

## Federal Communications Commission

### Explanation of Non-Substantive Changes to OMB Control Number: 3060-0855:

- FCC Form 499-A
  - FCC Form 499-Q
  - Instructions to FCC Form 499-A
  - Instructions to FCC Form 499-Q
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**Purpose of this Submission:** This submission is being made for a non-substantive change request to an existing information collection pursuant to 44 U.S.C. § 3507. This submission seeks to update (i) FCC Form 499-A; (ii) the accompanying instructions to FCC Form 499-A; (iii) FCC Form 499-Q; and (iv) the accompanying instructions to FCC Form 499-Q. On December 21, 2018, the Commission issued a Public Notice seeking comment on the proposed changes (DA 18-1298). In response to the Public Notice, one stakeholder filed comments identifying an issue with USAC’s e-file system. This proposal was addressed by a request to USAC to modify the field in the e-file system in response to the issues the filer experienced with the system. That same commenter, as well as another stakeholder, proposed that in light of a recent Commission Declaratory Ruling that classified text messaging as an information service for purposes of the provision of services, that text messaging should be classified as an information service for Universal Service purposes. However, the Declaratory Ruling clearly states that “the scope of contribution requirements to the Universal Service Fund is not within the scope of this proceeding.”<sup>1</sup> We have clarified this issue with the commenters.

### Summary of Proposed Changes to both the 2019 FCC Form 499-A and FCC Form 499-Q, where applicable, and instructions

- **Date Changes:** Dates were updated throughout the FCC Forms and instructions. References to “2018” were changed to “2019” and references to “2017” were changed to “2018.”
- **Circularity Factor Update:** The circularity factor was adjusted and updated in the FCC Form 499-A and the FCC Form 499-Q instructions based upon the quarterly contribution factors.
- **International Revenues:** Clarifications were made to the instructions for reporting international revenues. References to the Section 43.62 Filing Manual previously referenced therein were added in Appendix C of the Form 499-A instructions, and references to the Section 43.61 Traffic Report were eliminated in the Form 499-Q instructions.<sup>2</sup>

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<sup>1</sup> *Petitions for Declaratory Ruling on Regulatory Status of Wireless Messaging Service*, WT Docket No. 08-7, FCC 18-178, at para. 48 & n. 162 (rel. Dec. 13, 2018).

<sup>2</sup> The Commission has discontinued both the Section 43.62 Filing Manual and the 43.61 Traffic Report. References to the Section 43.61 Traffic Report should have been removed from the instructions for both Forms 499-A and 499-Q in 2016, but were inadvertently only eliminated from the Form 499-A instructions.

- **Clarifications and Stylistic Changes:** In a number of instances, additional clarifications were made, and minor stylistic changes, such as typos and spacing, were corrected in the FCC Forms 499-A and 499-Q instructions, without changing the substance.

#### **Summary of Proposed Updates to 2019 FCC Form 499-A Instructions**

- **Contact Information:** The contact information for the Local Number Portability Administrator was updated to reflect the change in administrator.
- **Language Conforming to Commission Orders:** The instructions were updated to reflect recent Commission decisions that granted forbearance of contribution obligations on revenues from the provision of broadband transmission service offered on a non-common carrier basis to certain rural service providers.<sup>3</sup>

#### **Summary of Proposed Modifications to Form 499-Q Instructions**

- **Updated Filing Address:** The instructions were updated to include a link for filing electronic copies of consolidated filer certifications and traffic studies.

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<sup>3</sup> See *Petition of NTCA – The Rural Broadband Association and the United States Telecom Association for Forbearance Pursuant to 47 U.S.C. § 160(c) from the Application of Contribution Obligations on Broadband Internet Access Transmission Services*, WC Docket No. 17-206, Order, FCC 18-75 (rel. June 8, 2018).