

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 proposed non-substantive changes 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 July 15, 2022, the Wireline Competition Bureau (Bureau) issued a Public Notice seeking comment on the proposed modifications (DA 22-764). In response to the Public Notice, one stakeholder filed comments objecting to, and incorrectly characterizing, a clarifying update to the 499-A Instructions as a rule change. The clarification reflects a long-standing incumbent local exchange carrier (LEC) contribution obligation and the updated Instructions merely clarify that obligation, as recently reiterated in a Bureau order. That Bureau order also plainly states that the 499-A Instructions will be modified accordingly.¹

Summary of Proposed Updates to the 2023 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 “2022” were changed to “2023” and references to “2021” were changed to “2022.”
- **Clarifications and Stylistic Changes:** In a number of instances, additional non-substantive clarifications and minor stylistic changes, such as typos and spacing, are also made.

Summary of Proposed Changes to the 2023 FCC Form 499-A Instructions:

- Page 11 is updated to clarify that each affiliate and subsidiary entity should identify their ultimate controlling parent or entity, or provide a common identifier for all affiliated filers.
- Page 19 is updated to remove the requirement to provide a fax number.

¹ See *Universal Service Contribution Methodology; Request for Review of Decision of the Universal Service Administrator by Mark Twain Telephone Company*, WC Docket Nos. 10-90, 06-122, Order, DA 22-757, at para. 18 & n.62 (WCB July 15, 2022). The appropriate process for challenging a long standing Commission contribution requirement, is a timely-filed petition for reconsideration or a petition for rulemaking, not a challenge to Instructions to an FCC form clarifying the requirement.

- Page 26 is updated consistent with a recent Bureau order clarifying that incumbent LECs without a subscriber line charge should identify the interstate portion of fixed local exchange service revenues in column (d) of the appropriate line 404.1-404.5.
- Page 29 is updated to clarify that amounts received from the federal USF support mechanism should be attributed as either interstate or international revenues, as appropriate
- Pages 39 is updated to clarify that the reseller safe harbor procedures require an *active* Filer 499 ID to meet the “reasonable expectation” standard.

Summary of Proposed Modifications to the 2022 FCC Form 499-Q Instructions:

- **Circularity Factor Update:** The circularity factor will be adjusted and updated in the Form 499-Q instructions based upon the quarterly contribution factors subsequent to the Fourth Quarter 2022 contribution factor announcement.

Attachment 1: Proposed changes to Form 499-A

Attachment 2: Proposed changes to Form 499-A Instructions

Attachment 3: Proposed changes to Form 499-Q

Attachment 4: Proposed changes to Form 499-Q Instructions