



**NETWORK ENHANCED TELECOM, LLP**

**dba NETWORKIP**

## **PORTFOLIO OF REGULATORY INFORMATION AND GUIDANCE**

***Disclaimer:*** The information contained in this portfolio is intended solely for use by NetworkIP's customers as a reference regarding regulatory compliance and reporting. Information contained herein should not be construed as legal advice. NetworkIP strongly urges its customers to seek legal counsel before making decisions regarding their regulatory requirements or before filing any of the reports or certifications described herein.

**NetworkIP also encourages its customers to visit NetworkIP's Regulatory page on its website at <http://www.networkip.net/resources/regulatory/> to find links to FCC registration pages and other helpful regulatory information.**

**NETWORK ENHANCED TELECOM, LLP  
PORTFOLIO OF REGULATORY INFORMATION AND GUIDANCE**

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# I.

## NETWORKIP REQUIREMENTS

**Before NetworkIP will allow a customer to begin running traffic, the customer must provide proof of the following registrations or exemptions.**

### A. 214 License

Application must be made with the FCC for issuance of this license. Due to the complexities of this application, NetworkIP recommends that the customer utilize a legal service for completion of this application. **See Section II. A for more information.**

### B. FCC Federal Registration Number (“FRN”)

The FRN can be easily obtained by accessing the FCC’s website. **See Section II. B for more information.**

### C. 499 Filer ID

The Filer ID is your company’s exclusive number assigned when a company files Form 499-A, Universal Service Fund Worksheet, for the first time. **See Section II. C for more information.**

### D. USF Certification and Sales Tax Exemption Forms

All of these forms are included with your contract package for completion and signature when you sign your contract.

#### **Federal Universal Service Fund Status Certification**

##### ***Foreign Carriers:***

Foreign carrier customers that do not resell services to U.S. end-users are generally not required to obtain a Filer 499 ID. This would include foreign carriers that originate and terminate traffic internationally, as well as foreign carriers that originate international traffic that is terminated in the U.S. The principle is that since the services are provided and billed to non-U.S. end-users in foreign countries, then those services (i.e., the services provided by the foreign carriers) are not subject to the USF program. Even though certain foreign carriers are not required to obtain a Filer 499 ID, NetworkIP still requires the USF Status Certification annually from these customers as a basis for its own revenue reporting.

Since revenue derived from these types of foreign carriers is not subject to USF contributions, NetworkIP would normally not need to bill these types of customers for USF. However, if NetworkIP’s underlying carriers are assessing USF charges on services provided to these customers, then NetworkIP would still treat these customers as “end-users” for purposes of passing the USF charges along.

**I.**  
**NETWORKIP REQUIREMENTS (continued)**

However, if a foreign carrier customer is originating and terminating U.S. domestic traffic, or if it is originating traffic from the U.S. to international locations, then it is providing interstate telecommunications services that would require the carrier to obtain a 499 Filer ID. These types of foreign carriers would be treated the same as any other carrier customer (depending on the designations on the carriers' USF Status Certifications), and would be subject to NetworkIP's USF pass-through charges to the extent that a customer is not a direct contributor.

## II. FCC REQUIREMENTS

### A. 214 License

#### FCC Section 214 Authorization

All telecommunications providers (including facilities-based carriers, resellers, prepaid calling card providers and many wireless service providers) offering calling between the U.S. and foreign points must obtain a certificate of authority under Section 214 of the Communications Act of 1934 ("Act"). In short, a 214 authorization is a license to offer international telecommunications service. Because this requirement stems from Section 214 of the Act, it is generally referred to as a "214 license", "214 authority", "214 certificate", "214 authorization", or simply "214".

It is unlawful to offer or advertise services allowing international calling without a 214 license. The FCC is authorized to fine providers which operate without a required 214 license up to \$150,000 for each day of a continuing violation, subject to an aggregate cap of \$1,500,000 (although typically penalties are much lower).

The 214 license is one of the core regulatory hurdles a new provider must overcome before entering the telecommunications marketplace. It is therefore important that providers which seek this authority fully understand the application process and the regulatory burdens it will impose upon their business.

Providers must obtain a 214 license before providing any international telecommunications services. The 214 license application process may take anywhere from a few weeks to several months. Companies with foreign ownership (meaning any owner that is not a U.S. citizen) are currently subject to an extended review process for 214 license applications, and should plan accordingly.

Below is an example of Proof of License obtained from the FCC's website.

File Number	P/E	Applicant Name	Status	Last Action	Date Expire	AFFPN Date
<a href="#">ITC-214-19990120-00052</a>	P	NETWORK ENHANCED TELECOM, LLP	Action Taken Public Notice	Grant of Authority		02/10/1999

## II. FCC REQUIREMENTS (continued)

### B. FCC Federal Registration Number (“FRN”)

The FRN is required on many FCC reports (including 214 license applications and 499 filings) and can be easily obtained by accessing the FCC’s website:

<https://fjallfoss.fcc.gov/coresWeb/publicHome.do>

This is a 10-digit number with a format of XXXX-XXXX-XX

### C. 499 FILER ID

This Filer ID is obtained by completing an Original 499-A on the Universal Service Administrative Company (“USAC”) website.

<http://www.usac.org/fund-administration/contributors/obtain-form499-filer-id/>

The first 499-A registration filing does not include revenue numbers, only Company and Contact information. (Subsequently, the 499-A is also used to report revenue on annual basis.) However, you must have obtained a Registered Agent physically located in Washington, D.C. and have available their contact information before filing this form. (see paragraph D below).

Once you have submitted the form on-line, you will get a confirmation email that is has been submitted. An original signed paper copy of the initial 499-A registration filing must also be sent to USAC before a Filer ID will be assigned. It usually takes several days up to a couple of weeks to receive the actual Filer ID number, which will be emailed to the officer and contact person listed on the filing. NetworkIP will accept the confirmation page until the actual Filer ID is received.

### D. FCC REGISTERED AGENT

The FCC requires that you have an Agent of Record physically located in the District of Columbia (Washington, DC) in order to have a contact for service of process if necessary. Below are 3 links to recommended Washington, DC attorneys. You must request permission from the attorney before using their name. Some attorneys charge a fee for this service.

Law Offices of Thomas K. Crowe, PC: <http://www.tkcrowe.com/>

Wilkinson Barker Knauer, LLP: <http://www.wbklaw.com/flash/index.htm>

The CommLaw Group  
Helein & Marashlian, LLC: <http://www.commlawgroup.com/>

## II. FCC REQUIREMENTS (continued)

### E. COMMUNICATIONS ASSISTANCE FOR LAW ENFORCEMENT ACT (CALEA) Systems Security and Integrity Plan

In response to concerns that emerging technologies such as digital and wireless communications were making it increasingly difficult for law enforcement agencies to execute authorized surveillance, Congress enacted CALEA on October 25, 1994. CALEA was intended to preserve the ability of law enforcement agencies to conduct electronic surveillance by requiring that telecommunications carriers and manufacturers of telecommunications equipment modify and design their equipment, facilities, and services to ensure that they have the necessary surveillance capabilities. Common carriers, facilities-based broadband Internet access providers, and providers of interconnected Voice over Internet Protocol (VoIP) service – all three types of entities are defined to be “telecommunications carriers” for purposes of CALEA section 102, 47 U.S.C. § 1001 – must comply with the CALEA obligations set forth in CALEA section 103, 47 U.S.C. § 1002. See [CALEA First Report and Order](#) (rel. Sept. 23, 2005).

All telecommunications carriers, as defined by CALEA section 102(8), must maintain up-to-date System Security and Integrity (SSI) plans with the Commission, as those plans are described in 47 C.F.R. § 1.20005. The initial SSI Plan must be filed before a telecommunications carrier begins providing services. CALEA requires telecommunications carriers to implement specific policies and procedures (including recordkeeping and authorization procedures) for handling law enforcement requests. The SSI Plan describes the company’s CALEA policies and procedures, and also provides the FCC with a designated CALEA contact to provide assistance with CALEA-related law enforcement requests.

For more information, access the following link: <http://www.fcc.gov/calea/>

### F. PERCENTAGE OF INTERSTATE USAGE (PIU) REPORT

Although the FCC requires prepaid calling card providers to file this report with their underlying carriers, NetworkIP does not require its customers to file this report with NetworkIP. The information needed for this report can be obtained by NetworkIP using its ODESSI traffic reports, so it is not necessary that the customer file this report. Since NetworkIP is already in possession of this information, it will consider the PIU report to have been timely submitted by its customers. However, some customers prefer to file the report with NetworkIP anyway, just so that they have record of having filed in case they should ever need to provide proof to the FCC for having done so. If customers have other underlying carriers, they will need to submit PIU reports to those carriers for services obtained from those carriers.

PIU Reports, if filed, must be certified by an officer of the company and submitted to underlying carriers by the 45<sup>th</sup> day of each quarter (February 14<sup>th</sup>, May 15<sup>th</sup>, August 14<sup>th</sup> and November 14<sup>th</sup>). PIU Reports must contain data on a state by state basis to include: (a) total percentage of interstate usage for all minutes originating or terminating in the state; (b) total call volume/minutes used to determine the interstate percentages; (c) percentage of interstate usage for minutes originating in the state; (d) percentage of interstate usage for minutes terminating in the state. For purposes of this report, international minutes should be treated as interstate minutes.

## II. FCC REQUIREMENTS (continued)

The PIU report must be coordinated with the data and revenue used for the corresponding FCC Form 499-Q, which reports historical interstate and international revenues for the prior quarter. At the end of each quarter (March 31<sup>st</sup>, June 30<sup>th</sup>, September 30<sup>th</sup>, and December 31<sup>st</sup>), a prepaid calling card provider must also file a certification with the FCC representing that the provider has complied with the PIU reporting requirements. **See Example at Exhibit A.**

### **G. Prepaid Calling Card Provider (“PCCP”) FCC Certification**

The FCC requires prepaid card providers to file quarterly certifications with the FCC, signed by an officer of the company under penalty of perjury, stating that the provider is in compliance with PIU and USF reporting requirements. The certification must also include the percentage of interstate, intrastate, and international calling card minutes for that reporting period. To facilitate USF contributions, and in addition to required FCC Form 499-A and Form 499-Q submissions, prepaid card providers must also certify the percentages of total prepaid calling card service revenues that are interstate and international and therefore subject to federal USF assessments for the reporting period. Lastly, the certification must include a statement that the company is making the required USF contributions based on the reported information. The percentages of interstate, intrastate and international calling card minutes for each reporting period reported to the FCC must not materially diverge from the revenues reported and projected on the FCC Forms 499-A and 499-Q submitted to the Universal Service Administrative Company. Certifications covering data for the prior quarter are due to the FCC by the end of the following quarter (March 31<sup>st</sup>, June 30<sup>th</sup>, September 30<sup>th</sup>, and December 31<sup>st</sup>). For example, the March 31<sup>st</sup> certification would cover data for the fourth quarter of the prior year. **See Example at Exhibits B, C, D and E.**

### **H. CUSTOMER PROPRIETARY NETWORK INFORMATION (CPNI) CERTIFICATION FILING**

The Federal Communications Commission (FCC) requires telecommunications service providers and interconnected VOIP providers to file a certification each year by March 1 stating whether they are in compliance with the FCC's Customer Proprietary Network Information (CPNI) rules. The certification must include a statement demonstrating compliance in specific categories. Consequently, companies should prepare a CPNI policy statement and, most importantly, implement compliant CPNI policies and procedures prior to the start of services.

The CPNI rules generally relate to the use of a customer's call detail and other service-related information for marketing or other purposes unrelated to the provision of service, and contain restrictions on when such information can be accessed and whether it can be given to a third party like a marketing agency, an affiliate or other company. In general, carriers must obtain a customer's approval to use their information for purposes unrelated to the provision of service, although in some cases the approval can be assumed unless the customer "opts out" of the use of their information. In cases of access to data that is personally identifiable, such as names and addresses, customer approval is generally always required and customers are never deemed to have automatically "opted-in." Carriers are also required to implement authentication procedures to ensure CPNI is not released unauthorized individuals such as "data brokers."



## II. FCC REQUIREMENTS (continued)

The Enforcement Bureau of the FCC has become very active in enforcing the Commission's CPNI certification requirement and you may have received a letter requesting information about whether you complied. If that is the case, contact an attorney immediately to discuss your response, as you generally only have 10 days to respond to the letter before the Enforcement Bureau begins to calculate and impose forfeitures which can amount to thousands of dollars.

The CPNI certification is due by March 1 of each year and certifies compliance with the CPNI rules for the immediately preceding year. You can file on paper with the Federal Communications Commission, but most carriers file using the Commission's Electronic Comment Filing Service in WC Docket No. 06-36. There is no filing fee imposed by the FCC. **See Examples attached at Exhibits F and G.**

### I. Rate Integration and Geographic Averaging Certification

Non-dominant providers of detariffed interstate interexchange (IXC) services must file their annual geographic rate averaging certification by May 1<sup>st</sup> of each year. IXCs must certify that they are in compliance with their geographic rate average and rate integration obligations under section 254(g) of the Communications Act. An officer of the company must sign the Certification under oath. **See Example at Exhibit H.**

### J. Section 43.21 Letter

Toll service providers with more than \$XXX million in gross operating revenues in the reporting year are required to file section 43.21(c) letters on April 1<sup>st</sup> of each year. (The revenue threshold increases each year to account for inflation). For the 2010, the revenue threshold was \$142 million (generated in calendar year 2009).

The section 43.21(c) letter should contain total toll revenues and gross telecommunications plant for the prior calendar year. The filing is due April 1 each year. Total toll revenues reported in the letter should equal the amounts reported in column A of FCC Form 499-A in the carrier's carrier toll categories, in end-user toll categories, and an appropriate share of revenues reported in line 403 [billings identified as recovering universal service obligations]. Section 43.21(c) letters should consolidate data for all affiliates, even where affiliates must file separate Form 499-A reports. Mail the section 43.21(c) letter to:

Office of the Secretary  
Attn: Industry Analysis & Technology Division,  
Mail Stop 1600F,  
Room 6-A162,  
Washington , DC 20554  
**See Example at Exhibit I.**

## II. FCC REQUIREMENTS (continued)

### K. International Telecommunications Traffic Report

Section 43.61 International Traffic Data - Reports of international telecommunications traffic. Section 43.61 of the Commission's rules require that each common carrier engaged in providing international telecommunications service between the continental United States, Alaska, Hawaii, and off-shore U.S. points and any country or point outside that area file a report with the Commission. Carriers are required to file the report on service provided in the preceding calendar year by July 31st. Revisions are due by October 31st.

The reporting requirements include information on actual traffic and revenue data for each service provided by the carrier, divided among service billed in the United States, service billed outside the United States, and service transiting the United States. The instructions for reporting are contained in the, Manual for Filing Section 43.61 Data, June 1995, available at the [Wireline Competition Bureau Statistical Reports](#). See Examples at Exhibit J and Exhibit K.

### L. Form 159-W FCC Regulatory Fees

FCC rules require telecommunications service providers to make annual contributions to fund FCC operations. The fees (for many providers) are based on the amount of interstate and international revenue reported on a provider's FCC Form 499-A. Failure to file the forms with the required payments by the due date will result in an automatic 25% late filing penalty. The FCC no longer sends invoices for regulatory fee bills and it is each provider's responsibility to affirmatively submit required information and pay these fees.

Providers are required to submit regulatory fee information electronically at:

<http://www.fcc.gov/fees/feefiler.html>

A copy of this form can also be found at:

<http://www.fcc.gov/Forms/Form159-W/159w.pdf>

### M. Form 499-Q

Once registered with USAC, providers must file quarterly FCC Forms 499-Q to report revenue on which the provider will be assessed USF contributions. Providers are then billed monthly based upon projections contained on the FCC Forms 499-Q, with payment required on a monthly basis.

If a customer has determined that they are De Minimis Status and have so noted on their Universal Service Fund Certification, then they are not required to file the 499-Q. However, the FCC requires De Minimis companies to prepare the De Minimis Worksheet quarterly for their own records to ensure their status has not changed. Companies are required to keep this worksheet and all supporting documentation in their records for a minimum period of five years, and the FCC or USAC may request it for auditing purposes.

## II. FCC REQUIREMENTS (continued)

### N. De Minimis Worksheet

This worksheet helps the customer determine if they are in a De Minimis Status for purposes of determining contributions to USAC for the Universal Service Fund. Customers must complete the De Minimis Worksheet each quarter to determine De Minimis Status for purposes of the FCC Form 499-Q filing. Customers should ensure that they use the most recent version of the De Minimis Worksheet as contained in the FCC Form 499-Q instructions. The most recent version of the Form 499-Q instructions can be obtained online from USAC or the FCC:

<http://www.usac.org/fund-administration/forms/>  
<http://www.fcc.gov/Forms/Form499-Q/499q.pdf>

In addition, NetworkIP audits its customer's USF status on a quarterly basis. If NetworkIP learns that a customer certified that they were De Minimis, but should be a Direct Contributor, they will require that the customer complete a new Universal Service Fund Certification. To the contrary, if a customer certified that they were a direct contributor, but should be De Minimis, NetworkIP will require that the customer complete a new Universal Service Fund Certification and will begin billing the customer for USF and might have to possibly backbill for prior quarters. **See worksheet at Exhibit L.**

### O. Form 499-A

Once registered with USAC, providers must file an annual FCC Form 499-A to report revenue on which the provider will be assessed USF contributions. Providers are billed based upon projections contained on the FCC Forms 499-Q with payment required on a monthly basis. The revenue reported on the FCC Form 499-A is also used to compute assessments for other programs, including the North American Numbering Plan, Local Number Portability, Telecommunications Relay Services programs and FCC Regulatory Fees. Even companies that are considered De Minimis must file the annual FCC Form 499-A to report revenue.

**PIU REPORT**

To: Company's Carriers  
 Carrier Name  
 Carrier Address  
 Carrier City, State and Zip Code

Re: Company Name; Percentage of Interstate Usage Report  
 for the XX Quarter of 20XX

Dear \_\_\_\_\_:

Company Name ("Company") hereby submits its prepaid calling card Percentage of Interstate Usage Report for the XX Quarter of 20XX ("PIU Report"), as required by Section 64.5001(a) of the Federal Communication Commission's ("FCC's") rules, 47 C.F.R. § 64.5001(a).

This PIU Report contains the information required by the FCC's rules and implementing order based on at least a one-day representative sample. If further information is required or requested by Carrier Name, please contact the undersigned. Since this PIU Report is timely submitted, Carrier Name may not apply a 50 percent default PIU to Company's traffic. See 47 C.F.R. § 64.5001(b).

The PIU Report information shall be treated as confidential and may not be circulated to third parties.

For the Quarter XXX 1, 20XX to XXX 31, 20XX the Company's PIU factors are as follows:

<b>STATE</b>	<b>PIU FACTOR</b> (Total Originating and Terminating interstate minutes for that state as a % of Total Minutes)	<b>CALL VOLUME</b> (Total Minutes of Use in the State Used to Calculate PIU Factor)	<b>ORIGINATING PIU</b> (Percentage of originating minutes that originate in state and terminate out of state)	<b>TERMINATING PIU</b> (Percentage of terminating minutes that terminate to the state from out of state)

Please contact the undersigned if you have any questions.

Sincerely,

**FCC CERTIFICATION COVER LETTER**

XXXXX XX, 20XX

**By Certified Mail**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12th Street, SW  
Washington, DC 20554

Re: Confidentiality Request; Company Name; FCC Certification for  
the XXXXXX Quarter of 20XX; WC Docket No. 05-68

Dear Ms. Dortch:

Please find enclosed an original and four (4) copies of Company Name's ("Company") prepaid calling card FCC Certification for the XXXXXX quarter of 20XX ("FCC Certification"). Company, by its counsel and pursuant to Sections 0.457(d) and 0.459 of the Commission's rules, hereby requests confidential treatment of its FCC Certification submitted concurrently with this request.

The FCC Certification is entitled to such treatment under 47 C.F.R. § 0.459(b) for the following reasons:

1. The information for which confidential treatment is requested contains percentage breakdowns of Company's XXXXXX prepaid calling card minutes and revenue.
2. The FCC Certification is submitted to the FCC pursuant to the requirements of Section 64.5001(c) of the Commission's rules.
3. The FCC Certification contains confidential commercial information afforded a high level of protection by law.
4. The prepaid calling card services at the core of this matter are widely subject to competition from many sources.
5. Company stands to suffer significant harm should its competitors and other third parties gain access to information concerning the percentage breakdowns of Company's XXXXXX quarter prepaid calling card minutes and revenue.
6. Company's competitors would be able to benefit from disclosures of this information to the disadvantage of Company.
7. In order to prevent unauthorized disclosure, Company has not disclosed the information for which confidentiality is requested to anyone except the Commission and, as required by Section 64.5001(a) of the Commission's rules, its underlying carriers.

## FCC CERTIFICATION COVER LETTER, PAGE 2

8. The information contained in this response is not available to the public and has not been previously divulged to the public.
9. Because the information contained herein consists of confidential information, Company requests that the material referenced herein remain confidential indefinitely.

Should you require further information, please contact the undersigned.

Respectfully submitted,

Name:  
Company Name:  
Phone:  
E-mail:

Enclosures

**FCC PREPAID CALLING CARD CERTIFICATION**

**COMPANY NAME**

**FCC Certification XXXXXX Quarter 20XX**

**XXXXX XX, 20XX**

I, \_\_\_\_\_, (Title) of Company Name ("Company"), under penalty of perjury, hereby certify, in compliance with Section 64.5001(c) of the Commission's rules (47 C.F.R. § 64.5001(c)) that the Company has complied with the prepaid calling card Percentage of Interstate Usage reporting requirements contained in Section 64.5001(a) of the Commission's rules, 47 C.F.R. § 64.5001(a). Company is making the required Universal Service contributions on the prepaid information reported below, as well as all other products subject to the Universal Service contribution requirement.

For the XXXXX quarter of 20XX (XXXXX 1, 20XX to XXXXX 31, 20XX), Company's percentages of prepaid calling card intrastate, interstate and international minutes were as follows:

Intrastate: \_\_\_\_\_%

Interstate: \_\_\_\_\_%

International: \_\_\_\_\_%

For the XXXXX quarter of 20XX, the Company's percentages of prepaid calling card interstate and international revenues were as follows:

Interstate: \_\_\_\_\_%

International: \_\_\_\_\_%

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Print Title: \_\_\_\_\_

**FCC CERTIFICATION COVER LETTER – REDACTED VERSION**

April 1, 2010

**BY ELECTRONIC SUBMISSION**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12th Street, SW  
Washington, DC 20554

Re: Company Name; FCC Certification for  
the XXXXX Quarter of 20XX; WC Docket No. 05-68

Dear Ms. Dortch:

Pursuant to Section 64.5001 (c) of the Commission's rules (47 C.F.R. § 64.5001 (c)), please find enclosed Company Name's ("Company") prepaid calling card FCC Certification for the XXXX quarter of 20XX ("FCC Certification"). Since Company is seeking confidential treatment of its FCC Certification, a redacted version is being simultaneously filed via the Commission's Electronic Comment Filing System.

Should you require further information, please contact the undersigned.

Respectfully submitted,

Name:  
Company Name:  
Phone:  
e-mail:

Enclosures



**FCC PREPAID CALLING CARD CERTIFICATION - REDACTED VERSION**

**COMPANY NAME**

**FCC Certification XXXXXX Quarter 20XX**

**XXXXX X, 20XX**

I, \_\_\_\_\_, (Title) of Company Name ("Company"), under penalty of perjury, hereby certify, in compliance with Section 64.5001(c) of the Commission's rules (47 C.F.R. § 64.5001(c)) that the Company has complied with the prepaid calling card Percentage of Interstate Usage reporting requirements contained in Section 64.5001(a) of the Commission's rules, 47 C.F.R. § 64.5001(a). Company is making the required Universal Service contributions on the prepaid information reported below, as well as all other products subject to the Universal Service contribution requirement.

For the XXXXXX quarter of 20XX (XXXXXX 1, 20XX to XXXXXX 31, 20XX), Company's percentages of prepaid calling card intrastate, interstate and international minutes were as follows:

Intrastate: [REDACTED]

Interstate: [REDACTED]

International: [REDACTED]

For the XXXXX quarter of 20XX, the Company's percentages of prepaid calling card interstate and international revenues were as follows:

Interstate: [REDACTED]

International: [REDACTED]

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Print Title: \_\_\_\_\_

**CPNI COVER LETTER**

BY Electronic Filing

XXXXX XX, 20XX

Marlene H. Dortch  
Office of the Secretary  
Federal Communication Commission  
445 12<sup>th</sup> Street, SW  
Suite TW-A325  
Washington, DC 20554

Re: Certification of CPNI Filing: EB Docket No. 06-36

Dear Ms. Dortch:

Company Name, hereby submits its CPNI compliance certificate and accompanying statement in accordance with Section 64.2009(e) of the Commission's Rules.

Please direct any questions regarding this submission to the undersigned.

Best Regards,

Enclosures

cc: Best Copy and Printing, Inc., [FCC@BCPIWEB.COM](mailto:FCC@BCPIWEB.COM) (via e-mail)

**CPNI CERTIFICATION**  
**Annual 47 C.F.R. § 64.2009(e) CPNI Certification**  
**EB Docket 06-36**

Annual 64.2009(e) CPNI Certification for [Insert year] covering the prior calendar year [Insert year]

Date filed: XXXXX XX, 20XX

Name of company covered by this certification: \_\_\_\_\_

Form 499 Filer ID: XXXXXX

Name of signatory:

Title of signatory:

I, \_\_\_\_\_, certify that I am (Title) of (Company Name) and acting as an agent of the company, that I have personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules. See 47 C.F.R. § 64.2001 *et seq.*

Attached to this certification is an accompanying statement explaining how the company's procedures ensure that the company is currently in compliance with the requirements (including those mandating the adoption of CPNI procedures, training, recordkeeping, and supervisory review) set forth in section 64.2001 *et seq.* of the Commission's rules.

To the best of my knowledge and belief, the company has not taken any actions against data brokers in the past year.

To the best of my knowledge and belief, the company has not received any customer complaints in the past year concerning the unauthorized release of CPNI.

The company represents and warrants that the above certification is consistent with 47. C.F.R. § 1.17 which requires truthful and accurate statements to the Commission. The company also acknowledges that false statements and misrepresentations to the Commission are punishable under Title 18 of the U.S. Code and may subject it to enforcement action.

Signed \_\_\_\_\_

**RATE INTEGRATION AND GEOGRAPHIC AVERAGING CERTIFICATION**  
**CERTIFICATION OF COMPLIANCE**

I, \_\_\_\_\_, hereby certify that I am (Title) for (Company Name) (“Company”), and that I am authorized to execute this certification on behalf of the Company.

To the best of my knowledge, information and belief, I certify that the Company’s transport rates comply with the geographic rate averaging and rate integration obligations pursuant to Section 254(g) of the Communications Act of 1934, as amended, and 47 C.F.R. §64.1900 in providing detariffed, interstate, domestic, interexchange services.

I certify under penalty of perjury that the foregoing is true and correct. Executed on XXXXX XX, 20XX.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Name – Please Print)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Company Name)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(City – State – Zipcode)

**SECTION 43.21 REPORT**

**Company Name**  
**Section 43.21 (c) 20XX**  
**XXXXX X, 20XX**

The following is provided as defined in the Commission's Rules:

Total Operating Revenues:           \$ \_\_\_\_\_

Gross Telecommunications Plant:    \$ \_\_\_\_\_

In order to ensure full compliance with the Commission's Rules, Company Name has included all toll revenue as reported in column A of FCC Form 499-A.

Respectfully submitted,

Name  
Title  
Company Name  
Phone:  
E-mail:

**INTERNATIONAL TRAFFIC REPORT CERTIFICATION LETTER**

**INTERNATIONAL TELECOMMUNICATIONS TRAFFIC REPORT  
CERTIFICATION**

I certify that I am an officer of (Company Name); that I have examined the foregoing report and that to the best of my knowledge, information and belief, all statements of fact contained in this report are true and that said report is an accurate statement of the affairs of the above named respondent in respect to the data set forth herein for the period of January 1, 20xx to December 31, 20XX.

Executed on \_\_\_\_\_.

\_\_\_\_\_  
Name:

Title:

Company Name:

(Persons making willful false statements in the report form can be punished by fine or imprisonment under the Communications Act, 47 U.S.C. 220 (e).)

Contact Person:

Name:

Title:

Phone Number:

**INTERNATIONAL TRAFFIC REPORT - IAD**IAD InternationalInternational Traffic and Revenue Report for Year XXXX filed pursuant to Section 43.61 of the Commission's Rules

International Message Telephone Service provided on a pure resale basis, including Call-back type service.

- I. Traffic originated from U.S. Domestic Points  
(does not include traffic between U.S. domestic points)
  - A. U.S. points Served: Alaska, Hawaii, Puerto Rico and the Conterminous United States
  - B. International points served are attached.
  - C. Traffic Data consolidated for Domestic U.S. points:
    - i. Messages
    - ii. Minutes
    - iii. Billed Revenue
  
- II. Traffic originated from America Somoa
  - A. International points served are attached.
  - B. Traffic Data:
    - i. Messages
    - ii. Minutes
    - iii. Billed Revenue
  
- III. Traffic originated from Guam
  - A. International points served are attached.
  - B. Traffic Data:
    - i. Messages
    - ii. Minutes
    - iii. Billed Revenue
  
- IV. Traffic originated from Mariana Islands
  - A. International points served are attached.
  - B. Traffic Data:
    - i. Messages
    - ii. Minutes
    - iii. Billed Revenue
  
- V. Traffic originated from Virgin Islands
  - A. International points served are attached.
  - B. Traffic Data:
    - i. Messages
    - ii. Minutes
    - iii. Billed Revenue

Figure 1: Table to determine if a contributor meets the *de minimis* standard for purposes of universal service contribution

1	Interstate contribution base for the quarter for filer (amount reportable on filer's FCC Form 499-Q; Line 120(b))	\$
2	International contribution base for the quarter for filer (amount reportable on filer's FCC Form 499-Q; Line 120(c))	\$
3	Interstate contribution base for the quarter for all affiliates* (total of amounts reportable on FCC Form 499-Q; Line 120(b) for all affiliates of the filer)	\$
4	International contribution base for the quarter for all affiliates (total of amounts reportable on FCC Form 499-Q; Line 120(c) for all affiliates of the filer)	\$
5	Consolidated interstate contribution base: Line (1) + Line (3)	\$
6	Consolidated international contribution base: Line (2) + Line (4)	\$
7	Total potential contribution base for filer and its affiliates: Line (5) + Line (6)	\$
8	Combined interstate contribution base as a percentage of total potential contribution base: Line (5) / Line (7)	%
9	Interstate contribution base for filer from Line (1)	\$
10	If the amount in Line (8) is equal to or greater than 12%, enter into Line (10) the international contribution base for the filer from Line (2). If the amount on Line (8) is less than 12%, enter \$0	\$
11	Revenue base for the filer for the quarter for determining contributions to universal service support mechanisms: Line (9) + Line (10)	\$
12	If the projected revenues on Lines (1) and (2) include projected pass-through charges for contributions to federal universal service support mechanisms, enter the total amount of projected pass-through charges. If the projected revenues on Lines (1) and (2) do not include any universal service pass-through charges, enter \$0.	\$
13	Contribution base; Line (11) – Line (12)	\$
14	Annualizing multiplier	4
15	Annualized contribution base; Line (13) multiplied by Line (14)	
16	Estimation factor for determining whether to file a 499-Q	0.123**
17	Estimated annual contribution: amount in Line (15) multiplied by Line (16)	\$
<p>* Unless otherwise specifically provided, an affiliate is a "person that (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with, another person." For this purpose, the term 'owns' means to own an equity interest (or the equivalent thereof) of more than 10 percent. See 47 U.S.C. § 153(1).</p> <p>** The estimation factor is based on a contribution factor of .140, which is higher than the contribution factor announced for any quarter of 2009, and a corresponding circularity factor of 0.12178. The public notices announcing the quarterly contribution factors for 2009 are available at <a href="http://www.fcc.gov/omd/contribution-factor.html">http://www.fcc.gov/omd/contribution-factor.html</a>. Actual contribution factors for future quarters may increase or decrease depending on quarterly changes in program costs and the contribution base. Filers whose actual contribution requirements total less than \$10,000 for the calendar year will be treated as <i>de minimis</i> and will receive refunds, if necessary. Filers whose actual contribution requirements total \$10,000 or more are required to contribute to the universal service support mechanisms and must file this Worksheet.</p>		

\*\* Please ensure you use the most recent version of the De Minimis Worksheet as the estimation percentage in Line 16 will change as USF contribution factors change. The most recent version of the Worksheet can be found in the latest version of the Form 499-Q instructions, and can be obtained online from USAC or the FCC:

<http://www.usac.org/fund-administration/forms/>  
<http://www.fcc.gov/Forms/Form499-Q/499q.pdf>



### **III.**

## **OTHER CONSIDERATIONS**

### **A. STATE CERTIFICATIONS**

Applying for State Certifications – The service provider that is listed on the back of a prepaid calling card must obtain and maintain a state certification (also known as a certification of public convenience and necessity, or “CPCN”) as an IXC and/or CLEC with the PUC/PSC in every state in which it sells intrastate telecommunications services. Other state regulatory filings, reports and contribution requirements may also apply.

### **B. STATE REGISTRATIONS**

Being qualified to do business in your state – should be registered and qualified to do business with the Secretary of State in the state where your business is registered and for states in which your company must apply for a state certification to provide intrastate telecommunications services.

Filing State Registration(s) - necessary when providing service and generating revenue in a particular state.

### **C. REGISTERED AGENTS**

Secretaries of State and PUC's require that you have a registered agent for service of process issues in each state where you are registered and/or certified.

### **D. DBA REGISTRATIONS**

If your company operates or advertises under any fictitious names, those names should be registered with the states in which you are doing business in that name.

### **E. PREPAID CALLING CARD DISCLAIMERS**

Providers of prepaid telecommunications services are subject to federal as well as state laws and regulations governing advertising and information disclosure with respect to such services. These laws and regulations, updated periodically by regulators, are administered by the Federal Trade Commission (“FTC”), Federal Communications Commission (“FCC”), state public utilities commissions (“PUCs”), and state attorneys general. The laws and regulations apply to companies which offer a physical prepaid calling card as well as, in many cases, companies which market virtual prepaid products via a website. Providers should consult with an attorney regarding compliance with these requirements.