



FCC ANNOUNCES CHANGES TO INTERNATIONAL REPORTING REQUIREMENTS; REQUIRES REPORTS FROM VOIP PROVIDERS

The Federal Communications Commission (“FCC”) released an order on January 15, 2013 (the “Order”) that made changes to the reporting requirements for U.S. providers of international telecommunications services. In addition to streamlining the traffic and revenue and circuit status reporting requirements, the FCC extended the obligation to report traffic and revenue to providers of international VoIP services connected to the public switched telephone network (“PSTN”).

Prior to the Order, U.S. providers of international telecommunications services were required to report their annual traffic and revenue pursuant to 47 C.F.R. § 43.61, and to report annually the number of circuits they own or lease and related services under 47 C.F.R. § 43.82. Under the Order, the two reporting requirements will be consolidated under one rule (47 C.F.R. § 43.62) and the FCC will develop a consolidated filing manual covering both reports. Other changes to the reporting requirements include:

- **Registration Form**: Filing entities will be required to file a registration form with both reports containing basic information about the filing and the entity itself.
- **Use of Statistical Methods**: Filing entities will be permitted to use estimation procedures such as statistical sampling where the provision of actual data is not possible.
- **Simplified Procedures for Seeking Confidential Treatment**: Filing entities will be permitted to seek confidential treatment for the information they provide in their reports simply by checking a box on the relevant form.

In addition, the Order eliminated the use of billing codes, eliminated the requirement to report the number of messages, and set a \$5 million annual revenue threshold below which a filing entity need not file annual traffic and revenue data for international resale services.

The Order also extended the obligation to file Traffic and Revenue reports to providers of VoIP services connected to the PSTN. The FCC noted that international calling generated by VoIP service is a significant and growing component of U.S. international calling markets, and expressed concern that it would not be able to understand these markets without adequate data regarding international VoIP services.

* * * * *

Please contact John Nakahata at 202-730-1320 or jnakahata@wiltshiregrannis.com, Brita Strandberg at 202-730-1346 or bstrandberg@wiltshiregrannis.com, or your Wiltshire & Grannis LLP attorney if you have questions or need assistance.

This client advisory is not intended to convey legal advice. It is circulated to our clients as a convenience and is not intended to reflect or create an attorney-client relationship as to its subject matter.