



PUBLIC NOTICE

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FCC ANNOUNCES RELEASE OF FCC FORM 477 (LOCAL COMPETITION AND BROADBAND REPORTING FORM) FOR THE SEPTEMBER 1, 2001 FILING

In this Public Notice, the Federal Communications Commission (FCC) announces the release of the Local Competition and Broadband Reporting Form (FCC Form 477) for the September 1, 2001 filing,¹ and accompanying Instructions. Providers of broadband services and local telephone service that meet the defined reporting threshold, described below, are required to file Form 477. Filers should access the Commission's form page at <http://www.fcc.gov/formpage.html> to obtain the revised form and Instructions.

On March 24, 2000, the FCC adopted the Local Competition and Broadband Reporting program to determine the extent of local telecommunications competition and deployment of broadband services.² Data collected through this program advance the Commission's efforts to implement the pro-competitive, deregulatory provisions of the Telecommunications Act of 1996. Additionally, the information collected assists the Commission in its Congressionally-mandated inquiries as to whether "advanced telecommunications capability" is being deployed to all Americans in a reasonable and timely fashion.³

All providers of local telephone service that serve 10,000 or more voice-grade equivalent lines, or wireless channels, in a given state must file a Form 477 for that state.⁴ This obligation applies to both incumbent and competitive local exchange carriers (LECs) and applies without regard to the type of technology utilized by the LEC in delivering these services and without regard to the carrier's use of entry strategy (i.e., facilities-based, unbundled network elements, pure resale, or hybrid).

Facilities-based providers (as defined in Instructions for Form 477) that serve at least 250 one-way or two-way broadband (i.e., in excess of 200 kilobits per second) service lines, or wireless channels, in a given state (or have at least 250 customers for such service in a given state) must file a Form 477 for that

¹ Because September 1, 2001 is a Saturday and the following Monday is Labor Day, filings must be received no later than Tuesday, September 4, 2001.

² *Local Competition and Broadband Reporting*, Report and Order, FCC 00-114, CC Docket No. 99-301 (rel. Mar. 30, 2000) (*Data Gathering Order*).

³ *See Inquiry Concerning Deployment of Advanced Telecommunications Capability to All Americans in a Reasonable and Timely Fashion, and Possible Steps to Accelerate Such Deployment Pursuant to Section 706 of the Telecommunications Act of 1996*, Second Report, CC Docket No. 98-146, FCC 00-290 (rel. Aug. 21, 2000).

⁴ 47 C.F.R. § 43.11.

state.⁵ Such providers may include, but are not necessarily limited to, incumbent and competitive LECs, cable companies, fixed wireless providers, terrestrial and satellite mobile wireless providers, Multipoint Distribution Service (MDS) providers, utilities, and others. Entities that only resell the broadband services provided by other entities should not report broadband lines or customers on Form 477. In particular, an Internet Service Provider that purchases broadband service (e.g., DSL or cable modem service) from another entity and incorporates that service into its own Internet access service offering should not report such lines or customers.

As explained in greater detail in Instructions for Form 477, filers must send completed Form 477(s) via floppy diskette, or compact disk, to: Industry Analysis Division, Rm. 6-A220, 445 12th St, SW, Washington, DC 20554.

For further information, contact the Industry Analysis Division, Common Carrier Bureau, at (202) 418-0940 or via TTY at (202) 418-0484.

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⁵ 47 C.F.R. §§ 1.7000 *et seq.*