Incarcerated People's Communications Services (IPCS) Provider Annual Reporting, Certification, and Other Requirements
WC Docket Nos. 23-62, 12-375

3060-1222
July 2025

SUPPORTING STATEMENT

This submission is being made pursuant to 44 U.S.C. § 3507 of the Paperwork Reduction Act of 1995 to revise an existing information collection in order to obtain Office of Management and Budget (OMB) approval for the full three-year clearance. The Commission is also changing the title of this information collection from "Inmate Calling Services (ICS) Provider Annual Reporting, Certification, and Other Requirements, WC Docket Nos. 23-62, 12-375, DA 23-656" to "Incarcerated People's Communications Services (IPCS) Provider Annual Reporting, Certification, and Other Requirements, WC Docket Nos. 23-62, 12-375."

Justification

***Circumstances that make the collection necessary*:**

1. The Commission requires incarcerated people's communications services (IPCS) providers to make annual filings, which "enable the Commission and the public to monitor pricing practices and trends in the IPCS marketplace generally."[1] In 2015, pursuant to delegated authority,[2] the Commission's Wireline Competition Bureau (WCB) created a standardized reporting template (FCC Form 2301(a)) for the Annual Reports and a related certification form (FCC Form 2301(b)), as well as instructions to guide providers through the reporting and certification process. WCB first amended the instructions, reporting templates, and certification form in 2020 in order to improve the type and quality of the information collected.[3] In 2022, WCB again amended the instructions, reporting template, and certification form to reflect the reforms adopted in the *2021 ICS Order*, including lower interim rate caps for interstate inmate calling services (ICS) calls,[4] new interim rate caps for international ICS calls, and a rate cap structure that required ICS providers to differentiate between legally mandated and contractually required site commissions.[5]

[1] These annual filings are referred to as "Annual Reports." 47 CFR § 64.6060(a).

[2] *Rates for Interstate Inmate Calling Services*, WC Docket No. 12-375, Second Report and Order and Third Further Notice of Proposed Rulemaking, 30 FCC Rcd 12763, 12891-92, paras. 267-68 (2015) (*2015 ICS Order*).

[3] *See Wireline Competition Bureau Announces OMB Renewal of Information Collection Concerning Inmate Calling Services*, WC Docket No. 12-375, Public Notice, 35 FCC Rcd 1456 (WCB 2020).

[4] In the *2024 IPCS Order*, the Commission adopted the use of the terms "incarcerated people's communications services" and "IPCS," in place of "inmate calling services" or "ICS," to refer to "the broader range of communications services subject to the Commission's jurisdiction as a result of the [Martha Wright-Reed] Act." *Incarcerated People's Communications Services; Implementation of the Martha Wright-Reed Act; Rates for Interstate Inmate Calling Services*, WC Docket Nos. 23-62, 12-375, Report and Order, Order on Reconsideration, Clarification and Waiver, and Further Notice of Proposed Rulemaking, 39 FCC Rcd 7647, 7937-38, para. 557 (2024) (*2024 IPCS Order*) (quoting *Incarcerated People's Communications Services*; *Implementation of the Martha Wright-Reed Act*; *Rates for Interstate Inmate Calling Services*, WC Docket Nos. 23-62 and 12-375, Notice of Proposed Rulemaking and Order, 38 FCC Rcd 2669, 2700, para. 80 (2023) (*2023 IPCS Notice* or *2023 IPCS Order*). Both terms appear throughout this statement according to the terminology used in the particular order being discussed.

[5] *Rates for Interstate Inmate Calling Services*, WC Docket No. 12-375, Third Report and Order, Order on Reconsideration, and Fifth Further Notice of Proposed Rulemaking, 36 FCC Rcd 9519 (2021) (*2021 ICS Order*). The reforms also included expanded consumer disclosure requirements, as well as new reporting requirements for ICS providers seeking waiver of the Commission's interstate and international rates. *Id*. In December 2021, WCB

Subsequent developments generated additional changes to the instructions, reporting template, and certification form.[6] First, in September 2022, the Commission adopted the *2022 ICS Order*, which included requirements to improve access to communications services for incarcerated people with communication disabilities, expanded the scope of the Annual Reports to reflect those new requirements, and delegated authority to WCB and the Consumer and Governmental Affairs Bureau (collectively, the Bureaus) to implement the expanded reporting obligations.[7]

Second, on January 5, 2023, President Biden signed into law the Martha Wright-Reed Act, which expanded the Commission's statutory authority over communications between incarcerated people and the non-incarcerated, including "any audio or video communications service used by inmates . . . regardless of technology used."[8] The new Act also amended section 2(b) of the Communications Act of 1934, as amended (the Communications Act), to make clear that the Commission's authority extends to intrastate as well as interstate and international communications services used by incarcerated people.[9]

The Martha Wright-Reed Act directed the Commission to "promulgate any regulations necessary to implement" the Act, including its mandate that the Commission establish a "compensation plan" ensuring that all rates and charges for IPCS "are just and reasonable," not earlier than 18 months and not later than 24 months after the Act's January 5, 2023 enactment date.[10] Pursuant to that directive, the Commission adopted the *2023 IPCS Notice*, seeking comment on how to interpret the Act's language to ensure that the Commission implemented the statute in a manner that fulfilled Congress's directives.[11] The Commission also adopted the *2023 IPCS Order*, in which it reaffirmed and updated its prior delegation of authority to the Bureaus to modify, supplement, and update the instructions and templates for the Annual Reports.[12]

On August 3, 2023, the Bureaus released a Public Notice seeking comment on proposed revisions to the instructions and templates for the Annual Reports and annual certifications.[13] On August 10, 2023, the Commission published a 60-Day Notice in the Federal Register seeking public comment on the

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released a Public Notice proposing to implement the reforms adopted in the *2021 ICS Order*. *See Wireline Competition Bureau Seeks Comment on Revisions to Annual Reporting and Certification Requirements for ICS Providers*, WC Docket No. 12-375, Public Notice, 36 FCC Rcd 17685 (WCB 2021). After considering the comments and replies submitted in response to the Public Notice, WCB released an Order revising the instructions, reporting template and certification form. *Rates for Interstate Inmate Calling Services*, WC Docket No. 12-375, Order, 37 FCC Rcd 7558 (WCB 2022).

[6] FCC Form 2301(a) is presently comprised of an Excel template and a Word template. *See* WCB, *Incarcerated People's Communications Services (formerly Inmate Calling Services), Annual Reporting and Certification*, available at https://www.fcc.gov/general/ipcs (last visited July 11, 2025).

[7] *See Rates for Interstate Inmate Calling Services*, WC Docket No. 12-375, Fourth Report and Order and Sixth Further Notice of Proposed Rulemaking, 37 FCC Rcd 11900, 11922-24, paras. 47-52 (2022) (*2022 ICS Order*); 47 CFR § 64.6040(b) (expanding access requirements for incarcerated persons with communication disabilities).

[8] Martha Wright-Reed Just and Reasonable Communications Act of 2022, Pub. L. No. 117-338, 136 Stat. 6156, § 2(a)(2), (b) (Martha Wright-Reed Act).

[9] *Id*. § 2(c).

[10] *Id*. §§ 2, 3(a); 47 U.S.C. § 276(b)(1)(A).

[11] *See generally 2023 IPCS Notice*, 38 FCC Rcd 2669.

[12] *2023 IPCS Order*, 38 FCC Rcd at 2702, para. 86.

[13] *See generally Wireline Competition Bureau and Consumer and Governmental Affairs Bureau Seek Comment on Revisions to Providers' Annual Reporting and Certification Requirements*, WC Docket Nos. 23-62 and 12-375, Public Notice, 38 FCC Rcd 6732 (WCB/CGB 2023) (*August 3, 2023 Public Notice*). We received comments or reply comments in response to the *August 3, 2023 Public Notice* from Securus Technologies, LLC (Securus), Global Tel*Link Corporation d/b/a ViaPath Technologies (ViaPath), and Pay Tel Communications, Inc. (Pay Tel).

paperwork burdens associated with the proposed revisions.[14] Subsequently, the Commission decided to delay seeking OMB approval of these revisions because it had not yet amended its rules to implement the expanded authority granted by the Martha Wright-Reed Act and because an Order adopting specific revisions to the annual reporting instructions, templates, and certification form had not yet been adopted.[15] On November 9, 2023, however, the Commission had the Federal Register publish a 30-Day Notice addressing only the disability-related requirements in section 64.6040(c) of the Commission's rules,[16] explaining in the Supporting Statement that review under the PRA was necessary to effectuate the improved access to communications services for incarcerated people with communications disabilities mandated by those rules.[17] OMB approved the section 64.6040(c) information collection requirements on December 14, 2023.[18]

In July 2024, the Commission adopted the *2024 IPCS Order*, which implemented the expanded authority granted to the Commission by the Martha Wright-Reed Act.[19] In that Order, the Commission revised its rules by, *inter alia*:

- Adopting permanent rate caps for audio IPCS and interim rate caps for video IPCS;
- Adopting new facility tiers for both audio and video IPCS;
- Prohibiting providers from imposing any ancillary service charges on IPCS consumers;
- Prohibiting providers from making site commission payments associated with IPCS.[20]

In the *2024 IPCS Order*, the Commission also modified the scope and content of the annual reporting requirements to reflect the reforms adopted under the Martha Wright-Reed Act.[21] The Commission expanded its annual reporting and certification requirements to include the full scope of services and providers now subject to the IPCS rules, as it had proposed in the *August 3, 2023 Public*

[14] *See Incarcerated People's Communications Services (IPCS) Provider Annual Reporting, Certification, and Other Requirements*, WC Docket Nos. 23-62, 12-375, 88 Fed. Reg. 54318 (Aug. 10, 2023) (*2023 60-Day Notice*). In the 2023 60-Day Notice, the Bureaus estimated that IPCS providers would need on average 220 hours to comply with the Annual Reports information requirements. Based on this burden estimate, and taking into the account the previously-approved burden estimates for the consumer disclosure and waiver reporting information requirements, the Bureaus estimated a total of 9,690 burden hours for the collection.

[15] *See Supporting Statement, Inmate Calling Services (ICS) Provider Annual Reporting, Certification, and Other Requirements*, WC Docket Nos. 23-62, 12-375 at 11 (*2023 Supporting Statement*).

[16] *See Incarcerated People's Communications Services (IPCS) Provider Annual Reporting, Certification, and Other Requirements*, WC Docket Nos. 23-62, 12-375, 2023 30-Day Notice, 88 Fed. Reg. 77315 (Nov. 9, 2023) (*2023 30-Day Notice*). We note that there is a typographical error in the 2023 30-Day Notice. The previously-approved time for compliance with the annual reporting requirement should have read "5—120 hours," not "5—1,200 hours." *See id.* at 77316.

[17] *See 2023 Supporting Statement* at 11. The Bureaus stated that they were dividing the information requirements and burdens of the collection between two submissions to OMB, and that, upon release of an Order adopting revisions to the annual reporting instructions, templates, and certification form, the Bureaus would make a second submission to OMB. *Id*. Thus, in the 2023 30-Day Notice, the Bureaus reverted to a lower, previously-approved average burden hour estimate of 120 hours per provider to comply with the annual reports requirements rather than using the 220 burden hour estimate set forth in the 2023 60-Day Notice. As a result, the total burden estimate was 6,690 hours, an average burden of 3,000 hours less than the 9,690 hours estimated in the 2023 60-Day Notice.

[18] *See Inmate Calling Services (ICS) Provider Annual Reporting, Certification, and Other Requirements*, DA 23-656, OMB Control No. 3060-1222, Notice of Action (Dec. 14, 2023).

[19] *See generally 2024 IPCS Order*, 39 FCC Rcd 7647.

[20] *See id*. at 7649-50, paras. 3-4.

[21] *Id*. at 7940-43, paras. 565-70.

Notice.[22] The Commission also eliminated the sections of the annual reporting rules mandating the reporting of information on ancillary service charges and site commissions, to reflect the prohibitions of those items adopted in the *2024 IPCS Order*.[23] Finally, the Commission reaffirmed and updated its prior delegation of authority to the Bureaus to revise the requirements for the Annual Reports, to reflect the Commission's expanded authority under the Martha Wright-Reed Act and the other actions taken in the *2024 IPCS Order*, and directed the Bureaus to pay particular attention to the video IPCS marketplace and the availability and usage of TRS in exercising this delegated authority.[24]

Pursuant to this updated delegated authority, the Bureaus released the *September 11, 2024 Public Notice* seeking to "expand and refresh the record on revisions to the Annual Reports instructions, templates, and certification form, in addition to those proposed in the *August 3, 2023 Public Notice*, and to implement the modifications to the annual reporting and certification requirements adopted by the Commission in the *2024 IPCS Order*."[25] The Bureaus also sought comment on "any additional modifications they should consider to make these forms consistent with the new rules, including the varied compliance dates adopted in the *2024 IPCS Order*" for the Commission's rate cap and site commission reforms.[26] The Bureaus received comments from IPCS providers and public interest advocates.[27]

On January 8, 2025, the Bureaus released the *2025 Annual Reports Order*,[28] in which they revised the instructions, reporting templates, and certification form for the Annual Reports that IPCS providers are required to submit.[29] These revisions reflect the Commission's expanded authority under the Martha Wright-Reed Act,[30] as well as the proposals contained in the *August 3, 2023 Public Notice* and *September 11, 2024 Public Notice*,[31] and the reporting requirements proposed in the *August 3, 2023 Public Notice* regarding access to IPCS by persons with communication disabilities, including access to TRS.[32] Significantly, the revisions greatly streamline and simplify much of the rate reporting that had been proposed in the *August 3, 2023 Public Notice* and eliminate most of the reporting of site commissions and ancillary service charges that had been proposed in that *Notice*. We estimate that approximately 35

[22] *See id*. at 7942, para. 569.

[23] *See id*. at 7942-43, para. 570. The Commission also retained the rules describing the reporting requirements concerning TRS and related communications services, but renumbered them.

[24] *See id*. at 7943-44, paras. 571-72.

[25] *Incarcerated People's Communications Services; Implementation of the Martha Wright-Reed Act; Rates for Interstate Inmate Calling Services*, WC Docket Nos. 23-62 and 12-375, Public Notice, DA 24-918 at 2 (WCB/CGB Sept. 11, 2024) (*September 11, 2024 Public Notice*).

[26] *Id*. at 2-3.

[27] We received comments or reply comments in response to the *September 11, 2024 Public Notice* from Securus; ViaPath; the Wright Petitioners; Worth Rises, Inc. (Worth Rises); Pay Tel; and the United Church of Christ Media Justice Ministry (UCC Media Justice).

[28] *See Incarcerated People's Communications Services; Implementation of the Martha Wright-Reed Act; Rates for Interstate Inmate Calling Services*, WC Docket Nos. 23-62,12-375, Order, DA 25-23 (rel. Jan. 8, 2025) (*2025 Annual Reports Order*).

[29] *Id.*

[30] Martha Wright-Reed Act; *2024 IPCS Order*, 39 FCC Rcd at 7942-43, paras. 569-72.

[31] *August 3, 2023 Public Notice*; *September 11, 2024 Public Notice*.

[32] *See 2025 Annual Reports Order*; *Rates for Interstate Inmate Calling Services*, WC Docket No. 12-375, Fourth Report and Order and Sixth Further Notice of Proposed Rulemaking, 37 FCC Rcd 11900, 11922-24, paras. 47-62 (2022) (*2022 ICS Order*); *see August 3, 2023 Public Notice*, 38 FCC Rcd at 6738 (describing proposed modifications to reporting obligations regarding disability access and related considerations).

providers will file Annual Reports and certifications each year using the revised instructions, reporting templates, and certification forms.[33]

Statutory authority for this information collection is contained in sections 1, 2, 4(i)-(j), 5(c), 201(b), 218, 220, 225, 255, 276, 403, and 716 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 152, 154(i)-(j), 155(c), 201(b), 218, 220, 225, 255, 276, 403, and 617, and the Martha Wright-Reed Act, Pub. L. No. 117-338, 136 Stat. 6156 (2022).

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

2. The information requirements set forth below ensure that the Commission will have access to the information it needs to fulfill its statutory and regulatory duties, while minimizing the burden on providers. Continuing to require providers to file Annual Reports and certifications will help the Commission discharge its statutory mandates regarding IPCS. The information collected in the Annual Reports and certifications enables the Commission and the public to monitor pricing practices and trends in the IPCS marketplace generally. The Annual Reports also provide incarcerated people, their families, their representatives, and the general public with access to information affecting the provision of IPCS.

3. This collection involves the use of information technology to permit the electronic submission of responses. In particular, the Commission developed standardized templates for the submission of the Annual Reports and provided instructions to simplify compliance with, and reduce the burden of, the information requirements related to those reports. The Excel template includes instructions and both text fields and spreadsheet cells for respondents to use to report the required information. Providers are directed to file their Annual Reports and certifications electronically using the Commission's Electronic Comment Filing System (ECFS).

4. The Commission is not aware of any similar information already available that can be used or modified for the purposes described in Item 2 above. The Annual Reports prepared in accordance with the revised instructions should provide the Commission, its state counterparts, and the public with a more complete picture of IPCS providers' operations than was available through the prior Annual Reports and certifications, and will not unduly increase the burdens on providers.

5. Because the Commission requires all providers to comply with the Annual Report and certification requirements, this information collection will affect smaller as well as larger providers. The Commission has taken steps to ensure that the reporting templates are competitively neutral and not unduly burdensome for any set of providers.

6. Collecting the information on a less frequent basis, or not at all, would undermine the Commission's efforts to ensure that IPCS is provided in accordance with the Commission's rules, including revised rate cap rules and revised rules concerning site commissions and ancillary service charges. It would also deprive the Commission, consumers and other affected parties of the ability to effectively monitor the IPCS marketplace, including IPCS rates and charges, and the associated practices.

7. No other special circumstances will apply to this information collection.

[33] On April 1, 2025, the Commission submitted for OMB review proposed revisions to this collection associated with the rules, other than the Annual Reports rule, that the Commission had adopted in the *2024 IPCS Order*. *See* FCC, Information Collections Being Submitted for Review and Approval to Office of Management and Budget, 90 FR 14370 (Apr. 1, 2025). On July 8, 2025, the Commission withdrew that request for OMB review. *See* Notice of Office of Management and Budget Action regarding Incarcerated People's Communications Services (IPCS) Provider Annual Reporting, Certification, and Other Requirements, WC Docket Nos. 23-62, 12-375, OMB Control No. 3060-1222, https://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=202503-3060-020 (July 8, 2025).

8. Pursuant to 5 CFR § 1320.8(d), the Commission published a 60-Day Notice seeking public comment in the Federal Register on March 6, 2025.[34] The only commenter, ViaPath, challenges the Commission's burden hours and total annual cost estimates.[35] We address ViaPath's arguments below.

The Commission's Burden Hours Estimate

Arguments. ViaPath states that the "[Commission] estimates it will take each IPCS provider between 5 and 160 hours to comply with the information collection requirements" and that this "in and of itself demonstrates the considerable burden on IPCS providers associated with completion" of their Annual Reports."[36] Additionally, ViaPath contends that the hours estimate is "substantially understated" because information must be reported at the correctional facility level.[37] ViaPath maintains that because it "currently serves hundreds of individual facilities," it would "far exceed the [Commission's"] time estimate" if it were to spend "only one hour per facility to collect, compile, and report in the multiple data categories required by the revised Annual Report."[38]

Response. As an initial matter, ViaPath's burden hour concern reflects a misunderstanding of the Commission's entries for "Estimated Time per Response" in its Federal Register notices. Instead of establishing a range, as ViaPath suggests, those entries reflect the portion of the data collection with the lowest annual burden hour estimate (five burden hours per respondent in both the 60-Day Notice and this Supporting Statement) and the portion of the data collection with the highest annual burden hour estimate (160 hours per respondent in the 60-Day Notice and 240 hours per respondent in this Supporting Statement). Thus, the "Estimated Time per Response" estimates apply to discrete parts of the collection and do not, as ViaPath suggests, provide a range for completion of the entire Annual Report, with some providers requiring only five hours and other providers requiring substantially more time.

This misunderstanding aside, the thrust of ViaPath's argument is that the Commission's burden hour estimate is "substantially understated" because of the number of facilities the company serves relative to other IPCS providers.[39] This argument is unavailing. As the Commission has recognized, ViaPath is the largest provider of IPCS "with an estimated market share approaching 50%."[40] In light of that market share, we would expect that ViaPath's response time would exceed any industry average, regardless of the number of estimated hours. The estimates that the Commission makes in this Supporting Statement for the average amount of time IPCS providers will take to complete their Annual Reports (160 hours) and annual certifications (five hours) are appropriate, particularly given the significant refinements and modifications already made in response to ViaPath's and other parties' comments supporting less burdensome reporting obligations.[41] We are therefore unpersuaded that our response time estimate is understated or otherwise inaccurate. Instead, we find that our burden hour

[34] *See* FCC, Information Collection Being Reviewed by the FCC, 90 Fed. Reg. 11415 (Mar. 6, 2025) (60-Day Notice).

[35] *See* Global Tel*Link Corporation d/b/a ViaPath Technologies Paperwork Reduction Act Comments, WC Docket Nos. 23-62 and 12-375 (rec. May 5, 2025) (ViaPath Comments).

[36] *Id*. at 4.

[37] *Id*. at 5.

[38] *Id*.

[39] *See id*.

[40] *See, e.g.*, *Rates for Interstate Inmate Calling Services*, WC Docket 12-375, Third Report and Order, Order on Reconsideration, and Fifth Further Notice of Proposed Rulemaking, Order, 36 FCC Rcd 9519, 9550, para. 74 (2021).

[41] *2025 Annual Reports Order* at 5, 10, paras. 10, 26.

estimate accurately measures the average number of annual hours it will take IPCS providers to comply with the information collection requirements now under review.

The Commission's Total Annual Cost Estimate

Arguments. OMB requires that agencies estimate both the "the total annual burden" and the "total annual cost" of their information collection requirements. In the 60-Day Notice, the Commission estimated that the total "annual burden" of the Commission's Annual Reporting and certification requirements applicable to IPCS would be 9,165 hours and that there would be no "total annual cost" from those requirements.[42] ViaPath argues that this latter estimate is "incorrect."[43] ViaPath reasons that "the statute defines the term 'burden' broadly, including 'time, effort, or financial resources expended by persons to generate, maintain, or provide information.'"[44] ViaPath further argues that "in addition to capital investments, agencies are directed to consider the 'recurring annual dollar amount of cost for all respondents associated with operating or maintaining systems or purchasing services' and the 'total annual reporting and recordkeeping cost burden,' including the 'costs associated with generating, maintaining, and disclosing or providing the information.'"[45] ViaPath also contends that "[e]mployee wage and benefit costs also are considered when an in-house employee is responsible for completion of an information collection on behalf of an employer."[46]

Response. ViaPath's argument regarding the Commission's total annual cost estimate reflects a misunderstanding of the relationship between the Commission's "total annual burden" and "total annual cost" estimates. The "total annual burden" figures provided in the 60-Day Notice and this Supporting Statement estimate the total number of work hours required to comply with the new and revised requirements of this information collection, and includes the cost of employee wages.[47] In contrast, the "total annual cost" figures provided in the 60-Day Notice and this Supporting Statement estimate any additional capital expenditures or operations and maintenance costs that IPCS providers will incur in complying with the information collection requirements beyond those they would incur in the normal course of business.

In the 60-Day Notice, the Commission estimated that the total "annual burden" of this information collection would be 9,165 hours and that there would be no "total annual cost" from the collection.[48] While ViaPath argues that there will be a "significant number of employee hours needed to complete the Annual Report" and that the Commission's cost estimate "ignores significant costs," ViaPath provides no concrete information regarding such costs and fails to recognize that the Commission's total annual burden estimate properly reflects the costs of employee time. ViaPath's comments therefore provide no basis for changing our annual burden and total annual cost estimates.

9. The Commission does not anticipate providing any payment or gift to respondents.

10. The *Protective Order* adopted in the Commission's IPCS proceeding provides confidential

[42] 60-Day Notice, 90 Fed. Reg. at 11415.

[43] ViaPath Comments at 5.

[44] *Id*. (quoting 44 U.S.C. § 3502(2)).

[45] *Id*.

[46] *Id*. at 5-6.

[47] This total includes the work hours associated with any non-recurring activities needed to initially comply with the Commission's information collection requirements, as well as the work hours associated with any recurring activities needed to comply with those requirements on an ongoing basis.

[48] 60-Day Notice, 90 Fed. Reg. at 11415.

treatment for the proprietary information submitted by providers in response to Commission directives.[49] The Commission will treat as presumptively confidential any particular information identified as confidential by the provider, in accordance with the Freedom of Information Act and Commission rules. Each confidential document should be stamped and submitted to the Secretary's Office with an accompanying cover letter, as specified by the *Protective Order*. This is standard practice when the Commission seeks competitively sensitive information for ratemaking or other purposes.

11. The information collection does not address any matters of a sensitive nature.

12. The following describes the burden hours associated with the collections of information discussed herein.

Revised Information Collection Requirements:

a. Reporting Requirement (Annual Reports):

(1) Number of respondents: Approximately 35.

(2) Frequency of response: Annual.

(3) Total number of responses annually: Approximately 35.

(4) Estimated Time per Response: Approximately **160 hours**.

35 respondents x approximately 160 hours per response x 1 response per respondent = 5,600 hours.

(5) Total annual burden: **5,600 hours**.

The Commission estimates that approximately 35 providers will on average require approximately 160 hours to comply with the reporting requirements.

(6) Total estimate of "in-house" costs to respondents: **$595,896**.

(7) Explanation of the calculation:

We estimate that respondents will use a variety of in-house personnel whose pay is comparable to that of mid-level to senior-level federal employees. For mid-level employees, we estimate that respondents will use personnel comparable in pay to a GS 13/Step 5 employee earning $65.48 per hour. For some specialized functions, we estimate that respondents will use personnel comparable in pay to a GS 14/5 employee earning $77.38 per hour. For regulatory attorneys, we estimate that respondents will use personnel comparable in pay to a GS 15/Step 5 employee earning $91.02 per hour. For upper management to supervise and review the work performed by the foregoing employees, we estimate that respondents will use personnel comparable in pay to a GS 15/Step 10 employee earning $93.53 per hour.

The simple average of these hourly wages is $81.85. We add a 30% overhead factor

[49] *Incarcerated People's Communications Services; Implementation of the Martha Wright-Reed Act; Rates for Inmate Calling Services*, WC Docket Nos. 23-62, 12-375, Protective Order, DA 23-298 (WCB Apr. 5, 2023). Filings that contain confidential information should be appropriately redacted and filed pursuant to the procedure described in that Order. *See also Rates for Interstate Inmate Calling Services*, WC Docket No. 12-375, Order, 35 FCC Rcd 9267 (WCB 2020) (clarifying non-confidential treatment for certain information).

($24.66 = 0.30 x $81.85) to this amount to capture the full range of costs providers will incur in complying with this information collection requirement. Because we lack the information that would allow us to quantify the extent to which providers will use employees in each of these hourly wage groups to comply with the section 64.6040(f) recordkeeping and disclosure requirements, we use the sum of these figures, $106.41 ($81.85 + $24.66), to estimate respondents' fully loaded per hour in-house costs.

Thus, approximately 5,600 hours per year x $106.41 per hour = $595,896 per year.

b. Certification of Information and Data in the Annual Reports:

(1) Number of respondents: Approximately 35.

(2) Frequency of response: Annual.

(3) Total number of responses annually: Approximately 35.

(4) Estimated Time per Response: Approximately **5 hours**.

35 respondents x 5 hours per response x 1 response per year per respondent = 175 hours.

(5) Total annual burden: Approximately **175 hours**.

The Commission estimates that approximately 35 providers will on average require approximately 5 hours of time per annual filing. Although there are minor changes to the certification form, the burden per provider has not changed.

Approximately 35 respondents annually x 1 response annually x 5 hours per response = 175 hours.

(6) Total estimate of "in-house" cost to respondents: **$21,875.**

(7) Explanation of the calculation:

The Commission estimates that 35 providers will be subject to this certification requirement.

We estimate that respondents will use 5 hours of an officer of the company's time (rate of approximately $125/hour) to satisfy this certification requirement.

Thus, approximately 175 hours per year x $125 = $21,875.

Previously-Approved Information Collection Requirements:

c. Section 64.6040(c) Requirements:

(1) Number of respondents: Approximately 35.

(2) Frequency of response: Annual.

(3) Total number of responses annually: Approximately 35.

(4) Estimated Time per Response: **40 hours**.

35 respondents x 40 hours per response x 1 response per year per respondent = 1,400 hours.

(5) Total annual burden: Approximately **1,400 hours**.

The Commission estimates that approximately 35 providers will require on average approximately 40 hours of time to comply with the requirements of section 64.6040(c).

Approximately 35 respondents annually x 1 response annually x 40 hours per response = 1,400 hours.

(6) Total estimate of "in-house" cost to respondents**:** **$148,974**.

(7) Explanation of the calculation:

We estimate that respondents will use a variety of in-house personnel whose pay is comparable to that of mid-level to senior-level federal employees. For mid-level employees, we estimate that respondents will use personnel comparable in pay to a GS 13/Step 5 employee earning $65.48 per hour. For some specialized functions, we estimate that respondents will use personnel comparable in pay to a GS 14/5 employee earning $77.38 per hour. For regulatory attorneys, we estimate that respondents will use personnel comparable in pay to a GS 15/Step 5 employee earning $91.02 per hour. For upper management to supervise and review the work performed by the foregoing employees, we estimate that respondents will use personnel comparable in pay to a GS 15/Step 10 employee earning $93.53 per hour.

The simple average of these hourly wages is $81.85. We add a 30% overhead factor ($24.66 = 0.30 x $81.85) to this amount to capture the full range of costs providers will incur in complying with this information collection requirement. Because we lack the information that would allow us to quantify the extent to which providers will use employees in each of these hourly wage groups to comply with the section 64.6040(f) recordkeeping and disclosure requirements, we use the sum of these figures, $106.41 ($81.85 + $24.66), to estimate respondents' fully loaded per hour in-house costs.

Thus, approximately 1,400 hours per year x $106.41 per hour = $148,974 per year.

d. Waiver Request Reporting Requirement:

(1) Number of respondents: Approximately 3.

(2) Frequency of response: On occasion reporting requirement as requested by filer.

(3) Total number or responses annually: Approximately 3.

(4) Estimated Time per Response: Approximately **80 hours** per provider.

(5) Total annual burden: Approximately **240 hours.**

The Commission estimates that approximately three providers will require approximately 80 hours on average to comply with this requirement annually.

Approximately 3 respondents x approximately 1 response annually x approximately 80 hours per response = approximately 240 hours.

(6) Total estimate of "in-house" cost to respondents: **$30,000**.

(7) Explanation of the calculation:

We estimate that respondents will use approximately 80 hours of professional personnel (rate of approximately $125 per hour) to satisfy this waiver request requirement.

Thus, 240 hours per year x $125 = $30,000.

e. Consumer Disclosure Requirement:

- Consumer Disclosure of Rates and Ancillary Service Charges:

(1) Number of respondents: Approximately 35.

(2) Frequency of response: Ongoing third-party disclosure requirement.

(3) Total number of responses annually: Approximately 35.

(4) Estimated Time per Response: Approximately **20 hours**.

We estimate that compliance will require approximately 20 hours per provider annually.

(5) Total annual burden: **Approximately 700 hours**.

We estimate that approximately 35 providers will require approximately 20 hours each to comply with this requirement.

Approximately 35 respondents x approximately 1 response per year per respondent x approximately 20 hours per response = Approximately 700 hours.

(5) Total estimate of "in-house" cost to respondents: **$74,487.**

(6) Explanation of the calculation:

We estimate that respondents will use a variety of in-house personnel whose pay is comparable to that of mid-level to senior-level federal employees. For mid-level employees, we estimate that respondents will use personnel comparable in pay to a GS 13/Step 5 employee earning $65.48 per hour. For some specialized functions, we estimate that respondents will use personnel comparable in pay to a GS 14/5 employee earning $77.38 per hour. For regulatory attorneys, we estimate that respondents will use personnel comparable in pay to a GS 15/Step 5 employee earning $91.02 per hour. For upper management to supervise and review the work performed by the foregoing employees, we estimate that respondents will use personnel comparable in pay to a GS 15/Step 10 employee earning $93.53 per hour.

The simple average of these hourly wages is $81.85. We add a 30% overhead factor ($24.66 = 0.30 x $81.85) to this amount to capture the full range of costs providers will incur in complying with this information collection requirement. Because we lack the information that would allow us to quantify the extent to which providers will use

employees in each of these hourly wage groups to comply with the section 64.6040(f) recordkeeping and disclosure requirements, we use the sum of these figures, $106.41 ($81.85 + $24.66), to estimate respondents' fully loaded per hour in-house costs.

Thus, approximately 700 hours per year x $106.41 per hour = $74,487 per year.

- Consumer Disclosure Billing Requirement:

  (1) Number of respondents: Approximately 35.

  (2) Frequency of response: Third-party-disclosure requirement.

  (3) Total number of responses annually: Approximately 35.

  (4) Estimated time per response: Approximately **30 hours**.

  We estimate that compliance will require approximately 30 hours per provider per year.

  (5) Total annual burden: **Approximately 1,050 hours**.

  The Commission estimates that approximately 35 providers will require approximately 30 hours each to comply with this requirement.

  Approximately 35 respondents x approximately 1 response per year per respondent x approximately 30 hours per response = approximately 1,050 hours.

  (6) Total estimate of "in-house" cost to respondents = **$111,730.50.**

  (7) Explanation of this calculation:

  We estimate that respondents will use a variety of in-house personnel whose pay is comparable to that of mid-level to senior-level federal employees. For mid-level employees, we estimate that respondents will use personnel comparable in pay to a GS 13/Step 5 employee earning $65.48 per hour. For some specialized functions, we estimate that respondents will use personnel comparable in pay to a GS 14/5 employee earning $77.38 per hour. For regulatory attorneys, we estimate that respondents will use personnel comparable in pay to a GS 15/Step 5 employee earning $91.02 per hour. For upper management to supervise and review the work performed by the foregoing employees, we estimate that respondents will use personnel comparable in pay to a GS 15/Step 10 employee earning $93.53 per hour.

  The simple average of these hourly wages is $81.85. We add a 30% overhead factor ($24.66 = 0.30 x $81.85) to this amount to capture the full range of costs providers will incur in complying with this information collection requirement. Because we lack the information that would allow us to quantify the extent to which providers will use employees in each of these hourly wage groups to comply with the section 64.6040(f) recordkeeping and disclosure requirements, we use the sum of these figures, $106.41 ($81.85 + $24.66), to estimate respondents' fully loaded per hour in-house costs.

  Thus, approximately 1,050 hours per year x $106.41 per hour = $11.730.50 per year.

Total Annual Burden Hours:

(a)	Reporting Requirement (Annual Reports):	5,600
(b)	Certification Requirement:	175
(c)	Section 64.6040(c) Requirements:	1,400
(d)	Waiver Request Reporting Requirement:	240
(e)	Consumer Disclosure Requirements:	
	- Disclosure of Interstate, Intrastate, and International Rates and Ancillary Service Charges:	700
	- Consumer Disclosure Billing Requirement:	1,050
	Total Hours:	**9,165.**

Total Respondents: 35.
Total Responses: 35 + 3 = 38.
Total In-House Costs: $595,896 + $21,875 + $148,974 + $30,000 + $74,487 + $111,730.50 = $982,962.50
Total Annual Burden Hours: 5,600 + 175 + 700 + 1,050 +240 +1,400 = 9,165.

13. Estimated operations and maintenance (O&M) costs of respondents resulting from the collection of information:

(a) Total capital start-up costs component annualized over its expected useful life: **$0**.

The collection will not result in additional capital expenditures such as computers or software.

(b) Total operation and maintenance and purchase of services component: **$0**. All respondents will file reports and certifications annually via the Commission's Electronic Comment Filing System, so operation and maintenance costs will be limited to costs incurred in the normal course of doing business, such as internet access.

(c) Total annualized cost requested: **$0**.

14. There are unlikely to be any additional costs to the Commission because the data will be submitted by IPCS providers in WC Docket Nos. 23-62 and 12-375 via the Commission's Electronic Comment Filing System, requiring no additional Commission resources to process or publish.

15. The Commission is reporting program changes/increases to this collection given the expansion of the Commission's jurisdiction under the Martha Wright-Reed Act to include advanced services, such as video IPCS. As a result of this expanded jurisdiction, the Commission's rules were amended to require that all IPCS providers, including providers of video IPCS and advanced communications services not previously covered, be subject to the annual reporting and certification rule. Since our last submission to OMB in November 2023, the total number of respondents has increased from 30 to 35 (+ 5) and reporting has been expanded to encompass video IPCS, including video visitation. As a result of these expansions, the burden estimate for completion of the Annual Reports has increased from

120 hours to 160 hours per provider (+ 40),[50] and the total annual burden hours have increased from 6,690 hours to 9,165 hours (+ 2,475).

As with the prior submission to OMB, we anticipate that three providers will file waiver requests annually, and we again add three additional responses related to the waiver request reporting requirement. The total number of responses has therefore increased from 35 to 38 (+ 3).

No adjustments are being reported in this submission to OMB.

16. The Commission does not anticipate publishing any of the information collected. Rather, non-confidential portions of the providers' Annual Reports and certifications will be available for public review via the Commission's ECFS.

17. The Commission is not seeking approval not to display an OMB expiration date.

18. There are no exceptions to the certification statement.

B. Collections of Information Employing Statistical Methods:

The Commission does not anticipate that the proposed collection of information will employ statistical methods.

[50] *See supra* Question 1, pages 3-4. As explained above, the Commission estimated 220 burden hours per provider in the 2023 60-Day Notice, resulting in a total burden hour estimate of 9,690 hours. Because it had not yet released an Order adopting revisions to the Annual Reports, the Commission reverted to the previously-approved 120 burden hour estimate per provider, which resulted in a lower total burden hour estimate of 6,690 hours in the 2023 30-Day Notice. We note that our current estimate of 160 burden hours per provider is in fact 60 hours lower than the 220 hour estimate in the 2023 60-Day Notice (- 60), because, in the *2025 Annual Reports Order*, the Commission streamlined and simplified much of the rate reporting and eliminated most reporting of site commissions and ancillary service charges.