



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5

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ANNUAL SECTION 43.61(a) INTERNATIONAL TELECOMMUNICATIONS TRAFFIC REPORTS DUE AUGUST 1, 2011¹

Section 43.61(a) of the Commission's rules requires each common carrier that provided international telecommunications services in 2010 to file a report of its international traffic data for calendar year 2010 by July 31, 2011.² Because July 31 falls on a Sunday this year, the report is due on Monday, August 1, 2011.³ The Commission reminds carriers that facilities-based and facilities-resale traffic should be reported according to the codes for Traditional Settlement Arrangements and Non-Traditional Settlement Arrangements. Traditional Settlement Arrangements consist of traffic settled pursuant to the Commission's International Settlements Policy (ISP).⁴ Non-Traditional Settlement Arrangements consist of all traffic other than traditionally settled traffic.

All common carriers that provided international facilities-based and facilities-resale switched and private line services, or pure switched resale services, during calendar year 2010, are required to file the report regardless of the amount of traffic they provided. Facilities-based services are provided using international transmission facilities owned in whole or in part by the carrier providing the service. Facilities-resale services are provided by a carrier utilizing international circuits leased from other reporting international carriers. These are distinct from pure switched resale services, which are switched services that are provided by switching traffic to (and reselling the switched services of) underlying U.S.

¹ Although the Commission recently adopted rules making changes to Part 43 filing requirements, those changes do not take effect until 60 days after publication in the Federal Register, which has not yet occurred. *See Reporting Requirements for U.S. Providers of International Telecommunications Services, Amendment of Part 43 of the Commission's Rules*, IB Docket No. 04-112, First Report and Order and Further Notice of Proposed Rulemaking, FCC 11-76 (rel. May 13, 2011).

² 47 C.F.R. § 43.61(a).

³ 47 C.F.R. § 1.4(e) and (j).

⁴ *See* 47 C.F.R. §§ 43.51(e), 64.1001, 64.1002 (2009). In 2004, the Commission lifted the ISP requirements from agreements involving foreign carriers that do not have market power and on routes where the termination rates for U.S.-international services were below benchmark. *See International Settlements Policy Reform, International Settlement Rates*, IB Docket No. 02-234, First Report and Order, 19 FCC Rcd 5709, 5723-25, ¶¶ 27-28 (2004). Currently, 165 routes are exempted from the ISP. *See* http://www.fcc.gov/ib/pd/pf/isp_exempt.html. *See also U.S.-Cambodia Route Exempted from the International Settlements Policy*, IB Docket Nos. 02-324, 96-261, Public Notice, 20 FCC Rcd 963 (Int'l. Bur. 2005). For a discussion of benchmarks, *see International Settlement Rates*, IB Docket No. 96-261, Report and Order, FCC 97-280, 12 FCC Rcd 19806, 19806, ¶ 1 (1997); *Report and Order on Reconsideration and Order Lifting Stay*, 14 FCC Rcd 9256 (1999); *aff'd sub nom. Cable & Wireless P.L.C. v. FCC*, 166 F.3d 1224 (D.C. Cir. 1999).

carriers. International facilities-based and facilities-resale switched message telephone and private line services data must be filed on a country-by-country, region and world total basis. International switched telegraph, telex and other miscellaneous services data may be filed on a region and world total basis only. Carriers that provided international pure switched resale services for the calendar year may file world totals only.

Carriers should follow the instructions contained in the following documents when preparing and submitting their report to the Commission:⁵

- *Manual for Filing International Traffic Statistics Pursuant to Section 43.61 of the Commission's Rules*, Order, DA 95-1248, 10 FCC Rcd 13418 (1995) (*Section 43.61 Filing Manual*);
- *Clarification of Section 43.61 International Traffic Data Reporting Requirements* (rel. July 15, 1997);
- *Clarification of Section 43.61 International Traffic Data Reporting Requirements*, Public Notice, DA 98-1369, 13 FCC Rcd 12809 (1998);
- *Further Clarification of Section 43.61 International Traffic Data Reporting Requirements*, Public Notice, DA 99-1332, 14 FCC Rcd 11333 (1999);
- *Annual Section 43.61(a) International Telecommunications Traffic Reports Due by August 1, 2005*, Public Notice, DA 05-1963, 20 FCC Rcd 12052 (2005);
- *FCC Announces Change in Filing Location for Paper Documents*, Public Notice, DA 09-2529, 74 Federal Register 68543 (2009).

Carriers should also refer to the Attachments to this *Public Notice* for guidance in preparing and submitting their reports. Attachment 1 contains a table of billing codes for facilities-based and facilities-resale services. Carriers that wish to use Excel to create their reports should refer to Attachment 2, which includes a sample Excel filing-template with brief field descriptions for facilities-based/facilities-resale submissions.⁶ Attachment 3 lists international terminating points, which should be used by carriers that report country-by-country statistics. Carriers are reminded to contact the FCC at (202) 418-0945 for international terminating points not included in Attachment 3.⁷

Carriers that provided international facilities-based and facilities-resale services may submit their reports on compact disc (CD) media, DVD (optical disc storage) media, or a USB (Universal Serial Bus) flash drive. Each media must follow the correct format as set forth in Section 2 of the *Section 43.61 Filing Manual*, "Diskette Format and Coding Instructions." All files must be converted to the correct electronic format. Carriers should refer to Section 2.B. of the *Section 43.61 Filing Manual*, "Record Formats," for detailed instructions.

Facilities-based and facilities-resale carriers that provided switched or private line services should file an original and one copy of the transmittal letter, and an original and one copy of the public and confidential versions (if applicable) of the report, and one set of media for both the public and confidential versions with Marlene H. Dortch, Secretary, Federal Communications Commission, Office of the Secretary. Filing

⁵ Carriers may obtain these documents through the Commission's Electronic Document Management System (EDOCS) at http://hraunfoss.fcc.gov/edocs_public/SilverStream/Pages/edocs.html or from the following FCC sites: <http://www.fcc.gov/ib/sand/mniab/traffic/> and <http://www.fcc.gov/wcb/iatd/intl.html>.

⁶ To use Excel to create the file with a .436 file extension, click [File]; select [Save as]; and then, in the dialog box, click [Save as Type]; use the drop down box to select the file type "Formatted Text (Space Delimited)". This will re-save the spreadsheet with a ".prn" file extension. Carriers must then rename the spreadsheet to change the file extension to ".436". That is the version of the file to be filed with the Commission.

⁷ See *International Points Used for FCC Reporting Purposes* (rel. Apr. 1, 1994), available at <http://www.fcc.gov/wcb/iatd/intl.html>.

locations can be found at <http://www.fcc.gov/encyclopedia/electronic-and-hard-copy-filing-address>. The FCC is improving its website to allow electronic filing of Section 43.61(a) submissions for international pure switched resale providers. Pure switched resale providers may, if they wish, file their submissions electronically via the Internet to the following FCC secure mailbox address: 4361filings@fcc.gov. Carriers should indicate in the subject line of their e-mail to the FCC: Calendar Year 2010 Section 43.61(a). This information will be attached to the carrier's submission as an indication of the receipt date. Pure switched resale providers should use the successful delivery notification from the FCC as their indication the Commission received their information. Pure switched resale providers wishing to continue to file on paper instead of filing electronically should continue to send their information to the Commission's Secretary using the filing locations as indicated above. In addition, all carriers should mail one copy of the transmittal letter, the public version paper report, and the public version media (if applicable) to the Commission's duplicating contractor, Best Copy and Printing, Inc. at the address below. **Carriers should not include submissions for the contractor with their submissions for the Federal Communications Commission. Submissions for the contractor, should instead, be filed separately to the address below.**

The *Section 43.61 Filing Manual*, public notices, and international points reports referenced in this *Public Notice* are also available through the Commission's duplicating contractor: Best Copy and Printing, Inc., Portals II, CY-B402, 445 12th Street, S.W., Washington D.C. 20554, (1-800-378-3160, facsimile 202-488-5563) or at <http://www.bcpweb.com>.

For further information contact Linda Blake, Strategic Analysis and Negotiations Division, International Bureau (202) 418-0945, email: Linda.Blake@fcc.gov.

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