



PUBLIC NOTICE

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PROCESS FOR THE FILING OF ROUTES ON WHICH INTERNATIONAL SERVICE PROVIDERS HAVE DIRECT TERMINATION ARRANGEMENTS WITH A FOREIGN CARRIER

ITC-MS-20181015-00182

Initial Lists Must be Filed by: November 14, 2018

This public notice establishes the process for filing and maintaining the lists of routes required by Section 63.22(h) of the Commission's rules, which the Commission adopted when it eliminated the requirement to file annual Traffic and Revenue Reports in favor of relying on targeted data collections when necessary.¹ International facilities-based service providers must file and maintain a list of U.S.-international routes on which they have direct termination arrangements with a foreign carrier.² This requirement provides the Commission with the basic information that will allow it to tailor requests for information to only those providers having direct termination arrangements on particular routes, for example, for merger review and investigations of possible anticompetitive conduct on U.S.-international routes.

Pursuant to Section 0.457(d)(xi), we will treat the lists as not routinely available for public inspection.³ The international facilities-based service provider may choose to file the route list on a confidential basis during the filing process. If a service provider requests confidential treatment of its filing, such a request should be made in accordance with Section 0.459 of the Commission's rules.⁴

¹ *Section 43.62 Reporting Requirements for U.S. Providers of International Services; 2016 Biennial Review of Telecommunications Regulations*, IB Docket Nos. 17-55 and 16-131, Report and Order, 32 FCC Rcd 8115, 8124-26, paras. 19-22 (2017) (*Section 43.62 Report and Order*).

² 47 CFR § 63.22(h) ("A carrier shall file with the Commission a list of U.S.-international routes for which it has an arrangement with a foreign carrier for direct termination in the foreign destination. The carrier shall notify the Commission within 30 days after it adds a termination arrangement for a new foreign destination or discontinues arrangements with a previously listed destination. The list shall be filed electronically in accordance with instructions from the International Bureau.").

³ 47 CFR § 0.457(d)(xi).

⁴ 47 CFR § 0.459.

Filing Procedures

1. Process to File and Maintain Route List

Initial Route List. International facilities-based service providers with existing arrangements with a foreign carrier for direct termination in the foreign destination must submit their lists of all routes where they have such arrangements within thirty (30) days after the release of this public notice – **November 14, 2018.**⁵

A new international facilities-based service provider or one without existing direct termination arrangements must file its list within thirty (30) days of entering into a direct termination arrangement(s) with a foreign carrier(s).⁶

Maintaining the Route List. Thereafter, international facilities-based service providers must update their lists within thirty (30) days after adding a termination arrangement for a new foreign destination or discontinuing an arrangement with a previously listed destination.⁷

2. Content of Filing

International facilities-based service providers must file a document that includes:

- The name of the international facilities-based service provider (company name);
- A list of all international Section 214 authorizations held by the service provider (e.g., ITC-214-20010101-00001, ITC-MOD-20020202-00002);
- A list of all U.S.-international routes on which the service provider has a direct termination arrangement with a foreign carrier;
- If the filing is an update, a summary of the changes to the previously-reported routes; and
- A certification as to the completeness and accuracy of the information submitted by an officer of the international facilities-based service provider.⁸ The certification must contain:
 - the signature, name, and title of the certifying official;
 - the physical address, telephone number, and e-mail address of the certifying official; and
 - the service provider's official contact or attorney of record, including physical address, telephone number, and e-mail address.
- The Commission will not accept the route list unless it is accompanied by the requisite certification.

⁵ 47 CFR § 63.22(h).

⁶ *Id.*

⁷ *Id.*; see *Section 43.62 Report and Order*, 32 FCC Rcd at 8121, para. 21.

⁸ For the purposes of this certification, an officer is a person who occupies a position specified in the corporate by-laws (or partnership agreement, certificate creating a limited liability company, or comparable document) and is typically the president, vice president for operations, vice president for finance, comptroller, treasurer, or someone in a comparable position. If the service provider is a sole proprietorship, the owner must certify the accuracy and completeness of the route list.

3. Electronic Filing

Initial and updated route lists must be submitted to the Commission electronically via the International Bureau Filing System (IBFS), following the instructions below.

- Submit document in PDF format in IBFS at the following link:
 - <http://licensing.fcc.gov/myibfs/>
- Click on “Pleadings and Comments,” which appears on the left side of the screen under “Quick Search.” This will bring you to a page for filing non-docketed pleadings that asks for the information of the person or company making the submission.
- The first drop-down box asks what kind of submission is being filed.
 - Select “Letter”
- The second question asks if the filer is requesting confidential treatment.
 - Select the radial button next to “Yes” if you would like to request confidential treatment.
- The third section on this page allows you to enter an FCC Registration Number (FRN) that would import the filer’s identifying information and the information for the filer’s contact from the Commission’s Registration System (CORES). You are not required to enter an FRN but may do so. Every other field must be completed before proceeding.
- Once the filer/contact information has been completed, click “Next Step.”
 - On this screen, enter the file number – **ITC-MS-20181015-00182** – to ensure your submission gets uploaded into the correct file.
 - Click “Add File Numbers to Pleading List” and “Next Step” to continue until all file numbers have been entered.
- On the final page, upload the route list document. Use the “Replace/Attach” button in the right-hand column to add or edit any of the attachments and the “Delete Attachment” button at the bottom of the list to remove any of your attachments.

Filers are also encouraged to email a courtesy copy of the route list filing to internationalroutelist@fcc.gov. However, note that submitting a courtesy copy via email does not satisfy the Section 63.22(h) filing requirement.

For any questions on the route list requirements, please contact Kimberly Cook, Telecommunications and Analysis Division, International Bureau, (202) 418-7532 or Kimberly.Cook@fcc.gov. For any questions on filing via IBFS, please contact Adrienne McNeil, Telecommunications and Analysis Division, International Bureau, (202) 418-0412 or Adrienne.McNeil@fcc.gov.

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