the entry of the official’s name on this line shall constitute that official’s electronic signature to this certification. Persons making willful false statements in a Form 477 can be punished by fine or imprisonment under the Communications Act, 47 U.S.C. 220(e).
- (11) Telephone number and e-mail address for the official listed in (10).

After completing the cover page, click “Save and Return to Edit Menu” to reach the **submission menu** screen (also called the **edit menu**). The submission/edit menu contains links to data-entry screens for the several Parts of the Form 477.

- **GENERAL NOTE ON INTERFACE MECHANICS:** Entering data into the graphical user interface, or uploading files of Census Tract-level data, as explained later in these instructions, may be completed over multiple work sessions. The main menu screen will show the submission’s status as “Original – In Progress” during these sessions.
 - **To Save Data Entered as a Work in Progress:** To save data entered in order to complete it during a later session, or before moving between interface screens, select the **Save and Return to Edit Menu** instruction bar on the interface screen **prior to** logging out of a work session.

- **To Logout of a Session:** The interface should be closed between sessions by selecting **Log Out** at the bottom of a data-entry screen.
- **To Return to a Work in Progress:** To return to an in-progress submission, from the **main menu**, use the “View/Edit” link in the “View/Edit By Part” column to open the **submission menu**.
- **To Edit Filer Identification Information:** To edit filer identification information, use the link at the top of the **submission menu** to open the **cover page**.
- **To Submit a Completed Application:** Once all data for a particular submission have been entered, use the link in the **Revise/Submit** column in the **main menu** to open the **change status menu** where you will officially submit the data to the FCC as complete. Alternatively, use the link that appears at the bottom of the **submissions menu** to open the **change status menu**. The system automatically will make some evaluations of data completeness and internal consistency, and will use “Submitted – Rejected” status to indicate there are problems that must be resolved. The system will use “Original – Submitted” status to indicate the submission has been accepted. Once the system accepts an official **original submission**, you will be able to view the data from the main menu screen, but can only make any corrections by completing a **revised submission**.

Entities that require paper documentation that the FCC has accepted an official submission may print out a copy of the interface’s main menu screen that shows “Original – Submitted” or “Revised – Submitted” as the status of that particular submission.

B. Part I.A: BROADBAND

INCLUDE in Part I.A: In Part I.A., facilities-based providers of broadband connections **to end user locations** report information about those connections. See page 2 of these instructions for definitions of “**facilities-based provider**,” “**broadband connection**,” and “**end user**.” End users of the retail Internet access service delivered over the broadband connections reported in Part I.A. may be billed by the filer (including affiliates), by an agent of the filer, or by an unaffiliated entity.

In categorizing connections as “broadband,” filers should consider the end user's authorized maximum information transfer rate (“speed”) on that connection.

Do not convert any connections reported in Part I.A into voice-grade equivalent measures.

EXCLUDE in Part I.A: Exclude the following types of connections from reporting in Part I.A:

- Connections for cable television service and other multi-channel video programming service, including video-on-demand type service.
- Connections for Internet-access services that restrict the end user to both transmitting data to the Internet and receiving data from the Internet at information transfer rates (“speeds”) of 200 kbps or less.
- Connections between two locations of the same business or other end user entity (such as point-to-point connections within private or semi-private data networks or corporate telephone systems).

- High-capacity connections between network components within the public switched telephone network or the Internet (*note that* such connections do not terminate at an end user location).
- High-capacity dedicated connections (“special access” circuits) between end users and interexchange (telephone) carrier points of presence (“toll bypass”).

General Note about Reporting Percentage Breakouts: Parts I, II, III, and VI of Form 477 direct filers to provide percentage breakouts for specific counts of connections. If disaggregated counts exist for another purpose, then these must be used to calculate the requested percentage breakouts. However, filers are not expected to calculate percentages based on exhaustive counts performed solely for this task. Rather, where disaggregated counts do not exist, filers may provide good-faith estimates of percentages based on the best information available to the filer. For example, if there is a pricing distinction between services provided to residential end users, then billing information may be used to estimate the percentage of connections provided to such end users. In the absence of such information, however, filers should rely on studies done for other purposes such as marketing and business plan information, demographic data, etc. A filer should conduct limited special studies only in the event that it cannot provide estimates of percentage breakouts that it reasonably expects to be accurate within plus or minus five percentage points.

Specific Questions in Part I.A.

- (1) **Report total connections** (wired “lines” or wireless “channels”) to end user locations that you (including affiliates) equipped to enable end users to receive information from and/or send information to the Internet at information transfer rates exceeding 200 kbps in at least one direction. For reporting “category of technology employed,” report the technology used by the portion of the connection that terminates at the end user location. If different technologies are used in the two directions of information transfer (“downstream” and “upstream”), report the connection in the technology category for the higher-rate direction. **Only count connections that are in service**, including connections over which you (including affiliates or agents) or an unaffiliated entity (that is not your agent) provide an Internet-access service to the end user. The ten (10) technology categories are:

Asymmetric xDSL.

Symmetric xDSL.

Other Wireline (all copper-wire based technologies other than xDSL; Ethernet over copper and T-1 are examples).

Cable Modem.

Optical Carrier (fiber to the home or business end user; does not include “fiber to the curb”).

Satellite.

Terrestrial Fixed Wireless (provisioned/equipped over licensed spectrum or over spectrum used on an unlicensed basis). **General note:** Fixed wireless services (*e.g.*, “Wi-Fi” and other wireless

Ethernet or wireless local area network applications) that only enable local distribution and sharing of a premises broadband facility should not be reported on Form 477. **Note for WISPs:** Entities that use unlicensed devices to provide commercial broadband Internet access service connections to dispersed, fixed end user locations must report those subscribers in the Terrestrial Fixed Wireless category. By contrast, entities that use unlicensed devices to provide a commercial broadband Internet access service that can be received at any location within a service footprint must report those subscribers in the Terrestrial Mobile Wireless category, below, and must comply with the reporting exclusions specified for that category.

Terrestrial Mobile Wireless (provisioned/equipped over licensed spectrum or over spectrum used on an unlicensed basis). In Part I.A, report the number of subscribers whose device and subscription permit them to access the lawful Internet content of their choice. **Exclude** subscribers whose choice of content is restricted to only customized-for-mobile content, and exclude subscribers whose subscription does not include, either in a bundle or as a feature added to a voice subscription, a data plan providing the ability to transfer, on a monthly basis, either a specified or an unlimited amount of data to and from Internet sites of the subscriber's choice. Note that filers who report subscribers in Part I.A must also complete Part I.B.

Electric Power Line.

All Other (any specific technology not listed above; you will identify the specific technology, or technologies, when you complete Part VI of Form 477). Note that Ethernet over fiber should be reported in the Optical Carrier category, and Ethernet over copper should be reported in the Other Wireline category.

- (2) Report the percentage of total connections reported in (1) that are provided over your **own local loop facilities or the equivalent**. Your own local loop facilities or the equivalent include wired local loop facilities that you (including affiliates) own, wireless connections to end user locations that you (including affiliates) have provisioned/equipped over spectrum that you use on an unlicensed basis or over spectrum for which you hold a license, manage, or have obtained the right to use via lease or other arrangement with a Band Manager, and facilities you use as part of your system for which you obtained the right to use from unaffiliated entities as dark fiber or satellite transponder capacity. **Do not** include broadband connections to end users that you provided over UNEs, special access lines, or other leased facilities that you obtained from an unaffiliated entity and equipped as broadband.
- (3) Report the percentage of total connections reported in (1) that are billed (or incorporated in a service billed) to end users by the filer (including affiliates) or its agents. Do not include in this percentage any lines reported in (1) that are billed to an unaffiliated ISP that has incorporated the filer's broadband service into a premium Internet-access service marketed under the unaffiliated ISP's own name.
- (4) Report the percentage of total connections reported in (1) that are residential connections. **For all broadband technologies except terrestrial mobile wireless**, consider connections to be residential when they deliver Internet-access services that are *primarily* purchased by, designed for, and/or marketed to residential end users. **For terrestrial mobile wireless broadband**, report subscribers as "residential" when the subscription **is not** billed to a corporate, non-corporate business, government, or institutional customer account.
- (5) Report the percentage of total connections reported in (1) that carry information, at the end user

location, at information transfer rates exceeding 200 kbps in **both** directions **and** that are residential connections, as specified in (4), immediately above.

(6)-(13) Break down the total connections reported in (1) to show the number of connections in each download/upload information transfer rate combination (There are 8 categories of download information transfer rates to the end user and 9 categories of upload information transfer rates from the end user). Categorize the connection based on the end user's authorized maximum download information transfer rate and authorized maximum upload information transfer rate, and report any particular connection only once.

- **Note for all broadband technologies except terrestrial mobile wireless:** In Part VI (Census Tract Detail), you will be required to report this information for individual Census Tracts, and also to report the percentage of the connections that are residential. For each download/upload information transfer rate combination, the number of connections reported for a state, in Part I.A, must equal the sum of the number of connections reported for individual Census Tracts, in Part VI.
- **Note for terrestrial mobile wireless broadband providers:** In Part I.A, you must also report the percentage of subscriptions in each information transfer rate combination that are residential, as specified for terrestrial mobile wireless technology in item (4), above.

C. **Part I.B: BROADBAND AVAILABILITY – xDSL, Cable Modem, and Terrestrial Mobile Wireless**

You must complete the relevant section of Part I.B if you are: (1) an ILEC (or affiliate of an ILEC) that reported, in Part I.A, asymmetric xDSL or symmetric xDSL connections to end users in the ILEC's service area, (2) a cable system (or affiliate of a cable system) that reported, in Part I.A, Cable Modem connections to end users in the system's cable television service area, or (3) a Terrestrial Mobile Wireless provider that reported subscribers in the state in Part I.A.

In Part I.B, **residential end user premises** include residential living units, individual living units in institutional settings such as college dormitories and nursing homes, and other end user locations to which you (including affiliates and agents) market services that are primarily designed for residential use. The **service area of an ILEC** consists of those residential end user premises to which the ILEC can deliver telephone service over local loop facilities (or the fixed-wireless last mile equivalent) that it owns. The **service area of a cable system** consists of those residential end user premises to which the system can deliver cable television service over cable plant that it owns.

“Best estimate” guidance for ILECs and cable systems: We intend to rely on current industry “best practices” to provide us with carefully considered estimates. Filers should note the following points: (1) the reported estimate of xDSL or cable modem service availability should **not** require degradation, outside of normal operating parameters, of the service quality of the filer's most heavily purchased type(s) of xDSL or cable modem service; and (2) filers should take into account rule-of-thumb lessons from the experience of deploying particular broadband services in similar areas (*e.g.*, differences between actual and theoretical availability of xDSL service to end user premises in areas in which the service already has been deployed, such as may arise due from loop conditioning factors and loop lengths).

Specific Questions in Part I.B.

Part I.B: Broadband – xDSL (asymmetric or symmetric). Report your best estimate of the **percentage** of residential end user premises in your ILEC service area, in this state, to which your xDSL connections (with information transfer rates exceeding 200 kbps in at least one direction) could be provided using installed distribution facilities.

Part I.B: Broadband – Cable Modem. Report your best estimate of the **percentage** of residential end user premises in your cable system service area, in this state, to which your Cable Modem connections (with information transfer rates exceeding 200 kbps in at least one direction) could be provided using installed distribution facilities

Part I.B: Broadband – Terrestrial Mobile Wireless. Report the **number** of subscribers whose mobile devices are capable of sending or receiving data at information transfer rates exceeding 200 kbps in at least one direction.

D. Part II.A: LOCAL EXCHANGE TELEPHONE SERVICE

INCLUDE in Part II.A: Report lines or wireless channels (hereafter, “lines”) in this state that you (including affiliates) use to provide local exchange or exchange access services that allow end users to originate and/or terminate local telephone calls on the public switched network, whether used by the end user for voice telephone calls or for other types of calls carried over the public switched network (for example, lines used for facsimile equipment or lines used occasionally or exclusively for “dial-up” connection to the Internet). See “Note for reporting channelized service,” below.

EXCLUDE in Part II.A: Do **not** report lines not yet in service, lines used for interoffice trunking, company official lines, or lines used for special access service. Do not report any lines that connect two locations of the same end user customer, ISP, or communications carrier. Where you are already reporting the portion of a circuit between the end user and your switching center, do not separately count the portion of that circuit between your switching center and a circuit switched, Internet protocol, or ATM network, irrespective of whether you multiplexed the circuit onto a higher-capacity facility between your switching center and that network.

Note for reporting channelized service: In **(1) and (2) of Part II.A**, providers must report **voice-grade equivalent lines**. Count as one voice-grade equivalent line: traditional analog POTS lines, Centrex-CO extensions, and Centrex-CU trunks. **Count lines based on how they are charged to the customer rather than how they are physically provisioned.** That is, when a customer is charged for channelized service, report the number of activated, charged-for channels rather than the theoretical capacity of the line. Examples: Count Basic Rate Integrated (BRI) Services Digital Network (ISDN) lines as two voice-grade equivalent lines. Count fully-channelized PRI circuits (including PRIs that are used exclusively to provide local connectivity to “dial-up” ISPs) as 23 voice-grade equivalent lines. But report, for example, 8 voice-grade equivalent lines if a customer is charged for 8 trunks that happen to be provisioned over a DS1 circuit. If a customer is charged for a fully-channelized DS1 circuit, however, report 24 voice-grade equivalent lines. In **(3) and (4) of Part II.A**, however, any high-capacity UNEs should **not** be reported in voice-grade equivalents. UNEs should be reported as actual circuit counts.

Note for competitive LECs providing local exchange service over hybrid fiber-coaxial cable systems: If you cannot determine the number of lines from your records, you may report the number of subscribers.

Specific Questions in Part II.A – Numbers.

- (1)(a): Report total voice-grade equivalent lines that you (including affiliates and agents) provided – that is, billed – directly to end users. Include lines provided to end users by your agents or under traditional marketing arrangements; for example, include lines provided to shared-tenant service providers. Note that an ISP may be an end user of local exchange service lines. For example, a “dial-up” ISP may purchase channelized PRI circuits so that its customers can reach it *via* a local telephone call.
- (2)(a): Report total voice-grade equivalent local telephone service lines that you **provided to** unaffiliated telecommunications carriers under a resale arrangements including, among others, commercial agreements that replaced UNE-P and resold services such as local exchange, Centrex, and channelized special access.
- (3)(a): Report the number of circuits you **provided to** unaffiliated telecommunications carriers under a UNE loop arrangement, where you do **not** provide switching for that circuit. **Do not** convert any high capacity circuits provided under such UNE arrangements into voice-grade equivalent measures.
- (4)(a): Report the number of circuits you **provided to** unaffiliated telecommunications carriers under a UNE loop arrangement, where you **also** provide switching for that circuit (*i.e.*, “UNE-Platform”). **Do not** convert any high-capacity circuits provided under such UNE arrangements into voice-grade equivalent measures. **Note:** UNE-P no longer exists as a required unbundling obligation.

Specific Questions in Part II.A – Percentages.

See “General note about reporting percentage breakouts” in the instructions for Part I.A, above.

- (b): Report the percentage of the lines reported in (a) that are used for residential service. Include lines provided to shared-tenant service providers in apartment buildings and similar residential settings. ILEC filers may report based on the percentage of lines reported in (a) that are tariffed residential lines, with an appropriate adjustment for lines provided under shared-tenant service arrangements. Carriers that do not have separate residential tariffs or price lists should use marketing or other information about the demographic characteristics of the areas they serve to develop a comparable estimate, or should undertake a limited special study.
- (c): Report the percentage of the lines reported in (a) for which you (including affiliates) are the presubscribed interstate long distance carrier, *i.e.*, the (facilities-based or reseller) carrier to which an interstate long distance call is routed automatically, without the use of any access code by the end user.
- (d): Report the percentage of the lines reported in (a) that are used for residential service (as specified in the instructions for column (b), above) **and** for which you (including affiliates) are the presubscribed interstate long distance carrier (as specified in the instructions for (c), above).
- (e): Report the percentage of the lines reported in (a) that are provided over your **own local loop facilities** connecting to the end user’s premises or the equivalent. Count as your own such facilities, those wired local loop facilities you (including affiliates) own, those facilities you obtain the right to use from unaffiliated entities as dark fiber or satellite transponder capacity

(and that you use as part of your own system), those fixed-wireless connections to end user premises that are deployed over spectrum for which you hold a license, manage, or have obtained the right to use via lease or other agreement with a Band Manager, or those fixed-wireless connections that are deployed over spectrum that you use on an unlicensed basis. **Do not** include, in (e), lines provided over UNE loops, special access lines, or other leased lines that you **obtained from** an unaffiliated carrier. NOTE: A **competitive LEC** should include, in (e), a line for which it provided its own switching **only if** it also owned (as just discussed) the local loop facilities that connect to the end user's premises.

- (f): Report the percentage of lines reported in (a) that are provided over UNE loops that you **obtained from** an unaffiliated carrier **without** also obtaining UNE switching from that carrier.
- (g): Report the percentage of lines reported in (a) that are provided over UNE-Platform (*i.e.*, the combination of loop UNE, switching UNE, and transport UNE) that you **obtained from** an unaffiliated carrier (but treat commercial agreements that replaced UNE-P as "provided by reselling" in (h), below).
- (h): Report the percentage of lines reported in (a) that are provided by reselling unaffiliated-carrier services including, among others, commercial agreements that replaced UNE-P and resold services such as local exchange, Centrex/Centron, and channelized special access.
- (i): Report the percentage of lines reported in (a) that are delivered over optical fiber facilities used in the part of the line that connects to the end user premises.
- (j): Report the percentage of lines reported in (a) that are delivered over coaxial cable facilities used in the part of the line that connects to the end user premises.
- (k): Report the percentage of lines reported in (a) that are delivered over fixed wireless facilities connecting to the end user premises.

E. Part II.B: INTERCONNECTED VOICE OVER INTERNET PROTOCOL (VoIP) SERVICE

Reporting Interconnected VoIP Subscriptions by State. If the interconnected VoIP provider also provides a broadband connection to the subscriber, then the interconnected VoIP subscriber must be reported in the same state as the broadband connection. If not, the interconnected VoIP subscriber must be reported in the state of the subscriber's "Registered Location" as of the data-collection date (*i.e.*, June 30 or December 31). "Registered Location" is the most recent information obtained by an interconnected VoIP service provider that identifies the physical location of an end user. See 47 C.F.R. § 9.3.

Specific Questions in Part II.B – Numbers.

- (1)(a): Report the number of interconnected VoIP subscriptions in the state that end users purchased from you without also purchasing a broadband connection from you (including affiliates).
- (2)(a): Report the number of interconnected VoIP subscriptions in the state that end users purchased from you (including affiliates) in conjunction with the purchase of a broadband connection.
- (3)(a): Report the number of wholesale customers who purchased your VoIP service to resell as their

own VoIP service. Note that the wholesale customers you report for a particular state should be reselling your VoIP service in that particular state.

Specific Questions in Part II.B – Percentages.

See “General note about reporting percentage breakouts” in the instructions for Part I.A, above.

- (b):** Report the percentage of subscriptions reported in (a) that you provided under your residential grade service plans.
- (c):** Report the percentage of subscriptions reported in (a) that were purchased under terms that allow use with any broadband connections (“nomadic” functionality). Do not include in this percentage those subscriptions that must be used over a single predetermined broadband connection.
- (d):** Report the percentage of subscriptions reported in (a) that you (including affiliates) provided in conjunction with a copper wire-based broadband connection (DSL or Other Wireline).
- (e):** Report the percentage of subscriptions reported in (a) that you (including affiliates) provided in conjunction with a fiber-to-the-end-user broadband connection.
- (f):** Report the percentage of subscriptions reported in (a) that you (including affiliates) provided in conjunction with a Cable Modem broadband connection.
- (g):** Report the percentage of subscriptions reported in (a) that you (including affiliates) provided in conjunction with a Terrestrial Fixed Wireless broadband connection.
- (h):** Report the percentage of subscriptions reported in (a) that you (including affiliates) provided in conjunction with any other type of broadband connection.

F. Part III: MOBILE LOCAL TELEPHONE

In Part III, report all mobile voice telephony subscribers served over your own facilities that give customers the ability to place or receive calls from the public switched telephone network. Include: satellite, cellular, and PCS telephone service and other terrestrial mobile services; and, units in service that combine voice telephone with other services. Report subscribers that you (including affiliates) serve using spectrum for which you hold a license, manage, or have obtained the right to use via lease or other agreement with a Band Manager. **Do not report** any subscribers that you serve by reselling an unaffiliated carrier’s mobile telephone service.

Note: Exclude mobile services that customers cannot use to directly place calls to subscribers of ordinary telephone service, such as dispatch services and one-way or two-way paging services. Also exclude voice services that permit communications between only a narrow range of locations such as automobile units that permit drivers to communicate only with a specific road service.

Specific Questions in Part III.

- (1)(a):** Report the total number of mobile voice telephony subscribers in the state that are served over your own facilities. Count as a subscriber a mobile handset, car-phone, or other revenue-generating, active, voice unit that has a unique phone number and that can place and receive calls

from the public switched network. Include in column (a) subscribers that you (including affiliates) bill directly (including through agents), pre-paid subscribers, and subscribers served via unaffiliated mobile telephone service resellers. Subscriber counts by state should be based on the **area codes** of the phone numbers provided to subscribers.

(1)(b): Report the percentage of subscribers in column (a) that you bill directly (including through agents) or serve on a pre-paid basis. **Do not include** subscribers that are billed by an unaffiliated mobile telephone service reseller.

G. Part IV: EXPLANATORY NOTES

Part IV provides space to furnish relevant explanatory information with your data. For example, an explanation should be provided if a percentage figure has changed noticeably from earlier submissions. Filers should identify the Part and question to which each comment pertains.

H. Part V: ZIP-CODE INFORMATION – LOCAL EXCHANGE TELEPHONE AND INTERCONNECTED VoIP

If you reported local exchange telephone lines in service to your end user customers in Part II.A (1), or VoIP subscriptions that end users purchased from you in Part II.B (1) or (2), you must list the 5-digit ZIP Codes in the state in which you had end user customers. Do not include any ZIP Codes in which you offered your local exchange telephone or interconnected VoIP service but had no end user customers. Do not include any out-of-state ZIP Codes. ZIP Code lists should be reviewed prior to submission to eliminate any out-of-state ZIP Codes, as such ZIP Codes may appear in lists generated directly from billing databases.

Specific instructions for Part V: Type all 5-digit ZIP Codes in the indicated text box, separated by either commas, spaces, or carriage returns.

I. Part VI: CENSUS TRACT INFORMATION – BROADBAND

Entities that complete Part I.A must also complete Part VI.

- **For each broadband technology except terrestrial mobile wireless**, Part VI collects information about broadband connections the filer has in service to end user locations in **each** of the Census Tracts in which the filer (or its affiliate) has a **defined service territory** for operations that are subject to Form 477 reporting. [Note that the number of broadband connections in service might be zero in some of these Census Tracts.] Filers that **do not** have such a defined service territory must report Census-Tract detail data for each Census Tract in which the filer provides services subject to Form 477 reporting.

For the purposes of Part VI, a **defined service territory** has boundaries that are established by state constitution, by state or local regulation, or by the Federal Communications Commission acting in lieu of state regulation. Defined service territories include (but are not necessarily limited to) cable TV franchise areas, ILEC study areas, and the “study area” of any eligible telecommunications carrier designated under section 214(e) of the Telecommunications Act of 1996 to be eligible to receive specific Federal universal service support.

- **For terrestrial mobile wireless technology**, Part VI collects information about services offered within the filer’s mobile wireless broadband service area.

General note about Census Tracts: Census Tracts are geographic entities within counties (or the

statistical equivalent of counties). The entire area and population of a county are covered by Census Tracts. Census Tracts within a county are identified by a 4-digit basic number between 0001 and 9999, and may have a 2-digit suffix ranging from .01 to .98; for example, 6059.02. The decimal point separating the 4-digit basic tract number from the 2-digit suffix is shown in U.S. Census Bureau printed reports and maps. However, in computer-readable files prepared by the Census Bureau, the decimal point is implied and does not appear. A Census Tract number may not be used more than once in a single county, but it may be used again in a different county in the same state or in a county in a different state. Therefore, a particular Census Tract within the nation can be fully identified by: its state, its county, and its Census Tract number. Alternatively, the particular Census Tract can be fully identified by an 11-digit number consisting of a 2-digit code for the state, a 3-digit code for the county (either of which may include one or more “leading” zeros), and 6 digits for the census tract (including any leading zeros, and also two “trailing” zeros in the many cases in which the basic Census Tract number has no suffix). For example, the Office of the California Secretary of State, located at 1500 11th St, Sacramento, CA 95814, can be fully identified by the 11-digit number 06067000900, in which:

06 – identifies California,

067 – identifies Sacramento County within California, and

000900 – identifies Census Tract 9 within Sacramento County.

(The 2-digit state code and 3-digit county code are Federal Information Processing Standards (FIPS) codes. See, for example, <http://www.census.gov/geo/www/fips/fips65/index.html>, where the “Search by county name” function will provide both state and county FIPS codes.)

There are a variety of public resources and commercial products for matching a street address with the Census Tract in which it is located. Information posted by the Census Bureau at <http://www.census.gov/geo/www/tractez.html>, Part I, includes, for example: two free lookup functions that provide census tract numbers for street addresses on a case-by-case basis; year 2000 census tract numbers (by county) in two separate text files, for Alabama through Montana and Nebraska through Wyoming and Puerto Rico; and year 2000 census tract outline maps for individual counties, in PDF format. (County boundary changes after 2000 are noted at <http://www.census.gov/geo/www/tiger/ctychng.html#2000>.) The Census Bureau has listed some of the many commercial vendors of **Geocoding, Address Matching** software or services at <http://www.census.gov/geo/www/tiger/vendors.html>, item 8.

Specific Questions in Part VI.

Census Tract-level data may be entered into the graphical user interface one technology and one Census Tract at a time. Alternatively, the data may be submitted by uploading one or more data files. Instructions for manual entry are presented first, followed by instructions for the **File Upload Alternative**.

Specify Broadband Technology and Identify Census Tracts – Manual Entry:

- **Technologies Other Than Terrestrial Mobile Wireless:** At the bottom of the **submission menu**, click on “Manually Enter Census Tract Detail Data.” At the resulting screen, for each technology for which connections were reported in Part I.A(1), and for each Census Tract in the **defined service territory** (as defined above), use the drop-down lists to specify: Technology, County, and Census Tract.
- **Terrestrial Mobile Wireless:** Use the steps set out in the previous bullet to identify those Census Tracts that best represent your mobile wireless **broadband** service area in this state.

Report Broadband Information by Census Tract – Manual Entry:

- **Technologies Other Than Terrestrial Mobile Wireless:** For each technology and Census Tract, report the number of broadband connections in each relevant download/upload information transfer rate combination, and the percentage residential.

If the filer had **zero** broadband connections in service in a Census Tract, report **zero** connections in the “slowest” information transfer rate combination (Download rate greater than 200 kbps and less than 768 kbps / Upload rate less than or equal to 200 kbps) and also report **zero** percentage residential for that information transfer rate combination.

Note on Data Consistency: The number of connections reported in the individual Census Tracts in Part VI, for any particular download/upload information transfer rate, must sum to the total number reported for the state in Part I.A. The percentage residential information reported at the Census Tract level and at the state level must be internally consistent within the parameters set for reporting percentage breakouts in Form 477; see “General note about reporting percentage breakouts” in the instructions for Part I.A, above.

- **For Terrestrial Mobile Wireless broadband technology:** For each of the Census Tracts you specified that best represent your mobile wireless **broadband** service area in the state, you must “click” check marks into the relevant data-entry boxes to specify the download/upload information transfer rates of the services you offer, in that Census Tract, for the purpose of accessing the lawful Internet content of the subscriber’s choice. Base your response on the service subscriber’s authorized maximum download and upload information transfer rates.

File Upload Alternative. At the bottom of the **submission menu**, click on “Submit File for Census Tract Bulk Data Upload” to reach the **file upload screen**. Individual files must contain not more than 100,000 rows. The file(s) must be in a comma delimited format with one row per Census Tract / Upload rate / Download rate / Technology combination. All fields are required except “Technology Code Other.” Detailed information about the file format is presented on the following pages.

Position	Value	Data Type	Description
1	County FIPS	Integer up to 3 digits	County FIPS Code (<i>see</i> General Note about Census Tracts, above).
2	Census Tract	Numeric: A number up to 4 digits, followed by a decimal, followed by a number up to 2 digits	Tracts are denoted by a 4 digit number sometimes followed by a decimal and 2 digit suffix. Tract 1 can be entered as simply "1" or as "0001.00". Tract 107.03 can be entered as "107.03" or "0107.03".
3	Upload Rate	Integer	Upload rate as defined in the "Upload Rates" table detailed below.
4	Download Rate	Integer	Download rate as defined in the "Download Rates" table below.
5	Technology Code	Integer	Technology Code as defined in the "Technology Code" table below. Note that the values and percentages for "Terrestrial Mobile Wireless" Technology will behave differently than for the other technologies. For the purpose of this data upload, when compiling your file for submission, assign "Percentage Residential" of 100% in Position 8 and value of "1" in Position 7 for any Census Tracts containing data for "Terrestrial Mobile Wireless".
6	Technology Code Other	Integer or empty	If you specified technology code '0' (zero) for "All Other" in position 5, you must enter a code for the specific technology in position 6, as indicated in the example below. Note that "Ethernet" is not a valid "All Other" technology. Leave position 6 blank if you used Technology Codes 1 through 9 in position 5.
7	Number of Connections	Integer	Number of connections in this Census Tract for this combination of technology code, upload rate, download rate.
8	Percentage Residential	Number three decimal places	The percentage of connections for this combination of technology code, upload rate, download rate which are "Residential". The format for percentage data input is "XXX.XXX". For example, if 1/2 of the connections in a Census Tract are residential, enter "50" or "50.000" for this value. "0.50" will be translated as one half of one percent.

Upload Rates	
Rate Code	Description
1	Less than or equal to 200 kbps
2	Greater than 200 kbps and less than 768 kbps
3	Greater than or equal to 768 kbps and less than 1.5 mbps
4	Greater than or equal to 1.5 mbps and less than 3 mbps
5	Greater than or equal to 3 mbps and less than 6 mbps
6	Greater than or equal to 6 mbps and less than 10 mbps
7	Greater than or equal to 10 mbps and less than 25 mbps
8	Greater than or equal to 25 mbps and less than 100 mbps
9	Greater than or equal to 100 mbps

Download Rates	
Rate Code	Description
2	Greater than 200 kbps and less than 768 kbps
3	Greater than or equal to 768 kbps and less than 1.5 mbps
4	Greater than or equal to 1.5 mbps and less than 3 mbps
5	Greater than or equal to 3 mbps and less than 6 mbps
6	Greater than or equal to 6 mbps and less than 10 mbps
7	Greater than or equal to 10 mbps and less than 25 mbps
8	Greater than or equal to 25 mbps and less than 100 mbps
9	Greater than or equal to 100 mbps

Technology Code	
Technology Code	Description
1	Asymmetric xDSL
2	Symmetric xDSL
3	Other Wireline
4	Cable Modem
5	Optical Carrier (fiber to the end user)
6	Satellite
7	Terrestrial Fixed Wireless
8	Terrestrial Mobile Wireless
9	Electric Power Line
0	All Other

Technology Code Other This code requires the entry of '0' (zero) for Technology Code.	
Other Technology Code	Description
1	Other Tech Value #1

Enter a new "Other" Technology Code

IV. GENERAL INFORMATION

A. When to File

- **March 1st** of each year: providers must file data as of December 31 of the preceding year.
- **September 1st** of each year: providers must file data as of June 30 of the same year.

Note: FCC rules provide that, if the above filing date falls on a holiday, the filing is due the next business day. The term “holiday” means Saturday, Sunday, officially recognized Federal legal holidays and any other day on which the Commission’s offices are closed and not reopened prior to 5:30 p.m. The term “business day” means all days which are not “holidays” as defined above.

B. Where and How to File

FCC Form 477 must be filed electronically using the Form 477 graphical user interface that is available on the Internet at the following address: <http://www.fcc.gov/formpage.html>. See **Login** instructions (p. 3), **General Note on Interface Mechanics** (p. 4), and **File Upload Alternative** (p. 15), above.

C. Certification of Filing Accuracy

Each Form 477 submission must include, in the line for item (10) of the filer identification information, the name of the official (corporate officer, managing partner, or sole proprietor) whose signature certifies that he/she has examined the information contained in this Form 477 and that, to the best of his/her knowledge, information and belief, all statements of fact contained in this Form 477 are true and correct. For purposes of this Form 477, the entry of the official’s name on this line shall constitute that official’s electronic signature to this certification. Persons making willful false statements in a Form 477 can be punished by fine or imprisonment under the Communications Act, 47 U.S.C. 220(e).

D. Requesting Confidentiality

Filers may submit a request that information in a Form 477 submission not be made routinely available for public inspection by so indicating in item (9) of the filer identification information for that submission. See also 47 C.F.R. §§ 0.457, 0.459, 1.7001(d), 43.11(c); *Examination of the Current Policy Concerning the Treatment of Confidential Information Submitted to the Commission*, FCC 98-184 (rel. Aug. 4, 1998).

E. Obligation to File Revisions

Filers must submit revised data if the filer discovers a significant error. For counts, a difference amounting to 5 percent or more of the filed number is considered significant and requires that filers submit the revised data. For percentages, a difference of 5 percentage points or more is significant and requires that filers submit revised data.

F. Compliance

Service providers that are required to file the Form 477 but fail to do so may be subject to enforcement action under sections 502 and 503 of the Communications Act and any other applicable law. See 47 U.S.C. §§ 502, 503.

V. GLOSSARY OF SELECTED TERMS APPEARING ON FCC FORM 477

The following terms are as defined for the specific purposes of this information collection. The filer **must** interpret these terms in the context of the detailed reporting instructions, above.

Part I: Broadband

Broadband connections: Lines (or wireless channels) that terminate at an end user location and enable the end user to receive information from and/or send information to the Internet at information transfer rates exceeding 200 kilobits per second (kbps) in at least one direction. *But see also*, Terrestrial Mobile Wireless broadband connections, below.

Defined service territory: An area whose boundaries are established by state constitution, by state or local regulation, or by the Federal Communications Commission acting in lieu of state regulation. Defined service territories include (but are not necessarily limited to) cable TV franchise areas, ILEC study areas, and the “study area” of any eligible telecommunications carrier designated under section 214(e) of the Telecommunications Act of 1996 to be eligible to receive specific Federal universal service support.

End user: Residential, business, institutional and government entities who use broadband services for their own purposes and who do not resell such services to other entities or incorporate such services into retail Internet-access services. For purposes of Part I of Form 477, an Internet Service Provider (ISP) is not an “end user” of a broadband connection.

Facilities-based broadband provider: A provider of broadband connections to end user locations that owns the portion of the physical facility that terminates at the end user location, obtains unbundled network elements (UNEs), special access lines, or other leased facilities that terminate at end user locations and provisions/equips them as broadband, or provisions/equips broadband wireless channels to end user location over licensed spectrum or over spectrum that the provider uses on an unlicensed basis.

Local loop: For purposes of this data collection, the “last mile” facilities (either wired facilities or the wireless equivalent) between a central office and the end user premises in a telephone network, a node and the end user premises in a cable network, or the analogous portion of the facilities of other providers of telephone service or broadband connections.

Own local loop facilities: Those wired local loop facilities that the filer (including affiliates) actually owns as well as facilities that the filer obtains the right to use from unaffiliated entities as dark fiber or satellite transponder capacity (and that the filer uses as part of its own system). Also, for purposes of Part I of Form 477, broadband wireless connections to end user locations that the filer provisions/equips as broadband over licensed spectrum or over spectrum that the filer uses on an unlicensed basis. For the purposes of Part I of Form 477, this term **does not** include UNE loops, special access lines, or other leased lines that the filer obtains from an unaffiliated entity and equips as broadband.

Residential broadband connection: For the purposes of Part I of Form 477, broadband connections of a type (as indicated by, *e.g.*, price, “speed,” or other features) that is primarily purchased by, designed for, and/or marketed to residential end users.

Residential end user premises: Residential living units (*e.g.*, single family dwellings and individual households in multiple dwelling units such as apartments, condominiums, mobile home parks, etc.) and also individual living units in such institutional settings as college dormitories and nursing homes. Also includes other end user locations to which you (including affiliates and agents) market broadband services that are primarily designed for residential use.

Terrestrial Mobile Wireless broadband connections: For purposes specifically of **Part I.A** of Form 477, subscribers whose device and subscription permit them to access the lawful Internet content of their choice. This excludes subscribers whose choice of content is restricted to only customized-for-mobile content, and excludes subscribers whose subscription does not include, either in a bundle or as a feature added to a voice subscription, a

data plan providing the ability to transfer, on a monthly basis, either a specified or an unlimited amount of data to and from Internet sites of the subscriber's choice.

Part II: Local Exchange Telephone Service, and Interconnected VoIP Service

End user: Residential, business, institutional and government entities who use services for their own purposes and who do not resell such services to other entities.

Incumbent local exchange carrier (incumbent LEC, or ILEC): The company that was providing telephone exchange service ("local" phone service) in a particular area on February 8, 1996, the date on which the Telecommunications Act of 1996 was enacted into law. See 47 C.F.R. § 51.5.

Interconnected VoIP Service: A service that enables real-time, two-way voice communications; requires a broadband connection from the user's location; requires Internet-protocol compatible customer premises equipment; and permits users generally to receive calls that originate on the public switched telephone network and to terminate calls to the public switched telephone network. See C.F.R. § 9.3.

Local loop: See the definition provided for Part I, above.

Own local loop facilities: Those wired local loop facilities that the filer (including affiliates) actually owns as well as facilities that the filer obtains the right to use from unaffiliated entities as dark fiber or satellite transponder capacity (and that the filer uses as part of its own system). Also, for purposes of Part II of Form 477, fixed wireless voice-grade channels to end user locations that the filer provisions/equips over licensed spectrum or over spectrum that the filer uses on an unlicensed basis. For the purposes of Part II of Form 477, the term **does not** include voice-grade channels to end user premises that the filer provisions over UNE loops, special access lines, or other leased lines that the filer obtains from an unaffiliated carrier.

Presubscribed interstate long distance carrier: The (facilities-based or reseller) carrier to which an interstate long distance call is routed automatically, without the use of any access code by the end user.

Registered location: The most recent information obtained by an interconnected VoIP service provider that identifies the physical location of an end user. See 47 C.F.R. § 9.3.

Residential lines: Lines provided to residential end user premises. Also includes any lines the filer provides to a shared-tenant service provider in an apartment building or similar residential setting.

UNE-Platform: The combination of loop UNE, switching UNE, and transport UNE. (UNEs are defined in the FCC Rules. See 47 C.F.R § 51.319.) UNE-P no longer exists as a required unbundling obligation.

Voice-grade equivalent: Generally, the number of DS0 (64 kbps) lines/channels in a higher-capacity circuit. In the context of Part II of Form 477, see "Note for reporting channelized service" in the detailed instructions, above.

Voice telephone service: Local exchange or exchange access services that allow end users to originate and/or terminate local telephone calls on the public switched network, whether used by the end user for voice telephone calls or for other types of calls carried over the public switched network (for example, lines connected to facsimile equipment or lines used occasionally or exclusively for "dial-up" connection to the Internet).

Part III: Mobile Local Telephone

Mobile voice telephony subscribers: A mobile handset, car-phone, or other revenue-generating, active, voice unit that has a unique phone number and that can place and receive calls from the public switched network.

Own facilities: Spectrum for which the filer (including affiliates) holds a license, manages, or has obtained the right to use via lease or other agreement with a Band Manager.

VI. DISCLOSURE, PRIVACY ACT, PAPERWORK REDUCTION ACT NOTICE

The Privacy Act of 1974 and the Paperwork Reduction Act of 1995 require that when we ask you for information, we must first tell you our legal right to ask for the information, why we are asking for it, and how it will be used. We must also tell you what could happen if we do not receive it and whether your response is voluntary, required to obtain a benefit, or mandatory under the law. See Privacy Act of 1974, P.L. 93-579, December 31, 1974, 5 U.S.C. § 552a (e)(3), and the Paperwork Reduction Act of 1995, P.L. No. 104-13, 44 U.S.C. § 3501, *et seq.*

Our legal right to ask for this information is sections 1.7000-1.7002, 20.15, 43.01, 43.11 of the Federal Communications Commission's rules. 47 C.F.R. §§ 1.7000-1.7002, 20.15, 43.01, 43.11. Your response is mandatory.

This collection of information stems from the Commission's authority under sections 1-5, 11, 201-205, 211, 215, 218-220, 251-271, 303(r), 332, 403, 502, and 503 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151-155, 161, 201-205, 211, 215, 218-220, 251-271, 303(r), 332, 403, 502, and 503, and section 706 of the Telecommunications Act of 1996, as amended, 47 U.S.C. § 157nt. The data in the Form 477 will be used to monitor the deployment of broadband services and the development of local telephone service competition. Summary information derived from the form will be made available to the public in a manner consistent with the Commission's rules and orders.

We have estimated that each response to this collection of information will take, on average, 72 hours. Note that some entities will file multiple responses and that this estimated average reflects the fact that many entities will be required to file limited information that should be readily available from internal records. Our estimate includes the time to read the instructions, look through existing records, gather and maintain the required data, enter the data in the Form 477 on-line template, and submit it electronically. If you have any comments on this estimate, or how we can improve the collection and reduce the burden it causes you, please write the Federal Communications Commission, AMD-PERM, Washington, D.C. 20554, Paperwork Reduction Project (3060-0816). We also will accept your comments via the Internet if you send them to PRA@fcc.gov. **DO NOT SEND COMPLETED FCC FORM 477 TO THIS ADDRESS.**

Remember -- You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid Office of Management and Budget (OMB) control number. This collection has been assigned an OMB control number of 3060-0816.

The Commission is authorized under the Communications Act of 1934, as amended, to collect the personal information we request in this form. If we believe there may be a violation or potential violation of a statute or a Commission regulation, rule, or order, your filing may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing the statute, rule, regulation, or order. In certain cases, the information in your worksheet may be disclosed to the Department of Justice, court, or other adjudicative body when (a) the Commission; or (b) any employee of the Commission; or (c) the United States government, is a party to a proceeding before the body or has an interest in the proceeding.

Reporting entities failing to file Form 477 in a timely fashion may be subject to penalties under the Communications Act, including sections 502 and 503(b).