

## Federal Communications Commission

### Explanation of Non-Substantive Changes to OMB Control Number: 3060-0400:

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**Purpose of this Submission:** This submission is being made for proposed non-substantive changes to an existing information collection pursuant to 44 U.S.C. § 3507. This submission seeks to update two paragraphs in Part A.1. of the Supporting Statement for 3060-0400. None of these changes affects the Commission's previous burden estimates, the reporting requirements, or costs to this collection.

#### Summary of Proposed Changes

- **Part A.1., Paragraph 8:** This paragraph previously read: "Price cap ILECs can elect to be subject to Title I versus Title II of the Act for certain forms of internet access in order to offer their internet access services on a detariffed basis pursuant to private contracts. Rate-of-return ILECs can choose to change from tariffed to detariffed for the same internet services, but are still subject to Title II regulation."

The paragraph was updated to read: "In the *Open Internet Order* (FCC 15-24), the Commission adopted rules that, among other things, reclassify broadband Internet access service as a telecommunications service under Title II. Providers of retail mass market broadband Internet access services must offer the service as a Title II telecommunications service. Rate-of-return ILECs that have elected to offer retail mass market broadband Internet access services as a Title II (without forbearance) prior to the *Open Internet Order* may continue to do so. Alternatively, they can opt into the Open Internet framework specified in the Order after notifying the Wireline Competition Bureau."

- **Part A.4., Paragraph 2:** This paragraph previously read: "The Commission updates the rate-of-return TRP every year to eliminate respondents' requirement to file cost and demand data that may be more than two years old and to bring the TRP data into conformance with current Commission policies. Without the TRP, except in exceptional cases, similar data would be unavailable to the Commission. The TRPs are designed to provide data to evaluate forecasts of cost and demand for the coming year which would not be available in other FCC required documents. We are unaware of the extent to which individual state commissions update their support requirements."

The paragraph was updated to read: "The Commission updates the price cap and rate-of-return TRP every year to eliminate respondents' requirement to file cost and demand data that may be more than two years old and to bring the TRP data into conformance with current Commission policies. Without the TRP, except in exceptional cases, similar data would be unavailable to the Commission. The TRPs are designed to provide data to evaluate forecasts of cost and demand for the coming year which would not be available in other FCC required documents. We are unaware of the extent to which individual state commissions update their support requirements."