FCC [[#]] SPC-T/C

FEDERAL COMMUNICATIONS COMMISSION

Not Yet Approved by OMB 3060-1028 Estimated Time Per Response: 1.5 hours

Instructions for Notification of the Transfer of an International Signaling Point Code Office of International Affairs

SPC-T/C GENERAL INSTRUCTIONS

Purpose of Form

This form is used to notify the FCC when an international signaling point code (ISPC) has been transferred from its original assignee/signaling point operator to another entity following a merger, acquisition, divestiture, or joint venture.

ISPCs are used in Signaling System No. 7 networks, as described in International Telecommunication Union, <u>ITU-T Recommendation Q.708 (03/99</u>). Under ITU-T Recommendation Q.708, an ISPC(s) can be assigned to signaling point operators by each Member State's designated Administrator in accordance with the rules and procedures of the Member State and ITU-T Recommendation Q.708. This form collects information about both the transferor and transferee of the ISPC. The Commission must have identifying information about the transferee to update both its own ISPC records and those at the ITU as to who is responsible for the assigned code.

The Commission is the administrator of ISPCs for the United States and administers all ISPCs. Through this form, the Commission will collect information concerning the transfer of an ISPC assignment and will determine whether to grant the application.

Who Must File This Form and When

Any signaling point operator that is assigned an ISPC must file this form within thirty (30) days from the date it transfers its ISPC to another entity as a result of a merger, acquisition, divestiture, or joint venture. Signaling point operators do not have property rights in ISPCs, and therefore may not sell or trade ISPCs. ISPCs may not be transferred from one entity to another, except in the case of a merger, acquisition, divestiture, or joint venture. Every entity seeking to notify the Commission of an ISPC transfer must use this form.

Description of Form

This form consists of a main form and the ability to file an attachment to support the request. The Applicant is encouraged to upload a single document in machine readable format, including all required information. The Applicant must fill in all required fields, upload required documents, make all required certifications, and sign the form before submitting the application.

Information Current and Complete

Information filed in the application with the Commission must be kept current and complete under section <u>1.65</u> of the Commission's rules, 47 CFR § 1.65. The Applicant or the party to the application must notify

the Commission regarding any substantial and significant changes in the information furnished in the application while it remains pending. Under ITU-T, Recommendation Q.708, the Applicant must inform the Commission of any change of information.

• **ISPC Amendment Form**. To amend a submitted application, use a separate form, SPC-AMD [link to form].

Applicable Rules and Regulations

The requirements can be found in ITU-T Recommendation Q.708, which also lists relevant definitions and the criteria for the transfer of ISPCs.

 ITU-T Recommendation Q.708, SERIES Q: SWITCHING AND SIGNALLING Specifications of Signalling System No. 7 – Message transfer part (MTP), Assignment procedures for international signalling point codes, <u>https://www.itu.int/rec/recommendation.asp?lang=en&parent=T-REC-Q.708-199903-I</u>.

Applicants should refer to the Debt Collection Improvement Act of 1996. The Debt Collection Act requires all federal agencies ensure that no debtors to the Federal government obtain any licenses or other benefits from the FCC. To ensure this, the Commission must collect FRN information to correlate its Applicants with any outstanding Federal debt that they might have incurred in other dealings with the Federal government. For additional information, press on the FCC's Debt Collection webpage, https://www.fcc.gov/licensing-databases/fees/debt-collection-improvement-act-implementation.

Other ISPC Forms

- SPC New Form
 - Signaling point operators seeking a new ISPC assignment must file a request using a SPC-NEW form [link to form].
- SPC Waiver Form
 - If needed, after an ISPC assignment is granted, an Applicant may file a waiver request by using a SPC-WAV form [link to form].
- SPC Modification Form.
 - If needed, after an ISPC assignment is granted, an Applicant may file a modification request by using a SPC-MOD form [link to form].

FCC Notice Required By The Paperwork Reduction Act

We have estimated that each response to this collection of information will take a total of 1.5 hours (50% by in-house staff and 50% by outside counsel). Our estimate includes the time to read the instructions, look through existing records, gather and maintain the required data, and complete and review the form or response. If you have any comments on this burden estimate, or on how we can improve the collection and reduce the burden it causes you, please e-mail them to pra@fcc.gov or send them to the Federal Communications Commission, AMDPERM, Paperwork Reduction Project (3060-0404), Washington, DC 20554. Please DO NOT SEND COMPLETED APPLICATIONS TO THIS ADDRESS.

The Applicant is not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number of if we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060-0404. This notice is required by the Paperwork Reduction Act of 1995, P.L. 104-13, October 1, 1995, 44 U.S.C. Section 3507.

For Assistance

For assistance with completing the forms, contact Office of International Affairs, Telecommunications and Analysis Division at OIA-TAD@fcc.gov or at (202) 418-1480.

FILING INSTRUCTIONS FOR MAIN SPC-T/C FORM

Applicant Information

Transferor/Assignor

<u>Item 1</u>. Enter the information requested. Some data will be pre-populated using the data associated with Applicant's FCC Registration Number (FRN).

When the Applicant enters its FRN, the Applicant Information will pre-populate with its FRN data in CORES. To modify these pre-populated data, update the data associated with the FRN in CORES. [Link to CORES]

Enter any missing data and sections that are not already populated from CORES, such as the "legal entity type" or "Doing Business As (DBA)" name.

Transferor/Assignor Contact Information

<u>Item 2</u>. Identify the contact representative, if different from the Applicant transferor/assignor. The contact information can be imported automatically from CORES if the Applicant supplied an FRN, but fields are still editable.

If the contact representative is the same as the person indicated in Item 1, then check the box "Same as Applicant." If the contact representative is not the same as the Applicant, provide the requested information.

- Provide the name of a person in your organization, your outside counsel, or other representative whom we can contact if there are questions regarding your application. This person should have decisional authority over the contents of your application.
- Provide the Company name if different from the "Applicant" name in Item 1 or repeat "Company" name here.
- Provide the contact representative's address, phone number, fax number, and email.
- Provide your "Doing Business As (DBA)" name. If the Applicant is not operating its business using a DBA, you may leave this section blank.
- Indicate how the contact person is related to the Applicant. For example, indicate that the "contact is outside counsel" or "contact is a corporate officer of the applicant."

Applicant Information: Transferee/Assignee

<u>Item 3</u>. Enter the information requested. Some data will be pre-populated using the data associated with Applicant's FCC Registration Number (FRN).

When the Applicant enters its FRN, the Applicant Information will pre-populate with its FRN data in CORES. To modify these pre-populated data, update the data associated with the FRN in CORES. [Link to CORES]

Enter any missing data and sections that are not already populated from CORES, such as the "legal entity type" or "Doing Business As (DBA)" name.

Contact Information

<u>Item 4</u>. Identify the contact representative, if different from the Applicant transferee/assignee. The contact information can be imported automatically from CORES if the Applicant supplied an FRN, but fields are still editable.

If the contact representative is the same as the person indicated in Item 1, then check the box "Same as Applicant." If the contact representative is not the same as the Applicant, provide the requested information.

- Provide the name of a person in your organization, your outside counsel, or other representative whom we can contact if there are questions regarding your application. This person should have decisional authority over the contents of your application.
- Provide the Company name if different from the "Applicant" name in Item 1 or repeat "Company" name here.
- Provide the contact representative's address, phone number, fax number, and email.
- Provide your "Doing Business As (DBA)" name. If the Applicant is not operating its business using a DBA, you may leave this section blank.
- Indicate how the contact person is related to the Applicant. For example, indicate that the "contact is outside counsel" or "contact is a corporate officer of the applicant."

Transaction Information

Brief Application Description

<u>Item 5</u>. Provide a short description of the transaction that resulted in the transfer your ISPC. For example, "This is an application to notify the FCC that ABC Co.'s ISPC, [insert code number], is now in use by the ABC/XYZ Co., a joint venture that ABC Co. formed with XYZ Co."

<u>Item 6</u>. Enter the file number(s) or AuthID(s) associated with original grant of the ISPC that are the subject of this notification. Depending on when that original application was granted, a call sign or similarly unique identified might be associated with original file number. If you have a call sign, you may enter that in the box instead of the file number. After entering the file number(s) or AuthID(s), the form will list all the ISPCs associated with the grant(s).

<u>Item 7</u>. Check the appropriate box to describe the transaction that resulted in transfer of the code(s). If you select "other," then you must provide additional details in the provided text box.

<u>Item 8</u>. The ISPC(s) associated with the file number or call sign that you entered in Item 8 will be displayed here. Select the ISPC(s) associated with the transfer. If multiple file numbers or call signs were involved in the transfer, they should all be listed here.

<u>Item 9</u>. In some instances, the transfer of ISPC(s) may happen contemporaneously with the transfer of control or assignment of the signaling point operator's international section 214 authorization. In this item, the Applicant is asked if the transfer of ISPC(s) is associated with a transfer of control or assignment of an international section 214 authorization or other Commission action. If the answer is "Yes," then the Applicant must enter the file numbers of the international section 214 authorization and the associated transfer of control/assignment application.

<u>Item 10</u>. If the transferee of the ISPC holds an international section 214 authorization, select "Yes" and enter the authorization file number(s). Otherwise, select "No" and explain the proposed use of the ISPC

in the provided text box.

<u>Item 11</u>. If the Applicant has uploaded an attachment, providing a narrative description of the transfer of the ISPC, indicate that by checking the appropriate response, "yes" or "no."

<u>Item 12</u>. Here, the Applicant must enter the consummation date of the transaction. If the date is more than thirty (30) days before the date of the notification, then you must submit an attachment explaining why the notification was not provided to the Commission thirty (30) days or less after the consummation in accordance with the conditions of your ISPC assignment.

Application Fees

<u>Item 13</u>. An application fee is required for this form. If you are exempt from the application fee select "No." Otherwise, select "Yes."

Note that the FCC may not be able to start its review of a submitted application until the associated application fee is paid. To determine the required fee amount, refer to Subpart G of Part 1 of the Commission's Rules (<u>47 CFR Part 1, Subpart G</u>) and the current Fee Filing Guide. The current Fee Filing Guide can be downloaded from the FCC's website at <u>http://www.fcc.gov/fees</u>, by calling the FCC's Form Distribution Center at (800) 418-FORM (3676), or from the FCC's Fax Information System by dialing (202) 418-0177.

Items 13a and 13b.

If the Applicant answered "Yes" to question 13, it must select the correct fee code here in question 13a. The fee code is DAP. Select this fee code.

If the Applicant is claiming a fee exemption it must select a reason in question 13b. An attachment demonstrating the Applicant's eligibility for exemption from FCC application fees must be submitted. If the reason is "other," briefly describe your rationale in the text box provided. If a request for waiver/deferral of the FCC application fees has been filed with the FCC, provide the date-stamped copy of the request filed with the Commission's Office of the Managing Director as an attachment in Item 17.

Waivers

<u>Item 14.</u> Indicate whether this application includes a waiver request by checking "yes" or "no." If "yes," then in Item 14a. list the rule sections/ITU-T Recommendation Q.708 requirements that you seek to have waived.

With any waiver request, attach a statement specifying the rule section(s) for which a waiver is being requested and include a justification for the requested waiver, along with other material information. Note that a waiver associated with the filing requirements for a transfer of an ISPC(s) must be submitted as part of the SPC-TC form. A separate SPC-WAV application is not necessary and will not be accepted for such a waiver.

Attachments_

<u>Item 15</u>. If any of the information included in the original application for the transferred code(s) has changed because of the transfer, then the Applicant must include an attachment the describes what has changed. In this item, you must indicate which part of the original filing's information has changed. For

example, if the physical address where a code is implemented has been changed, you would select "Yes" for Item 15.4, then name the attachment that describes that change in Item 17.

<u>Item 16</u>. If the application includes a waiver request, indicate here by checking "yes" that the Applicant has uploaded a statement supporting the waiver request and identifying the rule number(s) involved, along with other material information. Check "N/A" if there is no waiver request with this application.

Attachments/Confidential Treatment of Attachments

<u>Item 17</u>. If the Applicant is requesting confidential treatment for any of its attachments, answer this question "yes." Otherwise, answer "no."_If the Applicant answers "yes" in Item 17, then it must upload a supporting statement for the "confidential treatment request(s)" identifying the applicable rule(s) and providing other supporting materials or information. The Applicant must also upload both the Redacted Public version and the Non-Redacted Confidential version of the attachment(s) in the Attachments section which follows below.

The Applicant(s) can upload attachments in this section of the application. The Applicant(s) will identify the attachment(s) with a short name for easy identification of the information included in each attachment.

Note: Each document required to be filed as an attachment should be current as of the date of filing. Each page of every attachment must be identified with the number or letter, the number of the page, and the total number of pages.

In this item, the Applicant may use the upload button to upload its attachments. After uploading, the Applicant can describe the attachment. After uploading, the Applicant can click the confidential treatment button next the attachment name if it so desires. Clicking the confidential treatment button will trigger a request to upload both a redacted, public version of the attachment and a public supporting statement justifying the confidentiality request. Identify in the attachment the applicable rule(s) and provide other supporting materials or information. Documents designated for confidential treatment will not be publicly viewable in ICFS while the Commission considers the confidentiality request.

Certification Statements and Acknowledgements

<u>Item 18</u>. The Applicant must certify acknowledgement of all requirements listed here and elsewhere in this form by clicking on the single indicated checkbox. These include:

- **ISPC has been in continuous use.** The Applicant(s) certifies that the ISPC(s) has been in continuous use and will continue to be used in accordance with the conditions of its provisional assignment.
- **Provisional assignment.** Check the box acknowledging that the Applicant is aware that grant of an ISPC is a provisional assignment and that no one has a property right in an ISPC(s).
- **Reclaiming ISPC(s).** The Applicant acknowledges that the Commission may reclaim an assigned ISPC(s) and reassign it.
- **Restriction on ISPC transfers.** The Applicant acknowledges that an ISPC cannot be transferred or is transferable between signaling point operators except in the case of a merger, acquisition, divestiture, or joint venture.

Note: ISPCs may not be sold, licensed, or traded by the signaling point operators. In the event of bankruptcy, the new buyer, who obtains the network from the bankruptcy court, needs to apply for a new code for the network instead of using the previous code from the defunct entity.

The Applicant is also acknowledging its requirement to notify the Commission of any such action by filing a notification letter in the relevant ICFS file number(s) within thirty (30) days of the action.

- Section 5301 of the Anti-Drug Act of 1988 certification. All applicants must certify that neither they nor any other party to the application is subject to a denial of Federal benefits, including FCC benefits pursuant to Section 5301 of the Anti-Drug Act of 1988, 21 U.S.C. Section 862, because of a conviction for possession or distribution of a controlled substance. See 47 CFR 1.2002(b) for the meaning of "party to the application" for these purposes.
- **Application is true and correct.** All applicants must certify that all statements made in this application and in the attachment or documents incorporated by reference are material, are part of this application, and are true, complete, correct, and made in good faith.

Party Authorized to Sign: Applicant/Signaling Point Operator/Assignor/Transferor Signature

<u>Items 19</u>. Enter all of the requested information. Willful false statements are punishable by fine and or/imprisonment (U.S. Code, Title 18, Section 1001). By signing this, you certify that you are a party authorized to sign and all statements made in this application and in the attachment or documents incorporated by reference are material, are part of this application, and are true, complete, correct, and made in good faith.

Enter the title of the person signing the application. If the applicant is a corporation or other business entity, the person submitting the application must be an officer.

The date will be autofilled on the day of submission.

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. Code, Title 18, Section 1001), AND/OR REVOCATION OF ANY STATION AUTHORIZATION (U.S. Code, Title 47, Section 312(a)), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).

Party Authorized to Sign

Applicant/Signaling Point Operator/Assignee/Transferee Signature

Enter the title of the person signing the application. If the applicant is a corporation or other business entity, the person submitting the application must be an officer.

The date will be auto filled on the day of submission.

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. Code, Title 18, Section 1001), AND/OR REVOCATION OF ANY STATION AUTHORIZATION (U.S. Code, Title 47, Section 312(a)), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).