



PUBLIC NOTICE

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WIRELINE COMPETITION BUREAU REMINDS PROVIDERS OF INMATE CALLING SERVICES OF THE APRIL 1, 2023 DEADLINE FOR ANNUAL REPORTS AND CERTIFICATIONS

WC Docket No. 12-375

By this Public Notice, the Wireline Competition Bureau (Bureau) reminds providers of inmate calling services that the deadline for the submission of annual reports and certifications, required pursuant to section 64.6060 of the Commission's rules, is April 1, 2023.¹ The forms and instructions for this year's annual reports and certifications are available at <https://www.fcc.gov/general/ics-data-collections>.² All required data must be submitted using the electronic Word and Excel templates provided by the Commission, and in a machine-readable and manipulable format.³ Public versions of the reports shall also be filed in the electronic Word and Excel template provided by the Commission, and in a machine-readable and manipulable format, using the Commission's Electronic Comment Filing System (ECFS) at <https://www.fcc.gov/ecfs/>.⁴

Any request for confidential treatment must adhere to the standard set forth in section 0.459(b) of the Commission's rules,⁵ as applied in the *ICS Annual Report Transparency Order*.⁶ In that *Order*, the Bureau explained that information in the 2019 Annual Reports regarding "facility names, inmate calling services rates, [and] the amounts of ancillary service charges" was not entitled to confidential treatment, given the "strong public interest in transparency surrounding rates, charges, terms, and fees for inmate calling services."⁷ The Bureau also denied confidential treatment of the information on average daily population, because it found no persuasive reason for protecting such information from public disclosure.⁸

¹ 47 CFR § 64.6060. Because April 1, 2023 is a Saturday, this year's filings are due no later than the next business day, Monday, April 3, 2023. See 47 CFR § 1.4(j).

² These forms and instructions reflect the changes adopted in *Rates for Interstate Inmate Calling Services*, WC Docket No. 12-375, Order, DA 22-676 (WCB June 24, 2022).

³ Instructions for Completing the Inmate Calling Services Annual Reporting Form (FCC Form 2301(a)) at 4-5, available at <https://www.fcc.gov/general/ics-data-collections> (ICS Annual Reporting Form Instructions (Current)).

⁴ See *id.*; Electronic Filing of Documents in Rulemaking Proceedings, 63 Fed. Reg. 24121 (May 1, 1998).

⁵ 47 CFR § 0.459(b); see *id.* § 0.459(c) (specifying that "[c]asual requests [for confidential treatment] (including simply stamping pages 'confidential') . . . will not be considered").

⁶ *Rates for Interstate Inmate Calling Services*, WC Docket No. 12-375, Order, 35 FCC Rcd 9267 (WCB 2020) (*ICS Annual Report Transparency Order*).

⁷ *Id.* at 9267, para. 1.

⁸ *Id.*

These same confidentiality determinations applied to the 2020 and 2021 Annual Reports⁹ and remain applicable to the Annual Reports due this April 2023, providing required information for calendar year 2022.

As a result, the Bureau expects the majority of each annual report to be filed publicly via ECFS, with only limited requests, if necessary, for redaction from public inspection. We remind providers that requests for confidential treatment will be reviewed and will not be granted unless warranted.

For further information, please contact Lee McFarland, Wireline Competition Bureau, Pricing Policy Division, at 202-418-1787, or at Lee.McFarland@fcc.gov.

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⁹ *Wireline Competition Bureau Reminds Providers of Inmate Calling Services of the April 1, 2022 Deadline for Annual Reports and Certifications*, WC Docket No. 12-375, Public Notice, DA 22-127 (WCB Feb. 9, 2022); *Wireline Competition Bureau Reminds Providers of Inmate Calling Services of the April 1, 2021 Deadline for Annual Reports and Certifications*, WC Docket No. 12-375, Public Notice, 36 FCC Rcd 4764 (WCB Mar. 3, 2021).