

This submission is being made pursuant to 44 U.S.C. § 3507 of the Paperwork Reduction Act of 1995. The Commission is seeking to revise this currently-approved information collection from the Office of Management and Budget (OMB) in order to obtain the three-year clearance.

SUPPORTING STATEMENT

A. Justification:

On February 7, 2013, the Commission released a *Notice of Proposed Rulemaking* (“*Rural Call Completion*” *NPRM*), In the Matter of Rural Call Completion, WC-Docket 13-39, FCC13-18. The information collection requirements in the *NPRM* received OMB pre-approval on June 18, 2013.

On November 8, 2013, the Commission released a *Report and Order and Further Notice of Proposed Rulemaking* (“*Rural Call Completion Order*” or “*Order*”), In the Matter of Rural Call Completion, WC Docket No. 13-39, FCC 13-135. The following information collection requirements were adopted as proposed and are listed as follows:

1. Existing Information Collection Requirements:

- (a) The *Order* required facilities-based originating long distance providers to retain certain records detailing call completion performance to rural and nonrural areas for a period encompassing the most recent six months.
- (b) The *Order* permits the Commission to monitor compliance with sections 201 and 202, and with the longstanding prohibition against carriers blocking, choking, reducing, or restricting particular types of calls,¹ which required facilities-based originating long distance providers to collect and file certain call-completion data with the Commission.
- (c) The *Order* required only those originating long-distance providers and other covered providers with more than 100,000 retail long-distance subscribers (business or residential) to retain, collect and file basic information on call attempts and to periodically report the summary analysis of that information to the Commission.
- (d) The information collected will improve the Commission’s ability to monitor the delivery of long-distance calls to rural areas and aid enforcement action in connection with providers’ call-completion practices as necessary. The proposed recordkeeping and reporting requirements will allow the Commission to review a long-distance provider’s call performance to specific areas. These measures will strengthen the Commission’s ability to ensure a reasonable and nondiscriminatory level of service to rural areas.
- (e) The information collection requirement reduced a covered provider’s record retention obligations to three months and eliminated its reporting obligations if it certifies annually that for each of the preceding 12 months: (1) its average call answer rate for all rural carriers

¹ See, e.g., *Developing a Unified Inter-carrier Compensation Regime, Establishing Just and Reasonable Rates for Local Exchange Carriers*, CC Docket No. 01-92, WC Docket No. 07-135, Declaratory Ruling, 27 FCC Rcd 1351 (2012); *Access Charge Reform*, CC Docket No. 96-262, FCC 01-146, Seventeenth Report and Order and Further Notice of Proposed Rulemaking, 16 FCC Rcd 9923, 9932-33, para. 24 (2001); *Blocking Interstate Traffic in Iowa*, FCC 87-51, Memorandum Opinion and Order, 2 FCC Rcd 2692 (1987).

to which the provider attempted more than 100 calls in a month was no more than 2 percent less than the average call answer rate for all calls it placed to non-rural carriers in the same month; (2) the call answer rates for 95 percent of those rural carriers to which it attempted more than 100 calls were no more than 3 percent below the average rural call answer rate; and (3) it has a process in place to investigate its performance in completing calls to individual rural telephone companies for which the call answer rate is more than 3 percent below the average of the rural call answer rate for all rural telephone companies to which it attempted more than 100 calls.

- (f) The *Order* also required carriers to file the data in a Microsoft Excel workbook file containing a worksheet designed to minimize the burden on the carriers.
- (g) The information obtained through this collection allows the Commission to become aware of unjust or unreasonable practices or discrimination in the provision of long distance telephone service in a timely manner. Without this data collection, the Commission would not be able to minimize any adverse effects on the public.
- (h) The data from this collection provides the Commission with the information necessary to initiate investigations into those carriers whose practices may violate the provisions of sections 201 and 202 of the Act and the prohibition against blocking, choking, reducing, and restricting certain types of telephone calls.

New Information Collection Requirements:

In the *Rural Call Completion Order*, the Commission requires “covered providers” to record, retain and report call completion data.² Covered providers are providers of long-distance service that make the initial long-distance call path choice for more than 100,000 domestic retail subscriber lines (in the previous submission covered providers were defined as “facilities based” providers, and “subscribers” were used instead of “subscriber lines”). These providers generally must collect call completion data, retain such data for six months, and file quarterly reports with the Commission. A “safe harbor” is provided for certain providers, which limits data retention for those providers to three months. The *Order* affords covered providers the option to report separately on calls originated by automated telephone dialing systems. The *Order* requires VoIP providers servicing calls from the Internet to the PSTN, to comply with rules as revised on reconsideration in the *Order*.³ The *Order* also requires covered providers to use lists of rural and nonrural Operating Company Numbers (OCNs) published by the National Exchange Carrier Association (NECA).

The *Rural Call Completion Order* requires certain providers to file a one-time letter in the docket explaining that they do not make the initial long-distance call path choice and to identify the long-distance provider or providers to which they hand off their end-user customers’ calls. A provider with over 100,000 subscriber lines that is not recording, retaining and reporting because it is not making the initial long-distance call path choice but rather is reselling another providers long-distance service must file the name of the provider whose service is being resold.

The *Rural Call Completion Order* affords covered providers the option to report separately on calls originated by automated telephone dialing systems.

² *Rural Call Completion*, WC Docket No. 13-39, Report and Order and Further Notice of Proposed Rulemaking, 28 FCC Rcd 16154 (2013) (*Rural Call Completion Order* or *Order*).

³ *Id.*

The *Rural Call Completion Order* requires covered providers to report the numbers of calls attempted and the number of calls answered, as well as the derived call answer rate, by each individual OCN. The previous collection required reporting only for rural OCN's to which more than 100 calls were attempted. The *Order* requires covered providers to use lists of rural and nonrural OCNs published by the National Exchange Carrier Association (NECA).

The *Rural Call Completion Order* encourages rural incumbent local exchange carriers to report quarterly on the number of incoming long-distance call attempts received, the number answered on its network, and the call answer rate calculation for each of the previous three months. Finally, the *Order* requires additional information in the call detail record for categories of an unanswered call (i.e., whether the line was busy, the line rung but wasn't answered, or the number dialed wasn't in use).

Revised Collection Requirements:

The *Rural Call Completion Order* eliminated the requirement to retain and report data on long-distance calls to Competitive Local Exchange Carrier customers. The *Order* does not require covered providers to retain call data records for long-distance call attempts to nonrural ILECs.

Reconsideration Order

The Commission subsequently made minor modifications to this information collection released on November 13, 2014, in the *Rural Call Completion Reconsideration Order* ("*Reconsideration Order*"), WC Docket No. 13-39, FCC 14-175. In the *Reconsideration Order*, the Commission granted USTelecom/ITTA's request that the reporting requirements exclude on-net intraLATA toll calls that are not handed off to unrelated carriers and are delivered directly to the terminating local exchange carrier or to the tandem that it subtends. The Commission found that this traffic comprises a small portion of on-net traffic (traffic that is not handed off to unrelated carriers) in general, that other on-net traffic will provide an adequate benchmark for off-net performance, and that the cost of applying the rules to this particular subset of traffic outweigh the benefits.

Specifically, the *Reconsideration Order* decreases the reporting burden on providers by excluding IntraLATA phone calls from the retention of call attempt records in **§§64.2103 and 64.2105**.

Amended § 64.2103 Retention of Call Attempt Records

(e) IntraLATA toll calls carried entirely over the covered provider's network or handed off by the covered provider directly to the terminating local exchange carrier or directly to the tandem switch serving the terminating local exchange carrier's end office (terminating tandem), are excluded from these requirements.

Amended § 64.2105 Reporting Requirements:

(e) IntraLATA toll calls carried entirely over the covered provider's network or handed off by the covered provider directly to the terminating local exchange carrier or directly to the tandem switch that the terminating local exchange carrier's end office subtends (terminating tandem), are excluded from these requirements.

Statutory authority for this collection of information is contained in sections 201, 202, 217, 218, 220(a), and 403 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 201, 202, 217, 218, 220(a), 403.

This information collection does not affect individuals or households; thus, there are no impacts under the Privacy Act.

2. The information collected will improve the Commission's ability to monitor the delivery of long-distance calls to rural areas and aid enforcement action in connection with providers' call-completion practices. The recordkeeping and reporting requirements will allow the Commission to review a long-distance provider's call performance to specific areas. These measures will strengthen the Commission's ability to ensure a reasonable and nondiscriminatory level of service to rural areas.

3. Long-distance providers covered by the rules will file data each quarter in a Microsoft Excel workbook file containing worksheets designed to minimize the burden on the providers. The workbook template (FCC Form 480) will be downloadable from the FCC website. When populated with the required information collection by the covered provider, the workbook will be uploaded to the FCC website.

4. The requested data is not intended to duplicate data in other reports, and this data is not currently available in any other reports submitted to the Commission.

5. This collection of information impacts small businesses or other small entities. In addition to the previously noted application of some requirements only to providers with more than 100,000 retail long-distance subscribers, the Commission has taken the following steps to minimize the burden of compliance with these rules.

- a) The *Rural Call Completion Order* provides a safe harbor which reduces reporting and retention obligations of covered providers certifying electronically on the WC Docket 13-39 that: by contract, they restrict directly connected intermediate providers to no more than one additional intermediate provider in the call path before the call reaches the terminating provider; any nondisclosure agreement with an intermediate provider permits the originating provider to reveal the intermediate provider's identity to the Commission and to any rural carrier whose incoming long-distance traffic is affected by the intermediate provider's performance; and they have a process in place to monitor the performance of their intermediate providers in completing calls to individual rural telephone companies.⁴
- b) The *Rural Call Completion Order* encourages Rural Local Exchange Carriers (RLECs) that receive long-distance calls, to report quarterly the number of long-distance calls received and answered on their networks. Although most RLECs are small entities this reporting is entirely voluntary.
- c) The *Rural Call Completion Order* allows carriers to determine how they will define the requirements delineated in Appendix C.⁵ This flexibility will decrease the reporting burden on all providers.

6. These data collections are necessary to fully inform the Commission on the extent of unjust or unreasonable practices or discrimination in the provision of long distance service to rural areas. This data will help the Commission minimize adverse effects on the public. The data will also provide the Commission with the information necessary to initiate investigations into those carriers whose practices may violate the provisions of sections 201 and 202 of the Act and the prohibition on blocking, choking, reducing, and restricting calls. Without this collection of information the Commission would not be able

⁴ *Id.*

⁵ *Id.*

to uphold these sections of the Act, and help ensure a reasonable and nondiscriminatory level of service to rural areas.

7. There are no special circumstances that are associated with this information collection.

8. Pursuant to 5 C.F.R. § 1320.8(d), the Commission published a 60-day notice in the Federal Register to solicit public comment on the information collection requirements. See 78 FR 79448, December 30, 2013. The Commission received public comments falling into the following categories from five interested parties.

Total annual cost. Four commenters assert that the “total annual cost” industry-wide will be considerably higher than the estimate of \$793,750.⁶ In support, these commenters cite to comments on the docket, of which Comptel’s PRA comment is representative: “AT&T has estimated its compliance costs at \$3-\$5 million; CenturyLink has estimated that it will spend \$7.5 to \$10.5 million in non-recurring costs and another \$2.8 to \$4.3 million in annual data storage costs; and Sprint has estimated that it will spend \$6.8 million per year. USTelecom and ITTA have asserted that their members estimate that it will take at least 18 to 24 months and cost the industry in excess of \$100 million to capture all of the call attempt information for intraLATA interexchange toll calls.”⁷ For purposes of comparison with these numbers, we note that the Commission estimates an industry-wide startup cost of \$6,350,000 (non-annualized; see 13 below), with an additional annual in-house cost to respondents of \$564,000 (see 12 below).

As an initial matter, we observe that capturing call attempt information on intraLATA interexchange toll calls is singled out by USTelecom and ITTA as being particularly problematic and expensive, potentially costing in excess of \$100 million industry-wide. Although AT&T, CenturyLink, and Sprint do not identify the basis for their cost estimates, it is reasonable to assume capturing intraLATA interexchange toll is a significant component of their numbers, and their costs would be counted in the \$100 million industry-wide estimate. On reconsideration, the Commission has granted the petition filed by USTelecom and ITTA to modify the rules such that the recordkeeping, retention, and reporting requirements adopted in the Order do not apply to intraLATA toll calls that are carried entirely over a covered provider’s network or that are handed off directly to the terminating rural LEC or its terminating tandem switch.⁸ Consequently, the industry has been relieved of this expensive burden, as have the individual carriers cited.

We also note that in its comments, while AT&T initially estimated its compliance will cost millions.⁹ AT&T has subsequently filed a petition for waiver indicating that it now plans to avail itself of the RCC safe harbor with its reduced retention and reporting requirements.¹⁰ Under the waiver provision of the safe harbor¹¹ AT&T has proposed a reporting approach intended to meet the Commission’s objectives while substantially reducing the initially estimated RCC reporting costs that AT&T might

⁶ See Comments of COMPTTEL, WC Docket No. 13-39, at 3-5 (filed Feb. 28, 2014) (COMPTTEL Comments); Comments of Sprint, WC Docket No. 13-39, at 7-8 (filed Feb. 28, 2014) (Sprint Comments); Comments of USTelecom Comments, WC Docket No. 13-39, at 2-3 (filed Feb. 28, 2014) (USTelecom Comments); Comments of U.S. Telepacific, WC Docket No. 13-39, at 6-7 (filed Feb. 28, 2014) (U.S. Telepacific Comments).

⁷ USTelecom Comments at 2.

⁸ See *Rural Call Completion Reconsideration Order*, Reconsideration Order, WC Docket No. 13-39, FCC 14-175.

⁹ See Letter from Brian J. Benison, Director, Federal Regulatory, AT&T, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 13-39, at 1 (filed Oct. 23, 2013) (AT&T *Ex Parte* Letter) (saying compliance will cost millions).

¹⁰ AT&T Petition for Waiver, WC Docket No. 13-39, at 13-14 (filed April 10, 2014) (AT&T Waiver Petition).

¹¹ See *Rural Call Completion Order*, 28 FCC Rcd 16154, 16194-95, paras. 95-97.

otherwise have incurred because of the large installed base of legacy equipment.¹² This alternative is open to other providers.

Finally, we observe that during the Commission's rural call completion enforcement investigations, of which three have ended in Consent Decrees and others are on-going,¹³ the Commission has requested and received without undue delay monthly reports of the sort required by this information collection.

Estimated time of response. Two commenters object that although the categories of information collected increased between the *RCC NPRM* and the *RCC Order*, the estimated time of response decreased from 16 man-hours to 12 man-hours. *E.g.*, "[d]espite the additional information that must be recorded, retained and reported, the Commission has without explanation reduced the estimated average response time for the information collection requirements adopted in the final rules as revised on reconsideration, by 25 percent to 12 hours."¹⁴ These comments reflect the failure of the commenters to take into account the very small response burden of voluntary reports by rural LECs. This minimal burden is included in the average time per response. Of the 225 estimated responses, 135 consist of only two numbers, which we would expect to be voluntarily submitted only by those Rural LECs that already collect that data in the normal course of business. The estimated time per response by covered providers is actually increased by 50% between the *RCC NPRM* and *RCC Order*, from 16 to 24 hours. As explained in 12(4) below, although the burden on reporting by covered providers is increased from the pre-approved *RCC NPRM* estimate, the addition of a larger number of voluntary RLEC respondents with a much smaller burden per response lowers the average estimate per response when considering all responses.

Unconsidered burden. Hypercube, in its PRA comments, claims that the Commission failed to take into account the burden on a wholesale voice services provider to determine whether it is subject to reporting requirements.¹⁵ "For instance, a provider could have to contact each client or customer for whom it may provide wholesale services, soliciting detailed information about who makes the initial call path choice and what type of route selection methodology is utilized. Further, due to the Commission's decision to apply a threshold of 100,000 subscriber lines, the number of lines would also have to be reported to the inquiring provider."¹⁶

We believe this burden is overstated. The *Rural Call Completion Order* requires originating long-distance voice service providers to submit a letter to the Commission identifying the provider or providers to which they hand off their customers' calls, when the originating provider has more than 100,000 domestic retail subscribers that do not make the initial long-distance call path choice for more than 100,000 long-distance voice service subscriber lines. The letter must be signed by the originating provider and each provider identified in the letter.¹⁷

Comments on Revised Information Collection Requirements. The Commission published a 30-day notice in the Federal Register soliciting public comment on the information collection requirements

¹² See AT&T Waiver Petition at 8-10.

¹³ See *In the Matter of Level 3 Communications, LLC*, File No.: EB-12-IH-0087, Consent Decree, 28 FCC Rcd 2274 (2013); *In the Matter of Windstream Corporation*, File No.: EB-IHD-13-00011781, Consent Decree, 29 FCC Rcd 1648 (2014); *In the Matter of Matrix Telecom, Inc.*, File No.: EB-IHD-13-00011204, Consent Decree, 29 FCC Rcd 5711 (2014).

¹⁴ COMPTTEL Comments at 2-3; see also U.S. Telepacific Comments at 2-3.

¹⁵ Comments of Hypercube, WC Docket No. 13-39, at 2-3 (filed Feb. 28, 2014) (Hypercube Comments).

¹⁶ *Id.* at 2.

¹⁷ *Rural Call Completion Order*, 28 FCC Rcd at 16185, para.67.

contained in this document on November 14, 2014.¹⁸ Although the initial information collection published on December 30, 2013, had been pre-approved for the proposed rules, significant changes in the final rules necessitated this revised filing. The Commission received three public comments and one reply to comments.¹⁹

In their December 2014 comments on the revised information collection requirements, COMPTEL and Sprint repeat the same assertions filed in February 2014 that the total annual compliance cost industry-wide will be considerably higher than the Commission's estimated industry-wide startup cost of \$793,750 when annualized over eight years (\$6,350,000 total non-annualized). In support of their December 2014 comments, they cite to the same AT&T, CenturyLink, and Sprint cost estimates that they had relied on in their February 2014 comments.²⁰

As explained above in this section, after the estimates relied on in the February 2014 comments were made, the Commission granted petitions to modify the rules to exclude retention and reporting of interLATA interexchange toll traffic. This traffic would have been exceptionally expensive to capture for retention and reporting purposes. Petitioners US Telecom and ITTA estimate the potential cost to be in excess of \$100 million industry-wide.²¹ Neither COMPTEL nor Sprint, however, has made any adjustment to the earlier cost estimates to reflect this very significant reduction in the industry-wide cost burden that results from the Commission having granted these petitions. For this reason, we do not find the cost estimates cited by COMPTEL and Sprint to be credible. We also note that two of the companies on whose early cost estimates COMPTEL and Sprint rely, AT&T and CenturyLink, have since declared their intentions to avail themselves of safe harbor provisions in the rules, which will further reduce their retention and reporting burdens.²²

VCXC does not take issue with the information collection burden estimates. Rather, VCXC asserts that the Rural Call Completion "Order proposes to remove reporting obligations from companies demonstrating compliance with this 2% gap" between rural and nonrural call answer rates, and then undertakes an analysis of why VCXC believes this metric is without utility.²³ Although the proposed rulemaking did ask questions about the possibility of a performance-based safe harbor which might include a rural-nonrural answer rate differential metric, no such safe harbor or metric was adopted in the final rules. Consequently, VCXC's analysis is off point and largely irrelevant to the information collection burden issues.

In summary, we agree with the joint reply comments of the Rural Associations: "Notably, only three parties argued the Commission underestimated the compliance burden associated with the rural call completion record keeping and reporting requirements. Despite protests to the contrary, the majority of the requested data is already collected by most, if not all, facilities-based originating carriers in their normal course of business. Even to the extent that any new requirements might impose some burdens,

¹⁸ See 79 FR 68242, November 14, 2014.

¹⁹ See Comments of Sprint, WC Docket No. 13-39, (filed Dec. 15, 2014) (Sprint Comments); Comments of Voice Communication Exchange Committee, WC Docket No. 13-39, (filed Dec. 15, 2014) (VCXC Comments); Comments of COMPTEL, (submitted to OMB) (COMPTEL Comments); Reply Comments of NTCA – The Rural Broadband Association, the National Exchange Carrier Association, the Eastern Rural Telecom Association, and WTA – Advocates for Rural Broadband, WC Docket No 13-39, (filed Jan. 16, 2014) (Rural Associations Reply).

²⁰ See *supra*, Section 8, Total Annual Cost.

²¹ See *supra* Note 7.

²² Providers qualifying for the safe harbor are required to comply with the reporting requirements for only one year and need to retain the call detail records for only three calendar months, See *Rural Call Completion Order*, 28 FCC Rcd 16154, 16191, para 86.

²³ See VCXC Comments at 1.

they are outweighed by the frustration and public safety concerns borne by consumers and businesses when calls are not completed.”²⁴

9. The Commission does not anticipate providing any payment or gift to respondents with this collection of information.

10. Under the final rules adopted in the *Rural Call Completion Order*, providers subject to the reporting requirements may request Commission nondisclosure of data submitted, on the report at the time that the data is submitted. In addition, the Chief of the Wireline Competition Bureau will release information to a state upon request, if the state consents to maintain the confidentiality of this information.

11. This collection of information does not address any matters of a sensitive nature.

12. The following represents the estimated number of burden hours for the proposed recordkeeping and reporting requirements.

Number of respondents: **225.**

The recordkeeping and reporting requirements as adopted apply to long-distance service providers and other covered providers that make the initial long-distance call path choice for more than 100,000 retail long-distance subscribers lines. We estimate that approximately 90 such wireline, wireless and wholesale providers will be required to file an electronic report with the FCC. This number is unchanged from the *RCC NPRM* estimate. We also estimate that as many as five such providers may be eligible for a safe harbor provision with reduced retention and reporting burdens. However, for purposes of this estimate we conservatively assume that all 90 providers will incur the full retention and reporting requirements.

See “1. Who is covered?” in Table 1 and Explanation to Table 1 for a detailed explanation of how the number of respondents is calculated based on changes from the *RCC NPRM* to the *RCC Order*.

In addition the *RCC Order* encourages Rural LECs to which long-distance calls are directed to report quarterly on the number of long-distance call attempts received and the number answered on their networks. We estimate that 135 of the approximately 1350 RLECs will voluntarily do so.

See “8. New Information Collection (Voluntary RLEC reporting)?” in Table 1 and Explanation to Table 1 for an explanation of how the number of voluntary RLEC respondents is calculated based on changes from the *RCC NPRM* to the *Rural Call Completion Order*.

The estimated total number of respondents is 225 (90 mandatory + 135 voluntary = 225).

Frequency of response: **Quarterly.**

Total number of responses annually: **940.**

²⁴ Rural Associations Reply at 3.

The total number of responses annually is comprised of the required quarterly reporting of an estimated 90 providers that are covered by the rules, the voluntary quarterly reporting by 10 of those same providers segregating out their autodialer traffic, and the voluntary quarterly reporting by an estimated 135 Rural LECs on the number of long-distance call attempts received and the number answered on their networks. $((4/\text{yr} \times 90 \text{ response}) + (4/\text{yr} \times 10 \text{ responses}) + (4/\text{yr} \times 135 \text{ responses}) = 940 \text{ responses/yr})$.

Estimated time per response: 12.5 hours (per quarter).²⁵

We note that the hourly burden on respondents may vary widely because of differences in size and organizational complexity of operating subsidiaries. For covered providers which are required to file reports using the Excel workbook, we now estimate the burden may range from 2 to 4 days per response, and we use 3 days (24 hours) as the average.

See “2. What Data must be Recorded (Annual Burden)?” in Table 1 and Explanation to Table 1 for a detailed explanation of how the estimated time per response is calculated based on changes from the *RCC NPRM* to the *RCC Order*.

Some of these same covered providers may also select to voluntarily report separately on autodialer traffic. We estimate that at most 10 of the estimated 90 covered providers will do so, incurring an additional burden of 12 man-hours per response.

See “5. How is Autodialer traffic recorded and reported?” in Table 1 and Explanation to Table 1 for an explanation of how the estimated time per response to voluntarily segregate autodialer traffic reporting is calculated based on changes from the *RCC NPRM* to the *RCC Order*.

For the Rural LECs which may voluntarily report just two numbers representing the number of call attempts received on their network and the number answered, we estimate the burden to be one-half day, or 4 hours.

See “8. New Information Collection (Voluntary RLEC reporting)?” in Table 1 and Explanation to Table 1 for an explanation of how the burden of voluntary RLEC reporting is calculated based on changes from the *RCC NPRM* to the *RCC Order*.

The time per response is estimated at 12.5 hours $((90 \times 24\text{hr}) + (10 \times 12\text{hr}) + (135 \times 4\text{hr})) / (90+135) = 12.5\text{hrs}$). Although the burden on reporting by covered providers is increased from the pre-approved *RCC NPRM* estimate, the addition of a larger number of voluntary RLEC respondents with a much smaller burden per response lowers the average estimate per response.

Total Annual Hourly Burden:

²⁵ This estimated time per response also includes the time needed to fulfill the recordkeeping requirements.

$$(4/\text{yr} \times 90 \times 24\text{hr}) + (4/\text{yr} \times 10 \times 12\text{hr}) + (4/\text{yr} \times 135 \times 4\text{hr}) = \mathbf{11,280 \text{ hours}}^{26}$$

The Commission estimates that for each of 4 quarterly filings approximately 90 long-distance provider respondents will require 24 hours of reporting time with 10 of those respondents undertaking an additional 12 hours of reporting time, and approximately 135 RLEC respondents will require 4 hours of reporting time.

Total estimate of “in house” cost to respondents: \$564,000.

It is difficult to provide a sound estimate of respondents’ costs without conducting a survey. However, assuming that respondents use mid-level personnel comparable in pay to the Federal government, we estimate respondent’s cost to be \$50 per hour²⁷: (11,280 hours x \$50/hr = \$564,000).

13. The following represents the estimated number of annual cost burden to respondents resulting from the proposed collection of information.

Total capital and start-up cost component (annualized): \$793,750/yr.

As a customary business practice, most long-distance service providers collect call data records with the specified information in a central repository to support business and network operations systems. It is also a customary practice to archive this information in a readily retrievable electronic form. However, we have found that some long-distance providers do not collect and retain information on failed call attempts that is necessary for segregating the percentage of calls failing to complete to rural areas from all calls being carried to all destinations. These providers may be required to add additional information to the call data records that they already collect. We estimate that one in four providers is likely to incur this start-up cost.

We note that the cost to add additional information to a call data record will vary widely among those providers that need to do so, based on the size of their networks and age of their equipment. We estimate that on average a provider that needs to add information to their existing call data record format will incur a one-time software development cost of \$200,000, and we estimate that one quarter of covered providers will be in this category. ($\frac{1}{4} \times 90 \times \$200,000 = \$4,500,000$).

See “2. What Data must be Recorded (Startup cost)?” in Table 1 and Explanation to Table 1 for a detailed explanation of the in how the estimated startup cost component is calculated based on changes from the *RCC NPRM* to the *RCC Order*.

We estimate that those 10 covered providers that choose to also segregate and report autodialer traffic will incur an additional \$50,000 startup cost. ($10 \times \$50,000 = \$500,000$).

²⁶ The Commission made a conservative assumption that all providers with over 100,000 subscriber lines are already recording, retaining and reporting. Therefore, no providers would be required to file the one-time letter filing with the Commission. This supporting statement does not account for a burden for the letter filing because of this assumption.

²⁷ Assuming the respondents use personnel comparable in pay to mid-level Federal Government employees, GS-13/5, \$48.83/hr., we rounded the hourly salary rate up to a whole number which is \$50/hr.

See “5. How is Autodialer traffic recorded and reported?” in Table 1 and Explanation to Table 1 for an explanation of how the estimated startup cost to voluntarily segregate autodialer traffic reporting is calculated based on changes from the *RCC NPRM* to the *RCC Order*.

In addition, all covered providers will incur a one-time start-up cost for automating the process of assembling the Excel Workbook worksheet report from their call data record repositories. The cost to initially automate the process of generating the electronic report will vary widely among providers, based on the capabilities of existing business operations application software. We estimate that on average each provider will incur a one-time report generation software application development cost of \$15,000; (90 x \$15,000 = \$1,350,000).

The total start-up cost is estimated to be \$6,350,000; (\$4,500,000 + \$500,000 + \$1,350,000 = \$6,350,000). We proposed to sunset the reporting and retention rules at the end of transition for reforming intercarrier compensation, approximately eight years from now. Hence we calculate the annualized startup cost to be \$793,750; (\$6,350,000 / 8yr = \$793,750/yr).

Total operations and maintenance and purchase of services component: **None.**

Providers that may be required to add additional information to the call data records they already collect are in any case effectively required to do so to achieve regulatory compliance not associated with this information collection; providers were reminded of these regulatory compliance obligations in the Commission’s Declaratory Ruling DA 12-154 dated February 6, 2012.²⁸

Total annualized cost requested: **\$793,750.**

14. The following represents the Commission’s estimate of the annual cost burden for the Federal Government to process the reported information under the proposed collection.

Estimated time per response: **30 minutes rounded (0.50 hours).**

We estimate that the 360 reports required to be filed by cover providers (*i.e.*, 90 per quarter) and the 40 optional reports to be filed by covered providers (*i.e.*, 10 per quarter) will each require a 60 minute’s review. We further estimate that the 540 voluntary reports by Rural LECs (*i.e.*, 135 per quarter) will require 10 minutes each. Therefore the average time per reports is slightly more than 30 minutes per report. (((60min x (360+40) + (10min x 540)) / (360 +40 +540) = 30 min).

Total number of responses annually: **940.**

Total estimate of cost to Federal Government: **\$23,500.**

Assuming mid-level personnel will be required to review and analyze reported information, we estimate the Federal Government’s hourly cost to be \$50 per hour (940 responses x 0.50 hours/response x \$50/hr = \$23,500).

²⁸ *In the Matter of Developing a Unified Intercarrier Compensation Regime, Establishing Just and Reasonable Rates for Local Exchange Carriers*, CC Docket No. 01-92, WC Docket No. 07-135, Declaratory Ruling, 27 FCC Rcd 1351 (2012).

15. The Commission notes the following new reporting requirements. Table 1 and its accompanying narrative explanations summarize the revisions to the burden estimate resulting from changes in the *RCC Report & Order* from the pre-approval *RCC NPRM* estimates.

The Commission has program changes to this collection which are due to the information collection requirements that were adopted in the *Rural Call Completion Order*, FCC-13-135. These program changes/increases are follows: 135 to the number of respondents, 580 to the annual number of responses, and 5,520 to the annual burden hours and \$793,750 to the annual cost burden.

There are no adjustments to this collection.

16. The Commission does not anticipate that it will publish any of the information collected.

17. The Commission will not display the expiration date for OMB approval of the information collection.

18. When the 60 Day and 30 Day Notices were published in the Federal Register on December 30 2013, (78 FR 79448) and November 14, 2014 (79 FR 68242), FCC Rural Call Completion (RCC) Form 480, was inadvertently omitted from these notices; however, FCC RCC Form 480 is a part of this information collection. Also, in the 60 Day Notice the estimated time per response was stated as 12 hours (average). The 30 Day Notice corrected the estimated time per response to 12.5 hours (per quarter) because it is a quarterly filing requirement. There are no other exceptions to the Certification Statement.

B. Collections of Information Employing Statistical Methods:

This information collection does not employ any statistical methods.

**Table 1 – Questions 12-13
Rural Call Completion PRA Change Analysis**

Table 1 summarizes the revisions to the burden estimate resulting from the rules as amended by the *RCC Report & Order* from the pre-approval *RCC NPRM* estimates. The following text provides a narrative explanation of the changes shown there.

1) Who is covered?

- a) The definition of covered long-distance providers changes from providers that are “facilities-based” to providers that make “the initial routing choice.” In addition, the number of subscriber lines is aggregated over all affiliates for comparison to the 100,000 subscriber line minimum. The number of covered providers is reduced by eight due to the downward trends in most providers’ subscriber line counts from the 2010 reported data used for the *RCC NPRM PRA* and the 2012 data used for the *Order PRA*; the number of covered providers increases by three because of cases where the subscriber counts for separate fixed and mobile affiliates were both below the 100,000 subscriber line minimum but are now above the minimum when aggregated. Although a safe harbor with reduced burden is available to covered providers, both the *NPRM* and *Order PRAs* make the conservative assumption that no covered provider will avail itself of safe harbor.
- b) The *NPRM* did not envision that one-way VoIP providers servicing calls from the Internet to the PSTN would be subject to the rules, but such providers are included in the final rules as revised on reconsideration. Five such providers are conservatively estimated to now be covered, the addition of which bring the total number of covered providers to 90.
- c) With the change from 100,000 subscribers to 100,000 subscriber lines it is possible to more accurately estimate the number of providers that are below the 100,000 subscriber line threshold because fixed and mobile providers report their subscriber line count to the Commission. Although 90 providers offering long-distance services are conservatively estimated to be covered, the number of fixed and mobile service providers that are not covered and thus have no mandatory burden is estimated to be 1580, not including any one-way VoIP providers.

2) What data must be recorded?

- a) Under the final rules, the information in a call detail record includes additional information for categories of an unanswered call (*i.e.*, whether the line was busy, the line rung but wasn’t answered, or the number dialed wasn’t in use). Accordingly the quarterly reporting burden is increased from 16 to 24 hours; the startup costs are increased from \$100,000 to \$200,000 for providers with substantial development costs associated with capturing new call information, and increased from \$10,000 to \$15,000 for providers already possessing the basic capability.
- b) Retention and reporting of data on long-distance calls to Competitive Local Exchange Carrier customers was proposed in the *NPRM* but is not included in the final rules. However, no reduction in the overall burden is assumed because each call still has to be identified based on the telephone number called even if not reported, and the storage costs saved by not having to retain the records is considered to be trivial.
- c) The *NPRM* envisioned requiring covered providers to retain call data records for long-distance call attempts to nonrural ILECs as rural ILECS, but the final rules, as revised on reconsideration, do not require this nonrural data to be retained. However, no reduction in the overall burden is assumed because each call still has to be identified based on the telephone number called for reporting purposes, and the

storage costs saved by not having to retain the records is considered to be trivial even though not retaining them represents a roughly 90% decrease in record retention.

3) How long must data be retained?

The NPRM proposed that call detail data be retained for six months unless a covered provider has attained safe harbor. The final rules, as revised on reconsideration, however, require a provider in safe harbor to retain call detail data for three months. Since the conservative assumption is made in both the NPRM PRA and this revised PRA that no provider avails itself of safe harbor and the reduced retention requirement, there is no change to the burden estimate.

4) What data must be reported to the Commission?

The NPRM proposed that covered providers report the number of calls attempted and the number of calls answered, as well as the derived call answer rate, by each individual rural Operating Company Number, for each such rural OCN to which more than 100 calls were attempted. The final rules, as revised on reconsideration, do not adopt the 100 call reporting minimum and add the requirements to report on the categories of unanswered calls (*i.e.*, busy, ring no answer, or unassigned number) and to report interstate and intrastate data separately. The added burden of the increased reporting requirements is covered in 2a above; dropping the need to compare each OCN to the 100 call minimum threshold reduces reporting burden, but by a negligible amount.

5) How is Autodialer Traffic recorded and reported?

The final rules, as revised on reconsideration, afford a covered provider the option to report separately on calls originated by automated telephone dialing systems, which was not proposed in the NPRM. It is assumed that 10 covered providers will report voluntarily on autodialer traffic, incurring an additional \$50,000 startup cost and requiring an additional 12 hours per quarter reporting burden.

6) How are Operating Company Numbers (OCNs) identified?

The NPRM makes no mention of a standard source for OCNs for which calls must be recorded and reported, but the final rules, as revised on reconsideration, require covered providers to use lists of rural and nonrural OCNs published by the National Exchange Carrier Association (NECA). Although this reduces the burden of a covered provider having to assemble the list itself, that change is considered negligible.

7) Safe Harbors

The NPRM proposed two safe harbors with reduced recording, retention and reporting requirement, one of which is adopted in the final rules, as revised on reconsideration. However, since the conservative assumption is made in both the NPRM PRA and this revised PRA that no covered provider avails itself of safe harbor and the reduced requirements, there is no change to the burden estimate.

8) New Information Collections

a) A provider with over 100,000 subscriber lines that is not recording, retaining and reporting because it is not making the initial long-distance call path choice but rather is reselling another providers long-distance service must file the name of the provider whose service is being resold. However, a conservative assumption has been made that all providers with over 100,000 subscriber lines are recording, retaining and reporting.

b) RLECs are encouraged to report their monthly call answer rates each quarter on a voluntary basis. While RLECs are not required to make this filing, we assume is that 10% of the 1350 RLECs, or 135 RLECs, will choose to do so, and that it will take each RLEC an average of 4 hours every quarter to do so. Our burden estimate includes this 10% voluntary filing assumption rather than an assumption based on reporting by 100% of RLECs.

Table 1

Topic	Proposal in NPRM	Preapproval Burden Estimate (if applicable)	Changes to NPRM proposal in R&O (as Revised on Reconsideration)	Revision to Burden Estimate (if any) and Explanation
1) Who is covered?	a) Covered provider = originating LD voice service provider, or first facilities-based provider if originating provider is not facilities based (NPRM para. 17)	<i>[2010 477 parent co. data]</i> 61 fixed 24 mobile <u>5 first facilities (est.)</u> ~90 providers est. <10 in safe harbor; assume 0: 90=conserv. estimate	a) Covered provider = provider of LD voice service that makes initial LD call path choice for more than 100K domestic retail subscriber lines (bus or res) aggregated over all affiliates (R&O para. 20)	<i>[2012 477 parent co. data]</i> 56 fixed 21 mobile 5 wholesale (est.) <u>3 fixed+mobile > 100K</u> ~85 providers 16 eligible for consol. fixed+mobile rpt; assume 0 submit consolid. rpt: 85=conserv. estimate est. ≤ 5 = safe harbor; assume 0 in safe harbor: 85=conserv. estimate
	b) One-way VoIP not included but comment sought (NPRM para.13)	n/a to one-way VoIP providers; therefore unchanged: 90=conserv. Estimate	b) One-way VoIP included (R&O para. 23)	est. 5 one-way VoIP w/>100K; assume 5: 85+5= 90 conserv. est.
	c) Providers with 100K or fewer retail bus or res LD subscribers not included (NPRM para. 31)		c) Providers with 100K or fewer retail bus or res LD subscriber lines not included (R&O para. 27)	Not covered – no burden: <i>[2012 477 parent co. data]</i> > 1421 fixed > 159 mobile > 1580 providers
2) What data must be recorded?	a) Call detail includes <ul style="list-style-type: none"> Calling party number Called party number Date Time Whether call was handed off to an IP, and if so, which one Whether called party number is assigned to a rural telco, and if so, its OCN Whether call was interstate or intrastate Whether call was Answered (NPRM para. 22) 	Annual burden: Record + Retain + Report = 1-3 man-days/Qtr.; used 2 man-days (16hr); Startup cost: Record + Retain = \$100K for ¼ providers + \$10K for all providers O&M costs: Retain = \$0 (already collect CDRs to support business and net systems)	a) Adds Cause Code Information; i.e., whether unanswered call was reported as Busy, Ring No Answer, or Unassigned number (R&O para. 43)	Annual burden: Record + Retain + Report = 2-4 man-days/Qtr.; use 3 man-days (24hr); Startup cost: Record + Retain = \$200K for ¼ providers + \$15K for all providers O&M costs: Retain = \$0 (already collect CDRs to support business and net systems)

Rural Call Completion Recordkeeping and Reporting Requirements

**3060-1186
November 2014**

Topic	Proposal in NPRM	Preapproval Burden Estimate (if applicable)	Changes to NPRM proposal in R&O (as Revised on Reconsideration)	Revision to Burden Estimate (if any) and Explanation
	b) Call attempts to CLECs included (NPRM para. 25)		b) Calls to CLECs <u>not</u> included (R&O para. 49)	[Provider still has to identify CLEC by TNs to exclude, so effect on recording burden is negligible]
	c) Call attempts to nonrural areas included in recording and retention requirements (NPRM para. 25)		c) Call attempts to nonrural areas <i>excluded</i> from recording and retention requirements, except to the extent that data must be recorded in order to comply with reporting requirements (R&O para. 49)	[Provider still has to identify nonrural ILEC by TN called, so effect on recording burden is negligible]
3) How long must data be retained?	Six months (NPRM Para. 22) except no retention required under safe harbors (NPRM para. 33)	Assumed 0 = safe harbors [conserve. estimate]	Six months (R&O para. 64) except 3 months required under safe harbor) (R&O para. 86)	Assume 0 = safe harbors [conserv. estimate]; no change.
4) What data must be reported to the Commission?	<p>Number of attempted calls, number of calls answered, and call answer rate for:</p> <ul style="list-style-type: none"> • Each rural OCN with >100 call attempts in a month • All rural OCNs in the aggregate • All nonrural OCNs in the aggregate (NPRM para. 20) 		<p>In addition to attempted calls and calls answered, adds Busy, Ring-no-answer, and Unassigned number unanswered categories.</p> <p>No longer require call answer rate which can be calculated</p> <p>Adds requirement that interstate and intrastate calls be reported separately in addition to being retained.</p> <p>Did not adopt the >100 call attempts in a month standard (R&O para. 65)</p>	<p>[See Record + Retain +Report figures above]</p> <p>Not requiring call answer rate calculation and not setting 100 call/OCN threshold has negligible effect on burden.</p>

Rural Call Completion Recordkeeping and Reporting Requirements

**3060-1186
November 2014**

Topic	Proposal in NPRM	Preapproval Burden Estimate (if applicable)	Changes to NPRM proposal in R&O (as Revised on Reconsideration)	Revision to Burden Estimate (if any) and Explanation
5) How is Autodialer traffic recorded and reported?	NPRM asked whether readily identifiable and whether it should be excluded (NPRM para. 26)		Covered providers must include autodialer traffic in recording and reporting, but may submit separate calculations segregating it from other traffic, accompanied by an explanation of the method (R&O para. 54)	Assume ≤ 10 providers will report voluntarily on autodialer traffic; assume 10: 10 = conserve. estimate Annual incremental burden: Record + Retain + Report = 1-2 man-days/Qtr.; use 1.5 man-days (12hr) ; Startup incremental cost: Record + Report = \$50K for 10 providers
6) How are OCNs identified?	No mention of how covered providers determine rural OCNs; subsequent PN sought comment on using NECA list of rural OCNs		Covered providers must use lists that NECA creates of rural and nonrural ILEC OCNs. (R&O paras. 9, 73)	[Change has negligible effect on burden.]
7) Safe Harbors	a) Safe Harbor #1: no recording, retention, or reporting obligations; provider must file annual certification that it qualifies (NPRM para. 41)	[Assumed no providers in safe harbor #1.]	a) Requiring the same reporting for a period of one year as for providers not invoking the safe harbor and requiring the same recording requirements, but limit the retention period to three calendar months rather than six (R&O para. 89)	[Assuming no providers in safe harbor. No change.]
	b) Safe Harbor #2: must record data and retain for three months instead of six; no reporting obligations; annual certification required (NPRM para. 42)	[Assumed no providers in safe harbor #2.]	b) Did not adopt (R&O para. 100)	[No safe harbor #2. No change.]
8) New Information Collections			a) Resellers must file letter in docket indicating who's filing on their behalf (R&O para. 67)	[Conserv. assumption is that all providers > 100K lines record + retain + report; therefore no incremental burden.]

Rural Call Completion Recordkeeping and Reporting Requirements

**3060-1186
November 2014**

Topic	Proposal in NPRM	Preapproval Burden Estimate (if applicable)	Changes to NPRM proposal in R&O (as Revised on Reconsideration)	Revision to Burden Estimate (if any) and Explanation
			b) Voluntary RLEC reporting of call answer rate (R&O paras. 107-108)	~1350 RLECs; est. ≤ 10% file CAR; assume 10% 135 = conserv. est. assume 1/2 man-day/Qtr. (4hr); use 4hr/Qtr.