

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).

## SUPPORTING STATEMENT

### A. Justification:

On February 7, 2013, the Commission released a *Notice of Proposed Rulemaking (Rural Call Completion NPRM)*, Rural Call Completion, WC-Docket 13-39, FCC 13-18. 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 (2013 RCC Order)*, WC Docket No. 13-39, FCC 13-135. The information collection requirements in the *2013 RCC Order* received OMB approval on June 3, 2014.

On November 13, 2014, the Commission released the *Rural Call Completion Reconsideration Order (Reconsideration Order)*, WC Docket No. 13-39, FCC 14-175, which made minor modifications to this information collection. The information collection requirements in the *Reconsideration Order* received OMB approval on January 29, 2015.

On June 22, 2017, the Wireline Competition Bureau released a *Report (Data Report)*, WC Docket No. 13-39, DA 17-595, analyzing the data collected in the first eight sets of quarterly reports (covering the period from April 2015 to March 2017) filed by providers pursuant to this information collection. The Bureau cautioned that its confidence in the reliability of the data collected is fairly low due to several issues which limit the utility and effectiveness of the data collection.<sup>1</sup> The *Data Report* found that, as a result of these data quality issues, the Commission is generally unable to use the data to reliably identify rural areas potentially experiencing call completion problems.<sup>2</sup> The data quality issues have also hindered the Commission's ability to use the data as the sole basis for initiating enforcement actions against covered providers.<sup>3</sup>

On July 14, 2017, the Commission released a *Second Further Notice of Proposed Rulemaking (2017 RCC FNPRM)* seeking comment on proposals to revise the rural call completion rules to better address ongoing problems with the completion of long-distance telephone calls to rural areas.

Based on the record developed in response to the *2017 RCC FNPRM*, on April 17, 2018, the Commission adopted and released a *Second Report and Order and Third Further Notice of Proposed Rulemaking (2018 RCC Order)*, which revised its rural call completion rules to better reflect strategies that have worked to reduce rural call completion problems while at the same time reducing the overall burden of its rules on providers. The Commission found that rural call completion is a continuing problem and that continued Commission focus on the issue is warranted. The Commission therefore adopted rules requiring covered providers to monitor their intermediate providers' performance, and, based on the results of such monitoring, take steps to correct identified performance problems with the intermediate provider.

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<sup>1</sup> See *Data Report* at 15-16, paras. 33-35.

<sup>2</sup> See *id.* at 16-17, para. 38.

<sup>3</sup> See *id.*

As part of this monitoring requirement, the Commission required covered providers to make publicly available contact information for the receipt and handling of rural call completion issues. Covered providers must ensure that any staff reachable through this contact information has the technical capability to promptly respond to and address rural call completion issues, and covered providers must respond to communications regarding rural call completion issues via the contact information required under this rule as soon as reasonably practicable. Additionally, the Commission concluded that the call completion reporting rules imposed by the *2013 RCC Order* are burdensome on covered providers, while the resulting Form 480 reports are of limited utility in discovering the source of rural call completion problems. The *2018 RCC Order* therefore eliminated the call completion reporting requirements for covered providers. The requirement adopted in the *2018 RCC Order* that covered providers publish and maintain on their websites contact information for a point of contact for rural call completion issues received OMB approval on October 9, 2018.

On March 15, 2019, the Commission adopted and released a Fourth Report and Order (*2019 RCC Order*) which sunset the remaining recordkeeping and retention requirements adopted in the *2013 RCC Order*. The sunset provisions became effective on September 15, 2020.

We request extension of OMB's approval for the information collection requirements pertaining to the *2018 RCC Order* point of contact publication rules.

**1. Existing Information Collection Requirements:**

In the *2013 RCC Order*, the Commission required “covered providers” to record, retain and report call completion data.<sup>4</sup> 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 were required to collect call completion data and retain such data for six months. Covered providers were also required to file quarterly reports with the Commission. However, these requirements have been eliminated.<sup>5</sup>

**2018 RCC Report and Order**

In the *2018 RCC Order*, the Commission modified its rural call completion information collection requirements by eliminating the requirement that covered providers file quarterly reports with the Commission.<sup>6</sup> The Commission also released a subsequent Order granting a temporary waiver of the reporting requirements until the effective date of the *2018 RCC Order*, thereby relieving covered providers of the burden of compiling and filing reports that would otherwise have been due to the Commission on May 1, 2018.<sup>7</sup> The *2018 RCC Order* left in place the *2013 RCC Order*'s requirements that covered providers record and retain call completion information, as well as the safe harbor for covered providers.

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<sup>4</sup> *Rural Call Completion*, WC Docket No. 13-39, Report and Order and Further Notice of Proposed Rulemaking, 28 FCC Rcd 16154 (2013) (*2013 RCC Order*).

<sup>5</sup> *Rural Call Completion*, WC Docket No. 13-39, Second Report and Order and Third Further Notice of Proposed Rulemaking, 33 FCC Rcd 4199, 4225-26, paras. 59-63 (2018) (*2018 RCC Order*); *Rural Call Completion*, WC Docket No. 13-39, Fourth Report and Order, 34 FCC Rcd 1781, 1797, para. 41 (2019) (*2019 RCC Order*).

<sup>6</sup> *Second Report and Order*, FCC 18-45, paras. 59-63.

<sup>7</sup> See *Rural Call Completion*, WC Docket No. 13-39, Order, DA 18-411 (WCB Apr. 24, 2018).

The *2018 RCC Order* also promulgated new rules requiring covered providers to make publicly available contact information for the receipt and handling of rural call completion issues. Covered providers must designate a telephone number and email address for the express purpose of receiving and responding to any rural call completion issues, which must be published in an easy to find manner on covered providers' websites.

### **2019 RCC Report and Order**

In the *2019 RCC Order*, the Commission adopted sunset provisions for the remaining recordkeeping rules adopted in the *2013 RCC Order*. As a result of these sunset provisions, the rural call completion data recording and retention rules expired on Sept. 15, 2020.<sup>8</sup>

Statutory authority for this collection of information is contained in sections 201, 202, 217, 218, 220(a), 251(a), and 403 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 201, 202, 217, 218, 220(a), 251(a), 403.

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

2. The rural call completion contact information will be used to facilitate industry collaboration to address call completion issues.
3. Contact information will be provided by long-distance providers covered by the rules on their websites.
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. The Commission has taken the following steps to minimize the burden of compliance with these rules.
  - a) The *2018 RCC Order* eliminated the reporting requirement associated with the call completion information collection, finding that this rule was burdensome on covered providers, while the resulting Form 480 reports were of limited utility in discovering the source of rural call completion problems.
  - b) The *2018 RCC Order* required covered providers to make available point of contact information for rural call completion issues. To minimize the burden of this requirement, the Commission only mandates publication of this information on a provider's website, rather than more burdensome alternatives, such as submission of this information to the Commission or NECA.
  - c) The *2019 RCC Order* sunset the recordkeeping and retention requirements, which were discontinued as of September 15, 2020.
7. There are no special circumstances that are associated with this information collection.
8. The Commission published a 60-Day Notice in the Federal Register on May 17, 2021 (86 FR 26722) as required by 5 CFR 1320.8(d). No comments were received from the public.

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<sup>8</sup> See 47 CFR §§ 64.2103(g), 2107(d).

9. The Commission does not anticipate providing any payment or gift to respondents with this collection of information.
10. The Commission is not requesting confidential information with this information collection.
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 requirement that covered providers publish and maintain on their websites contact information for a point of contact for rural call completion issues.

**Point of contact requirement**

The point of contact requirement applies 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 subscriber lines. We estimate that approximately 56 such wireline, wireless, and wholesale providers will be affected.

The estimated total number of respondents is 56.

Frequency of response: Third party disclosure requirement, as required. Covered providers must keep the contact information current on their websites, updating with any changes within ten business days.

Total number of responses annually: **56.**

To generate a conservative estimate, we assume point of contact information will need to be updated annually.

Estimated time per response: **1 hour.**

We estimate that minimal time will be required to furnish and maintain basic contact information on a provider's website. For the sake of generating a conservative estimate, we assume 1 hour per year will be sufficient to comply with this requirement.

Total Annual Hourly Burden: (1 response/yr x 56 respondents x 1hr) = **56 hours.**

Total estimate of "in-house" cost to respondents: **\$3,136.**

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 \$56 per hour:<sup>9</sup> (56 hours x \$56/hr = \$3,136).

**Sum of all requirements**

**Total Number of Respondents: 56**

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<sup>9</sup> Assuming the respondents use personnel comparable in pay to mid-level Federal Government employees, GS-13/5, \$56.31/hr., we rounded the hourly salary rate to a whole number, which is \$56/hr.

**Total Annual Responses: 56**  
**Total Annual Hourly Burden: 56 hours**  
**Total Estimated Hourly Cost: \$3,136**

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): **None.**

We note that, as a customary business practice, most long-distance providers maintain a website to advertise their services. We do not anticipate any additional capital costs relating to our proposed requirement that covered providers publish on their websites point of contact information for rural call completion issues.

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

Total annualized cost requested: **None.**

14. The following represents the Commission's estimate of the annual cost burden for the Federal Government under the proposed collection.

Estimated time per response: **N/A.**

We do not anticipate any expense to the Commission associated with this proposal.

Total number of responses annually: **N/A.**

Total estimate of cost to Federal Government: **\$0.**

15. The Commission is reporting program changes to this revised collection—specifically, the removal of the recordkeeping and retention requirements. These program changes to the Commission's previous burden estimates are a result of the Commission's elimination of the recordkeeping and retention requirements contained in the *2019 RCC Order*. As a result of these changes, covered providers are no longer required to maintain records of call completion data. We previously estimated that respondents would require 48 hours per year to respond to the recordkeeping requirements. In eliminating the recordkeeping requirement, we accordingly reduce the total number of responses by 56, and the annual burden hours to respondents by 48 hours. We estimate that the point of contact publication requirement will continue to require one hour of response time annually per covered provider, for a total annual burden of 56 hours. Overall, this reduces the total annual burden hours of this information collection by 2,688 hours. Regarding annualized costs, our previous estimate annualized the cost of the recordkeeping and reporting rules over 8 years, assuming that the reporting and retention rules would end at the end of the transition for reforming intercarrier compensation, which we estimated would take approximately 8 years. We believe covered providers have already expended the initial startup costs associated with these rules, moreover, the recordkeeping and reporting rules have been sunset and are no longer in effect. Therefore, we reduce the total annual costs associated with this information collection from \$350,000 to \$0.

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. There are no exceptions to the Certification Statement.

**B. Collections of Information Employing Statistical Methods:**

This information collection does not employ any statistical methods.