

incarcerated people’s COMMUNICATIONS SERVICES

Annual Reporting and Annual Certification

Forms (FCC Forms 2301(a) and 2301(b))

WC Docket Nos. 23-62, 12-375

**PROPOSED INSTRUCTIONS**

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# I. OVERVIEW

In the *2015 ICS Order*, the Federal Communications Commission (Commission or FCC) charged the Wireline Competition Bureau (Bureau or WCB) with implementing requirements designed to help the Commission monitor the rates, fees, and practices of Providers of Calling Services to incarcerated people (Inmate Calling Services or ICS).[[1]](#footnote-3) Specifically, the Commission directed the Bureau to develop an Annual Report that each ICS Provider must file regarding its Inmate Calling Services operations during the preceding calendar year. The Commission also directed the Bureau to develop related instructions and a template to gather this information, and required each ICS Provider to file an annual certification declaring its compliance with the Commission’s Inmate Calling Services rules during the preceding calendar year.[[2]](#footnote-4) These annual reporting and annual certification requirements are designed to help ensure transparency in ICS rates, fees, and practices, and to ensure that ICS Providers comply with the Commission’s rules.

Subsequent developments now require additional changes to the instructions, reporting templates, and certification form. In the *2022 ICS Order*, the Commission adopted requirements to improve access to communications services for incarcerated people with communication disabilities and expanded the scope of the Annual Reports to reflect those new requirements.[[3]](#footnote-5) Specifically, the Commission required ICS providers to list, at a minimum, for each facility served, the types of TRS that can be accessed from the facility and the number of completed calls and complaints for TTY-to-TTY calls, American Sign Language (ASL), point-to-point video calls, and each type of TRS for which access is provided.[[4]](#footnote-6) The Commission also eliminated the safe harbor, adopted in 2015, that had exempted providers from any TRS-related reporting requirements if they either (1) operated in a Facility that allowed the offering of additional forms of TRS beyond those mandated by the Commission or (2) had not received any complaints related to TRS communications.[[5]](#footnote-7) The Commission found that the safe harbor was no longer appropriate given the expanded reporting requirement for additional forms of TRS, and the importance of transparency into the state of accessible communications in incarceration settings.[[6]](#footnote-8) The Commission delegated authority to WCB and the Consumer and Governmental Affairs Bureau (CGB) (collectively, the Bureaus) to implement the expanded reporting obligations and to develop a reporting form that will most efficiently and effectively elicit the required information.[[7]](#footnote-9)

On January 5, 2023, the President signed into law the Martha Wright-Reed Just and Reasonable Communications Act of 2022, expanding the Commission’s statutory authority over communications between incarcerated people and the non-incarcerated to include “any audio or video communications service used by inmates . . . regardless of technology used.”[[8]](#footnote-10) The new Act also amends section 2(b) of the Communications Act of 1934, as amended (the Communications Act), to make clear that the Commission’s authority extends to intrastate as well as interstate and international communications services used by incarcerated people.[[9]](#footnote-11) In light of this expanded jurisdiction, ICS services are now called “Incarcerated People’s Communications Services” or “IPCS.”[[10]](#footnote-12)

On March 26, 2023, the Commission released the *2023 IPCS Notice*, seeking comment on how to interpret the Act’s language to ensure that the Commission implements the statute in a manner that fulfills Congress’s intent.[[11]](#footnote-13) Because the Commission is now required or allowed to consider certain types of costs, the Act contemplates that it would undertake an additional data collection.[[12]](#footnote-14) To ensure that it has the data necessary to meet its substantive and procedural responsibilities under the Act, the Commission adopted the *2023 IPCS Order* delegating authority to WCB and the Office of Economics and Analytics (OEA) to modify the template and instructions for the most recent mandatory data collection to the extent appropriate to timely collect such information to cover the additional services and providers now subject to the Commission’s authority.[[13]](#footnote-15) On July 26, 2023, WCB and OEA released an Order adopting instructions, a reporting template, and a certification form to implement the 2023 Mandatory Data Collection.[[14]](#footnote-16)

In the *2023 IPCS Order*, the Commission also reaffirmed and updated its prior delegation of authority to the Bureaus to revise the instructions and reporting templates for the Annual Reports.[[15]](#footnote-17) Specifically, the Commission delegated to the Bureaus authority to modify, supplement, and update the instructions and templates for the Annual Reports, as appropriate to supplement the information the Commission will receive in response to the 2023 Mandatory Data Collection.[[16]](#footnote-18) These Instructions and the accompanying templates and Annual Certification Form are designed to implement the Commission’s directives.[[17]](#footnote-19) Thus, the annual reporting instructions and forms have been amended to reflect the expanded reporting requirements regarding access to communications services by incarcerated people with communication disabilities, and to reflect the Commission’s expanded jurisdiction under the Martha Wright-Reed Act.

# II. GENERAL INSTRUCTIONS AND FILING REQUIREMENTS

## A. Who Must File

Each ICS Provider must submit a complete and accurate Annual Reporting Form (FCC Form 2301(a)) and Annual Certification Form (FCC Form 2301(b)) (collectively, FCC Form 2301) annually.[[18]](#footnote-20) This obligation extends to all parts of FCC Form 2301, including inquiries regarding Incarcerated People’s Communications Services that are not Inmate Calling Services.[[19]](#footnote-21) However, Incarcerated People’s Communications Services Providers that are not ICS Providers need not file FCC Form 2301.[[20]](#footnote-22)

Each group of affiliated Providers shall respond as a single entity, regardless of the number of separately incorporated companies or other entities within that group that provide ICS.

An entity is classified as a Provider if it provides ICS to people incarcerated in a Prison or Jail, as defined in Part III of these Instructions. In some instances, two entities work together to provide ICS to a particular Facility. We refer to the Provider that has the contractual or other arrangement with the Contracting Authority as the Contractor, and the Provider without that arrangement as the Subcontractor. Thus, an entity is classified as a Provider if it partners with or serves a Contractor, and also, for example, completes communications for incarcerated people, bills Consumers for those communications, and retains the revenue from those communications. Subcontractors are therefore not exempted from the definition of a Provider simply because they lack a direct contractual relationship with a correctional authority. Where a Subcontractor completes communications, but the Provider that holds the contract with the correctional authority bills Consumers for those communications and then pays the Subcontractor, that Subcontractor may also meet the definition of a Provider. In contrast, an entity that provides billing and collection for ICS provided by a separate entity and remits those revenues may not, without more, meet the definition of a Provider.

Providers (including all Contractors and Subcontractors, to the extent that their activities otherwise include the provision of Inmate Calling Services) must complete and file all sections of FCC Form 2301 unless otherwise indicated.

Throughout these Instructions, the terms “you” and “your” refer to any entities that must submit the FCC Form 2301. Part III, below, defines other terms used in these Instructions and in the Annual Reporting and Annual Certification Forms.

## B. What to File

You must fully and completely respond to each request for information in these Instructions using the Word and Excel templates and Annual Certification Form. Links to the these templates and form are provided in the Appendices. Once the Office of Management and Budget (OMB) has completed any review required by the Paperwork Reduction Act (PRA), the final templates and form will be available at <https://www.fcc.gov/general/ics-data-collections>. You must submit each template in a machine-readable and manipulatable format.

### 1. Annual Reporting Form

Your Annual Reporting Form shall consist of: (1) a Word document containing responses that require a narrative explanation (see Appendix A); and (2) an Excel spreadsheet containing responses that indicate specific numbers, percentages, and/or information (see Appendix B).

As a general matter, these Instructions direct you to enter your responses to requests for certain information or numbers at specific places in these templates. Provide your narrative responses in the Word template (see Appendix A). You must also use the Word template to provide any additional information needed to ensure that your response is full and complete, and to identify and explain any caveats associated with your response.

Unless otherwise stated, provide your responses for the Annual Reporting Form using the Excel template (see Appendix B). The Excel template has blank cells in which data are to be reported (unless there is an instruction not to enter data in the blank cell). Cells with zeros already present will be automatically populated with the Contract Identifiers and Facility Identifiers once they are entered in Tab B; those cells should not be manually populated. As instructed for specific worksheets, you may add additional rows or columns to the individual worksheets, following the same format as existing rows or columns, as necessary to complete your responses.

### 2. Annual Certification Form

You must complete the Annual Certification Form (see Appendix C) regarding the truthfulness, accuracy, and completeness of the Provider’s Annual Reporting Form and the Provider’s compliance with the Commission’s rules.

Submissions will be rejected and returned for correction and resubmission if made without a completed Annual Certification Form signed by an authorized officer of the Provider who, based on information and belief formed after reasonable inquiry, certifies that the statements and information contained in the Report are accurate and complete.

## C. Filing Deadline and Submission

The Annual Reporting and Annual Certification Forms for the preceding calendar year must be submitted by April 1 of each year.

You must submit public versions of your Annual Reporting and Annual Certification Forms by filing the completed forms electronically through the Commission’s Electronic Comment Filing System (ECFS), by accessing the ECFS at <https://www.fcc.gov/ecfs/>.

You may file any information that you believe should be afforded confidential treatment pursuant to the guidance and limitations in the *Protective Order* in these proceedings and by adhering to the standard set forth in section 0.459(b) of the Commission’s rules, the *ICS Annual Report Transparency Order*,and other applicable precedent.[[21]](#footnote-23) As the Bureau explained with regard to the 2019 Annual Reports, information regarding “facility names, inmate calling services rates, [and] the amounts of ancillary service charges” is not entitled to confidential treatment, given the “strong public interest in transparency surrounding rates, charges, terms, and fees for inmate calling services.”[[22]](#footnote-24) Similarly, information on a Facility’s Average Daily Population is not protected from public disclosure.[[23]](#footnote-25) Absent a compelling showing to the contrary, these determinations will apply to future Annual Report filings.

Confidential versions of the reports must be submitted to the Secretary’s office using the final Word and Excel templates, and in a machine-readable and manipulatable format, along with the final Annual Certification Form. You must also provide courtesy copies of the confidential filing to the Bureau via e-mail to [icsannualreport@fcc.gov](mailto:icsannualreport@fcc.gov).

## D. Compliance

We caution Providers that they must proceed in good faith and with absolute candor in preparing and filing their Annual Reporting and Annual Certification Forms.[[24]](#footnote-26) Persons willfully making false statements in an Annual Reporting Form or Annual Certification Form can be punished by fine or forfeiture, under the Communications Act of 1934, 47 USC. §§ [502](https://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title47-section502&num=0&edition=prelim), [503(b)](https://uscode.house.gov/view.xhtml?hl=false&edition=prelim&req=granuleid%3AUSC-prelim-title47-section503&num=0&saved=%7CZ3JhbnVsZWlkOlVTQy1wcmVsaW0tdGl0bGU0Ny1zZWN0aW9uNTAy%7C%7C%7C0%7Cfalse%7Cprelim), or by fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § [1001](https://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title18-section1001&num=0&edition=prelim).

# III. DEFINITIONS

All capitalized terms used in these Instructions are defined terms with the meaning assigned to them in this section, or are headings used in these Instructions.

Affiliates means any two or more companies, partnerships, or other legal entities where (a) one entity directly or indirectly owns or controls the other or others, (b) a Third Party controls or has the power to control both or all, (c) the entities share common ownership or have interlocking directorates, or (d) the entities share employees, equipment, and/or facilities. For purposes of this definition, the term “own” means to hold or control an equity interest (or the equivalent thereof) of more than 10%.

Alternative Method for Calculating Average Daily Population means any method other than dividing the sum of all inmates in a Facility for each day of a Year by the number of days in the Year.

Ancillary Services means services provided for or in connection with Audio IPCS or Video IPCS. Ancillary Services includes both Permissible Ancillary Services and Other Ancillary Services, as defined in these Instructions.

Ancillary Service Charges means any fees or charges Consumers may be billed for, or in connection with, IPCS that are not included in the per-minute charges assessed for individual audio communications, or the per-minute, per-session, or per-month charges assessed for video communications.

Ancillary Services Charge Rules means the FCC rules setting the maximum amounts Providers may charge for Ancillary Services. The Ancillary Service Charge Rules are set forth in 47 CFR § 64.6020, as may be subsequently amended by the Commission.

Annual Certification Form means FCC Form 2301(b).

Annual Reporting Form means FCC Form 2301(a). This form consists of (1) the Word template, FCC Form 2301(a)(1), and (2) the Excel template, FCC Form 2301(a)(2).

Audio IPCS means, for the purpose of this data collection, all services classified as Inmate Calling Services within the meaning of 47 CFR § 64.6000(j), including: (a) Interconnected VoIP; (b) Non-Interconnected VoIP; (c) all Telecommunications Relay Services (TRS), including the use of a device or transmission service to access TRS; and (d) all Point-to-Point Video Services made available to incarcerated people for communication in American Sign Language (ASL) with other ASL users.

Automated Payment Fees means credit card payment fees, debit card payment fees, and bill processing fees, including fees for payments made by interactive voice response, through the Internet, or by use of an Incarcerated People’s Kiosk or Incarcerated People’s Tablet.

Automated Payment Service means any service providing Customers of IPCS with credit card payment, debit card payment, and bill processing services, including enabling payments by interactive voice response, web, or Incarcerated People’s Kiosk or Incarcerated People’s Tablet.

Average Daily Population or ADP means the sum of all Incarcerated People in a Facility for each day of a Year, divided by the number of days in the Year.

Billed Minutes means the number of Audio IPCS and/or Video IPCS minutes supplied during a Year for which payment is demanded.

Billed Revenues means gross sales, without adjustment for uncollectable accounts or expenses related to producing these sales, derived from the number of units of a service supplied during a Year for which payment is demanded.

Consumer means the party paying a Provider of IPCS.

Contract Identifier means the “Unique Identifier for Contract” that the Provider used in its 2023 Mandatory Data Collection filing. If no Unique Identifier for Contract exists for a specific contract, the Provider shall create an identifier that consists of at least one alphabetic character. After the Contract Identifier is entered in tab B, Excel will automatically populate the appropriate columns in tabs C to L. As a result, the same Contract Identifier shall be provided on each tab that requests the Contract Identifier.

Contracting Authority means an entity with authority to enter into contracts on behalf of a Facility. It includes any Facility that does its own contracting.

Contractor means the Provider that has a contractual or other arrangement with a Contracting Authority to provide IPCS at a Facility.

Contractually Prescribed Facility Rate Component means the Facility-Related Rate Component set forth in 47 CFR § 64.6030(d)(2).

Contractually Prescribed Site Commission means a Site Commission payment, other than a Legally Mandated Site Commission payment, required pursuant to a contract negotiated between a Contracting Authority and a Provider.

Customer means the party paying a Provider of IPCS.

Disability Access Service means TRS, TTY-to-TTY calling, and Carceral Point-to-Point Video Service, or access to such services when offered by another provider.

Facility means a Prison or Jail. For the purposes of this data collection, other synonymous terms such as “correctional facility,” “correctional institution,” and “detention facility” refer to “Facility” as defined.

Facility Identifier means the “Unique Identifier for Facility” that the Provider used in its 2023 Mandatory Data Collection filing. If no Unique Identifier for Facility exists for a specific Facility, the Provider shall create an identifier that consists of at least one alphabetic character. The same Facility Identifier shall be provided on each tab that requests the Facility Identifier. After the Facility Identifier is entered in tab B, it will automatically populate the appropriate columns in tabs C to L.

Facility-Related Rate Component means either the Legally Mandated Facility Rate Component or the Contractually Prescribed Facility Rate Component as set forth in 47 CFR § 64.6030(d).

Fees for Single-Call and Related Services or Single-Call and Related Service Fees means billing arrangements whereby an Incarcerated Person’s collect communications are billed through a Third Party on a per-communication basis, where the called party or Incarcerated Person does not have an account with the Provider and does not want to establish an account.

Fixed Site Commission means a Site Commission that is assessed or paid without regard to IPCS usage or revenues. Fixed Site Commissions include, but are not limited to, minimum annual guaranteed payments, other lump-sum payments, and payments in-kind that Providers make pursuant to IPCS contracts.

Incarcerated People’s Communications Services or IPCS means the provision of telephone service; Interconnected VoIP Service; Non-Interconnected VoIP Service; Interoperable Video Conferencing Service; and any audio or video communications service used by Incarcerated People for the purpose of communicating with individuals outside the Facility where the Incarcerated Person is held, regardless of the technology used. Incarcerated People’s Communications Services include all services classified as Inmate Calling Services.

Incarcerated Person means a person detained in a Facility, regardless of the duration of the detention. These Instructions use “Incarcerated People” as the plural of “Incarcerated Person.”

Incarcerated People’s Kiosk means a self-service transaction machine that a Provider owns or leases and makes available to Incarcerated People at a Facility to obtain IPCS-Related Services, such as obtaining a calling card or depositing money in a prepaid account, or a stationary device that a Provider owns or leases and makes available at a Facility for Incarcerated People to access IPCS or to obtain IPCS-Related Products and Services. An Incarcerated People’s Kiosk may also be used to access Other Products and Services.

Incarcerated People’s Tablet means a portable device that a Provider owns or leases and makes available to an Incarcerated Person or to Incarcerated People at a Facility to access IPCS or to obtain IPCS-Related Products and Services, such as depositing money in a prepaid account. An Incarcerated People’s Tablet may also be used to access Other Products and Services.

In-Kind Site Commission means a Site Commission that does not take the form of a Monetary Site Commission.

Inmate Calling Services or ICS means a service that allows Incarcerated People to make calls to individuals outside the Facility where the Incarcerated Person is being held, regardless of the technology used to deliver the service. Inmate Calling Services includes both Interconnected VoIP and Non-Interconnected VoIP.

Interconnected Voice over Internet Protocol or Interconnected VoIP means a service as defined in 47 CFR § 9.3.

International Communication means a communication or transmission from any state, territory, or possession of the United States, or the District of Columbia to points outside the United States.

International Destination means the rate zone in which an International Communication terminates. For countries that have a single rate zone, International Destination means the country in which an International Communication terminates.

Internet Protocol Captioned Telephone Service or IP CTS means a Telecommunications Relay Service that permits an individual who can speak but who has difficulty hearing over the telephone to simultaneously listen to the other party and read captions of what the other party is saying. With IP CTS, captions are delivered to the relay service user via the Internet. *See* 47 CFR § 64.601(a)(23).

Internet Protocol Relay Service or IP Relay means a Telecommunications Relay Service that permits an individual with a hearing or a speech disability to converse with voice telephone users by using an Internet-enabled device to communicate in text with a TRS communications assistant via the Internet. *See* 47 CFR § 64.601(a)(24).

Interoperable Video Conferencing Service means a service that provides real-time video communications, including audio, to enable users to share information of the user’s choosing.

Interstate Communication means, pursuant to 47 U.S.C. § 153(28), communication or transmission (a) from any state, territory, or possession of the United States (other than the Canal Zone), or the District of Columbia, to any other state, territory, or possession of the United States (other than the Canal Zone), or the District of Columbia, (b) from or to the United States to or from the Canal Zone, insofar as such communication or transmission takes place within the United States, or (c) between points within the United States but through a foreign country. “Interstate Communication” shall not, for purposes of these Instructions, include wire or radio communication between points in the same state, territory, or possession of the United States, or the District of Columbia, through any place outside thereof, if such communication is regulated by a state commission.

Intrastate Communication means any communication that originates and terminates in the same state, territory, or possession of the United States (other than the Canal Zone), or the District of Columbia.

IPCS Provider or Provider of Incarcerated People’s Communications Services means any communications service provider that provides IPCS, as defined in 47 U.S.C. §§ 153, 276(d), regardless of the technology used. This definition includes all Contractors, as defined above, as well as all Subcontractors as defined below, to the extent that their activities include the provision of IPCS. All Providers are also IPCS Providers.

IPCS-Related Operations means the actions or tasks performed by the Provider or authorized personnel to deliver IPCS and associated Ancillary Services to Incarcerated People and those they communicate with, including but not limited to billing, customer service, and other requirements as determined by contract or by law. It excludes all Site Commission payments, including In-Kind Site Commission payments.

IPCS-Related Products and Services means any hardware, software, applications, devices, products, or services used by a Provider or under a Provider’s direction as part of its IPCS-Related Operations. IPCS-Related Services and Products also may support a company’s non-IPCS Services and Products.

Jail means a Facility of a local, state, or federal law enforcement agency that is used primarily to hold individuals who are: (a) awaiting adjudication of criminal charges; (b) post-conviction and committed to confinement for sentences of one year or less; or (c) post-conviction and awaiting transfer to another Facility. The term also includes city, county or regional Facilities that have contracted with a private company to manage day-to-day operations; privately owned and operated Facilities primarily engaged in housing city, county or regional Incarcerated People; Facilities used to detain individuals operated directly by the Federal Bureau of Prisons or U.S. Immigration and Customs Enforcement, or pursuant to a contract with those agencies; juvenile detention centers; and secure mental health facilities.

Legally Mandated Facility Rate Component means a rate component set forth in 47 CFR § 64.6030(d)(1).

Legally Mandated Site Commission means a Site Commission payment required by state statutes or regulations that are adopted pursuant to state administrative procedure statutes where there is notice and an opportunity for public comment, such as by a state public utility commission or similar regulatory body with jurisdiction to establish IPCS rates, terms, and conditions, and that operate independently of the contracting process between Facilities and Providers.

Live Agent Fee means a fee associated with the optional use of a live operator to complete IPCS transactions.

Live Agent Service means providing Customers of IPCS the optional use of a live operator to complete IPCS-related transactions.

Monetary Site Commission means a Site Commission that takes the form of a monetary payment.

Non-Interconnected VoIP Service means a service as defined in 47 CFR § 14.10.

Non-Internet Protocol Captioned Telephone Service (Non-IP CTS) means a Telecommunications Relay Service that permits an individual who can speak but who has difficulty hearing over the telephone to simultaneously listen to the other party and read captions of what the other party is saying. With Non-IP CTS, captions are delivered to the relay service user via the telephone network.

Other Ancillary Services means Ancillary Services other than Automated Payment Service, Live Agent Service, Paper Bill/Statement Service, Single-Call and Related Services, and Third-Party Financial Transaction Services. Other Ancillary Services can be associated with interstate, international, or intrastate, Audio or Video IPCS.

Other Products and Services means products and services other than Audio IPCS, Video IPCS, Safety and Security Measures, Automated Payment Service, Live Agent Service, Paper Bill/Statement Service, Single-Call and Related Services, Third-Party Financial Transaction Services, and Other Ancillary Services.

Paper Bill/Statement Fees means fees associated with providing Customers of IPCS an optional paper billing statement.

Paper Bill/Statement Service means providing Customers of IPCS a paper billing statement.

Permissible Ancillary Services means Automated Payment Service, Live Agent Service, Paper Bill/Statement Service, Single-Call and Related Services, and Third-Party Financial Transaction Services, as defined in these Instructions.

Point-to-Point Video Service means a point-to-point video service that enables a person with a hearing or speech disability to engage in real-time direct video communication in ASL with another ASL speaker. *See* 47 CFR § 64.601(a)(11).

Prison means a Facility operated by a territorial, state, or federal agency that is used primarily to confine individuals convicted of felonies and sentenced to terms in excess of one year. The term also includes public and private Facilities that provide outsource housing to other agencies such as the State Departments of Correction and the Federal Bureau of Prisons; and Facilities that would otherwise fall under the definition of Jail but in which the majority of Incarcerated People are post-conviction or are committed to confinement for sentences of longer than one year.

Provider, ICS Provider, and Provider of Inmate Calling Services means any communications service provider that provides Inmate Calling Services, regardless of the technology used, as defined in 47 CFR § 64.6000(s). This definition includes all entities acting as Subcontractors as defined below, to the extent that their activities otherwise include the provision of Inmate Calling Services. All Providers are also IPCS Providers.

Provider-Related Rate Component means the interim per-minute rate specified in either 47 CFR § 64.6030(b) or 47 CFR § 64.6030(c) that Providers at Jails with Average Daily Populations of 1,000 or more Inmates and all Prisons may charge for interstate Collect Calling, Debit Calling, Prepaid Calling, or Prepaid Collect Calling.

Rate Cap Rules means the FCC rules setting the maximum amounts Providers may charge for Inmate Calling Services subject to the FCC’s jurisdiction. The Rate Cap Rules are set forth in 47 CFR § 64.6030, as may be subsequently amended by the Commission.

Reporting Period means the Year immediately preceding the Year during which an Annual Report is due. For example, the Reporting Period for the Annual Report due in April 2024 is January 1, 2023 through December 31, 2023.

Revenue-Sharing Agreement means any agreement, whether express, implied, written, or oral that is: between a Provider or any Affiliate and a Third Party, such as a financial institution, or between a Provider and any of its Affiliates that, over the course of the agreement, directly or indirectly results in the payment of all or part of the revenue received from the provision of IPCS or any Ancillary Services to the other party to the agreement.

Safety and Security Measures means any safety or security surveillance system, product, or service, including any such system, product, or service that: helps the Facility ensure that Incarcerated People do not communicate with persons they are not allowed to communicate with; helps monitor and record on-going communications; or inspects and analyzes recorded communications. Safety and Security Measures also include other related systems, products, and services, such as a voice biometrics system, a personal identification number system, or a system concerning the administration of subpoenas concerning communications. The classification of a system, product, or service as a Safety and Security Measure does not mean that it is part of a Provider’s IPCS-Related Operations.

Single-Call and Related Services means billing arrangements whereby an Incarcerated Person’s collect communications are billed through a Third Party on a per-communication basis, where the called party does not have an account with the Provider or does not want to establish an account.

Site Commissions means any form of monetary payment, in-kind payment, gift, exchange of services or goods, fee, technology allowance, or product that a Provider or Affiliate of a Provider may pay, give, donate, or otherwise provide to an entity that operates a Facility, an entity with which the Provider enters into an agreement to provide IPCS, a governmental agency that oversees a Facility, the city, the county, or state where a Facility is located, or an agent of any such Facility.

Speech-to-Speech Relay Service or STS means a Telecommunications Relay Service that allows individuals with speech disabilities to communicate with voice telephone users through the use of specially trained communications assistants who understand the speech patterns of persons with speech disabilities and can repeat the words spoken by that person. *See* 47 CFR § 64.601(a)(41).

Subcontractor means an entity that provides IPCS at or for a Facility on behalf of a Provider that has a contractual or other arrangement with a Contracting Authority to provide IPCS at or for the Facility. A Subcontractor need not have a direct contractual relationship with a Contracting Authority.

Telecommunications Relay Services and TRS mean telephone transmission services that provide the ability for an individual who is deaf, hard of hearing, deaf-blind, or who has a speech disability to engage in communication by wire or radio with one or more individuals in a manner that is functionally equivalent to the ability of a hearing individual who does not have a speech disability to communicate using voice communication services by wire or radio. *See* 47 CFR § 64.601(a)(43). The six types of TRS are: Video Relay Service (VRS); Internet Protocol Relay Service (IP Relay); Internet Protocol Captioned Telephone Service (IP CTS); Non-Internet Protocol Captioned Telephone Service (Non-IP CTS); Speech-to-Speech Relay Service (STS); and Traditional (TTY-Based) TRS.

Termination Charges, as used herein, are the charges billed to the Consumer for terminating communications to the International Destination.

Text Telephone and TTY mean a machine that employs graphic communication in the transmission of coded signals through a wire or radio communication system. TTY supersedes the terms “TDD,” “telecommunications device for the deaf,” and “TT.” *See* 47 CFR § 64.601(a)(44).

Third Party means an entity that is not a Provider, including a Subcontractor, an Affiliate of a Provider, or a Facility.

Third-Party Financial Transaction Fees means the exact fees, with no markup, that Providers are charged by Third Parties to transfer money or process financial transactions to facilitate a Customer’s ability to make account payments via a Third Party.

Third-Party Financial Transaction Services means the transfer of money or the processing of financial transactions to facilitate a Customer’s ability to make account payments via a Third Party.

Traditional (TTY-Based) TRS means a Telecommunications Relay Service that allows a person with a hearing or speech disability to converse with voice telephone users by using a Text Telephone (TTY) to communicate in text with a TRS communications assistant via the telephone network.

TTY-to-TTY Call means a telephone call between people with hearing or speech disabilities, each of whom is using a TTY to communicate.

Variable Site Commissions means Site Commissions that are assessed on a per-unit basis, such as a per-minute basis, percentage of IPCS revenue, or number of IPCS devices at a Facility.

Video IPCS means any video communications service used by Incarcerated People for the purpose of communicating with individuals outside the correctional institution where the people are incarcerated, regardless of the technology used. It typically includes an integrated audio component, and excludes all services classified as Audio IPCS, as well as Other Products and Services, such as one-way entertainment, educational, religious, vocational, and instructional programming.

Video Relay Service and VRS mean a Telecommunications Relay Service that allows a person with a hearing or speech disability who uses sign language to communicate with voice telephone users through video equipment. The video link allows the communications assistant to view and interpret the party's signed conversation and relay the conversation back and forth with a voice caller. *See* 47 CFR § 64.601(a)(51).

Year means a calendar year, beginning January 1 and ending December 31 of any given year.

# IV. ANNUAL REPORT REQUIREMENTS

## ReadMe

The ReadMe worksheet provides an introduction and general guidelines for entering information in the cells in other worksheets. Do not enter anything in this worksheet.

## Crosswalk Excel to Instructions

This worksheet explains which portions of these Instructions correspond to which tabs in the Excel template. Do not enter anything in this worksheet.

## A. Basic Information

This section directs you to provide general information and data about the Provider and its Affiliates for the Reporting Period. Enter your responses for items IV.A.1 through IV.A.9 in the Excel template and your responses to items IV.A.10 through IV.A.14 in the Word template.

**(1) Provider Name:** Provide the name under which the Provider offers IPCS. If the Provider offers IPCS under more than one name, list all relevant names.

**(2) Reporting Period:** Provide the relevant time period for the information the report covers.

**(3) Officer Name, Title:** Provide the name and title of the officer completing and certifying FCC Form 2301(a). The officer may be the Chief Executive Officer (CEO), Chief Financial Officer (CFO), or other senior executive of the Provider who can attest to the truthfulness, accuracy, and completeness of the information provided.

**(4) Officer Telephone Number:** Provide the business telephone number with area code (containing ten digits) for the officer identified in item IV.A.3.

**(5) Officer E-Mail Address:** Provide the business e-mail address of the officer identified in item IV.A.3.

**(6) Total Number of Facilities Served by Provider:** Provide the total number of Facilities in which you offered IPCS during the Reporting Period. You must include Facilities that you no longer serve if you served them during the Reporting Period.

**(7) Number of Prisons Served by Provider:** Provide the number of Prisons in which you offered IPCS during the Reporting Period. You must include Prisons that you no longer serve, if you served them during the Reporting Period.

**(8) Number of Jails Served by Provider with Average Daily Population (ADP) Below 1,000:** Provide the number of Jails in which you offered IPCS during the Reporting Period that have an ADP below 1,000. You must include Jails that you no longer serve, if you served them during the Reporting Period.

**(9) Number of Jails Served by Provider with ADP of 1,000 or More:** Provide the number of Jails in which you offered IPCS during the Reporting Period that have an ADP of 1,000 or more. You must include Jails that you no longer serve if you served them during the Reporting Period.

**(10) Provider Name:** In the Word template, provide the name under which the Provider offers IPCS. List all relevant names if the Provider offers IPCS under more than one name.

**(11) Facilities Served Less than a Full Year:** In the Word template, provide the names of all Facilities that you served for less than a full year during the Reporting Period and the corresponding dates of your service (e.g., [Facility Name], from MM/DD/YYYY to MM/DD/YYYY). If you served all Facilities reported in item IV.A.6 during the entirety of the Reporting Period, enter “The Provider served each Facility listed in the Excel template throughout the entire Reporting Period” (without the quotation marks).

**(12) Explanation of Alternative Method for Calculating Average Daily Population:** In the Word template, provide the names of all Facilities for which the ADP reported reflects an Alternative Method for Calculating Average Daily Population. Describe in detail the method used to calculate ADP for each of those Facilities.

**(13) Narrative Description of a Subcontract to Provide IPCS:** If a Provider contracts with a Subcontractor to provide any aspect of IPCS, the Provider and the Subcontractor shall explain each such arrangement in the Word template of their respective Annual Reports. At a minimum, this explanation shall include:

(a) The name of the Provider with the contractual or other agreement with a Facility or Contracting Authority for the provision of IPCS;

(b) The name, address, and contact information of the Subcontractor;

(c) The services provided by the Subcontractor under the agreement;

(d) The Facility Identifier and address for the Facilities at which the Subcontractor provides services under the agreement;

(e) A description of the IPCS-Related Operations provided by the Provider;

(f) A description of the IPCS-Related Operations provided by the Subcontractor;

(g) A list of the types of IPCS and Ancillary Services billed by the Provider;

(h) A detailed description of any Revenue-Sharing Agreement between the Provider and the Subcontractor, including any such Agreement with regard to proceeds from those communications and Ancillary Services and

(i) A list of the types of IPCS and Ancillary Services billed by the Subcontractor and a description of any Revenue-Sharing Agreement between the Provider and the Subcontractor, including any such Agreement with regard to proceeds from those communications and services.

**(14) Additional Information:** In the Word template, provide any additional information needed to ensure that your entries for Basic Information are full and complete.

## B. Contract & Facility Information

This section directs you to report information about each contract and Facility you serve. All the requested information will be entered in the Excel spreadsheet. None of these responses will be entered in the Word template.

**(1) Contracting Parties:** In the three sub-columns, enter the requested information about each contract for the provision of IPCS that the Provider held during the Reporting Period.

**(1)(a) IPCS Contractor:** Enter the name of the IPCS Contractor for a particular contract.

**(1)(b) IPCS Subcontractor (if any):** Enter the name of any Subcontractor that provided IPCS related to that particular contract.

**(1)(c) Contracting Authority:** Enter the name of the Contracting Authority, such as a state or county name, that was a party to that contract.

**(2) Contract Identifier:** As explained in the Definitions, the Provider shall provide the “Unique Identifier for Contract.”

**(3) Facilities Covered by Contract:** In the two sub-columns, list the Facilities covered by the identified contract. If there is more than one Facility covered by a contract, use separate rows in the worksheet for each Facility, and repeat 1(a), 1(b), 1(c) and (2) for each of those rows.

**(3)(a) Facility Name:** Enter the name of the Facility.

**(3)(b) Facility Identifier:** As explained in the Definitions, the Provider shall provide the “Unique Identifier for Facility.”

**(4) Location of Facilities:** In the six sub-columns, enter the location of the Facility and its geographical coordinates. This location shall be the physical location of the Facility, not the mailing address. Thus, no PO boxes will be accepted.

**(4)(a) Facility Street Number and Name:** Enter the street number and name of the Facility.

**(4)(b) Facility Building Identifier (if one exists):** Enter the building identifier for the Facility, if one exists.

**(4)(c) Facility City:** Enter the name of the city where the Facility is located. If the Facility is not located in a city, enter the name of the municipality, town, township, village, borough or other identifier used as the location of the Facility.

**(4)(d) Facility State:** Enter the two-letter postal abbreviation for the state where the Facility is located.

**(4)(e) Facility ZIP:** Enter the five-digit ZIP code, or the ZIP+4 code (entered as five digits, a hyphen, and four digits, with no spaces in between) associated with the Facility’s street address.

**(4)(f) Geographical Coordinates:** Enter the geographical coordinates of each listed Facility. Use decimal degrees (DD) to express latitude and longitude geographic coordinates. (These coordinates can be identified using a geocoding application available on the Internet.) Do not use the words “latitude” or “longitude,” or any abbreviations of those words.

**(5) Facility Type:** In this column, indicate whether the relevant Facility is a Prison or a Jail by selecting “Prison” or “Jail” from the drop-down menu.

**(6) Average Daily Population (ADP):** In this column, provide the ADP that corresponds to each Facility that the Provider listed in response to item IV.B.3. You may enter only an integer in this column.

## C. Intrastate and Interstate Audio IPCS Rates

This section directs you to report intrastate and interstate Audio IPCS rates you charged at each Facility you served during the Reporting Period. Enter your responses to items IV.C.1.a through IV.C.1.c and IV.C.2.a through IV.C.2.d in the Excel template, and your responses to items IV.C.1.d, IV.C.1.e, and IV.C.2.e in the Word template.

**Contract & Facility Information from Tab B:**

**Contract Identifier:** The Contract Identifier should automatically be populated in this column after it is entered in tab B. Check to make sure the unique Contract Identifier in this tab correctly aligns with your data in this tab.

**Facility Identifier:** The Facility Identifier should automatically be populated in this column after it is entered in tab B. Check to make sure the unique Facility Identifier in this tab correctly aligns with your data in this tab.

**(1) Intrastate Rates:** In these columns, provide information pertaining to rates you charged for intrastate Audio IPCS communications from each Facility you served during the Reporting Period. For the first two categories listed below—Highest and Highest Year-End—provide, for each Facility: (a) the total amount charged for a 15-minute call; (b) the amount charged for the first minute of that call; and (c) the amount charged per minute for each additional minute of that call. If your per-minute rate at a Facility did not vary, then enter the same rate in each of the relevant sub-columns.

**(1)(a) Highest 15-Minute Rate:**

**(1)(a)(i) 15-Minute Rate:** Report the highest amount you charged for a 15-minute intrastate Audio IPCS communication from each Facility during the Reporting Period in sub-column (1)(a)(i). If you offered different intrastate rate plans within the Reporting Period or changed intrastate rates during the Reporting Period, you must report the rate combination that resulted in the highest 15-minute rate even if a lower 15-minute rate was also available to Consumers at some point during the Reporting Period.

**(1)(a)(ii) First Minute Rate:** You must break down the highest 15-minute rate you entered in sub-column (1)(a)(i) into two individual per-minute rates and enter the rate for the first minute in sub-column (1)(a)(ii).

**(1)(a)(iii) Additional Minute Rate:** You must break down the highest 15-minute rate you entered in sub-column (1)(a)(i) into two individual rates and enter the rate for each additional minute in sub-column (7)(a)(iii).

EXAMPLE: If you provided intrastate Audio IPCS at $0.11 for the first minute and $0.10 per minute for each additional minute during the first six months of the Reporting Period, and at $0.09 for the first minute and $0.11 per minute during the remainder of the Reporting Period, your former rate combination would result in total charges of $1.51 = (0.11 + (0.10\*14)) for a 15-minute call, and your latter rate combination would result in total charges of $1.63 = (0.09 + (0.11 \* 14)) for a 15-minute call. You therefore would report $1.63 in sub-column (1)(a)(i), $0.09 in sub-column (1)(a)(ii), and $0.11 in sub-column (1)(a)(iii).

**(1)(b) Highest Year-End 15-Minute Rate:**

**(1)(b)(i) 15-Minute Rate:** Report the highest amount you charged for a 15-minute intrastate Audio IPCS communication from each Facility on December 31 in sub-column (1)(b)(i). If you offered different intrastate rate plans on December 31, you must report the rate combination that resulted in the highest 15-minute rate even if a lower 15-minute intrastate rate was also available to Consumers on December 31. For Facilities that you no longer served as of December 31, enter the number zero.

**(1)(b)(ii) First Minute Rate:** You must break down the highest year-end 15-minute rate you entered in (1)(b)(i) into two individual rates, and enter the first minute rate in sub-column (1)(b)(ii). For Facilities that you no longer served as of December 31, enter the number zero.

**(1)(b)(iii) Additional Minute Rate:** You must break down the highest year-end 15-minute rate you entered in sub-column (1)(b)(i) into two individual rates, and enter the rate for each additional minute in sub-column (1)(b)(iii). For Facilities that you no longer served as of December 31, enter the number zero.

**(1)(c) Average Per-Minute Rate:** Report the average per-minute rate you charged for intrastate Audio IPCS communications from each Facility during the Reporting Period. This average shall equal the total Billed Revenues from charges for intrastate Audio IPCS communications from the Facility during the Reporting Period (excluding any revenues from Ancillary Services) divided by the total Billed Minutes of intrastate Audio IPCS from that Facility during the Reporting Period.

**(1)(d) Alternative Rate Structures:** If you have implemented any rate structure other than per-minute rates for intrastate Audio IPCS communications from any Facility, explain in detail in the Word template.

**(1)(e) Additional Information:** In the Word template, provide any additional information needed to ensure that your entries for intrastate Audio IPCS Rates are full and complete.

**(2) Interstate Rates:** In these columns, provide information pertaining to rates you charged for interstate Audio IPCS communications from each Facility you served during the Reporting Period. For the first two categories listed below—Highest and Highest Year-End—provide, for each Facility: (a) the total amount charged for a 15-minute call including both the Provider-Related Rate Component and any Facility-Related Rate Component; (b) the amount charged for the first minute of that call; (c) the amount charged per minute for each additional minute of that call; and (d) any Facility-Related Rate Component of the amount charged per minute of that call. If your per-minute rate at a Facility did not vary, then enter the same rate in the relevant sub-columns.

**(2)(a) Highest 15-Minute Rate:**

**(2)(a)(i) Highest 15-Minute Rate:** Report the highest amount you charged for a 15-minute interstate Audio IPCS call from each Facility during the Reporting Period in sub-column (2)(a)(i). If you offered different interstate rate plans within the Reporting Period or changed interstate rates during the Reporting Period, you must report the rate combination that resulted in the highest 15-minute rate even if a lower 15-minute rate was also available to Consumers at some point during the Reporting Period. You must calculate the highest 15-minute rate by including both the Provider-Related Rate Component and any Facility-Related Rate Component of your per-minute interstate rates.

**(2)(a)(ii) First Minute Rate:** You must break down the highest 15-minute rate you entered in sub-column (2)(a)(i) into two individual per-minute rates and enter the first minute rate in sub-column (2)(a)(ii). This total first minute rate should include both the Provider-Related Rate Component and any Facility-Related Rate Component.

**(2)(a)(iii) Additional Minute Rate:** You must break down the highest 15-minute rate you entered in sub-column (2)(a)(i) into two individual rates and enter the rate for each additional minute in sub-column (2)(a)(iii). This total additional minute rate should include both the Provider-Related Rate Component and any Facility-Related Rate Component.

**(2)(a)(iv) Per-Minute Facility-Related Rate:** Report the Facility-Related RateComponent of your per-minute interstate Audio IPCS rates applied in calculating the Highest 15-Minute Rate you entered in (2)(a)(i). This Facility-Related Rate Component must equal the sum of the Legally Mandated Facility-Related Rate Component and the Contractually-Prescribed Facility Related Rate Component. If the Facility is a Jail with an ADP of less than 1,000, leave this cell blank.

EXAMPLE: If you provided interstate Audio IPCS at $0.11 for the first minute and $0.10 per minute for each additional minute during the first six months of the Reporting Period, Then the charge for a 15-minute communication for the first six months would be $1.51 = ($0.11 + ($0.10 \* 14)). Then, if you charged $0.09 for the first minute and $0.11 per minute for each additional minute, during the remaining six months of the Reporting Period, then the charge for a 15-minute call for the last six months would be $1.63 = ($0.09 + ($0.11 \* 14)). Thus, the $1.63 charge in the last six months would be higher than the $1.51 charge in the first six months. You therefore would report $1.63 in sub-column (2)(a)(i). Then, you must report $0.09 in sub-column (2)(a)(ii), and $0.11 in sub-column (2)(a)(iii). If the $0.09 and $0.11 per-minute rates included $0.02 per-minute as the Facility-Related Rate Component, then enter $0.02 in sub-column (2)(a)(iv), which asks for the per-minute Facility-Related Rate Component alone.

**(2)(b) Highest Year-End 15-Minute Rate:**

**(2)(b)(i) Highest 15-Minute Rate:** Report the highest amount you charged for a 15-minute interstate Audio IPCS communication from each Facility on December 31 in sub-column (2)(b)(i). If you offered different interstate rate plans on December 31, you must report the rate combination that resulted in the highest 15-minute rate even if a lower 15-minute interstate rate was also available to the Consumers on December 31. You must calculate the highest 15-minute rate by including both the Provider-Related Rate Component and any Facility-Related Rate Component of your per-minute interstate rates. For Facilities that you no longer served as of December 31, the number zero**.**

**(2)(b)(ii) First Minute Rate:** You must break down the highest year-end 15-minute rate you entered in (2)(b)(i) into two individual rates, and enter the first minute rate in sub-column (2)(b)(ii). This total first minute rate should include both the Provider-Related Rate Component and any Facility-Related Rate Component. For Facilities that you no longer served as of December 31, enter the number zero.

**(2)(b)(iii) Additional Minute Rate:** You must break down the highest year-end 15-minute rate you entered in sub-column (2)(b)(i) into two individual rates and enter the rate for each additional minute in sub-column (2)(b)(iii). This total additional minute rate should include both the Provider-Related Rate Component and any Facility-Related Rate Component. For Facilities that you no longer served as of December 31, enter the number zero.

**(2)(b)(iv) Per-Minute Facility-Related Rate:** Report your Facility-Related RateComponent of your per-minute interstate rates applied in calculating the Highest 15-Minute Rate you entered in (2)(b)(i). This Facility-Related Rate Component must equal the sum of the Legally Mandated Facility-Related Rate Component and the Contractually-Prescribed Facility Related Rate Component. For Facilities that you no longer served as of December 31, enter the number zero. If the Facility is a Jail with ADP of less than 1,000, leave this cell blank.

**(2)(c) Average Per-Minute Rate:** Report the average per-minute rate you charged for interstate IPCS communications from each Facility during the Reporting Period. This average shall equal the total Billed Revenues from charges for interstate Audio IPCS communications from the Facility during the Reporting Period (excluding any revenues from Ancillary Services) divided by the total number of Billed Minutes of interstate Audio IPCS from that Facility during the Reporting Period.

**(2)(d) Above Rate Caps:** In this column, select “Yes” from the drop-down menu if you charged an interstate rate above the maximum rate permitted under the Commission’s Rate Cap Rules for any minute of an Interstate Audio IPCS communication from the Facility during the Reporting Period.

Select “No” from the drop-down menu in this column if you only charged interstate rates at or below the maximum rate permitted under the Commission’s Rate Cap Rules for Audio IPCS communications from the given Facility during the Reporting Period.

Please note that the Commission’s Rate Cap Rules can change during a Reporting Period and you must select “Yes” or “No” for each Facility by comparing your rates to the relevant rate caps that were in effect when you charged those rates to the Consumers.

**(2)(e) Additional Information:** In the Word template, provide any additional information needed to ensure that your entries for Interstate Audio IPCS Rates are full and complete.

## D. International Audio IPCS Rates

This section directs you to report international Audio IPCS rates you charged at each Facility you served during the Reporting Period. Enter your responses to items IV.D.1 through IV.D.8 in the Excel template and your responses to items IV.D.9 through IV.D.12 in the Word template.

**Contract & Facility Information from Tab B:**

**Contract Identifier:** The Contract Identifier should automatically be populated in this column after it is entered in tab B. Check to make sure the unique Contract Identifier in this tab correctly aligns with your data in this tab.

**Facility Identifier:** The Facility Identifier should automatically be populated in this column after it is entered in tab B. Check to make sure the unique Facility Identifier in this tab correctly aligns with your data in this tab.

**International Rates:** In the remaining columns, provide information pertaining to your highest per-minute rates and any Termination Charges for international Audio IPCS communications from each Facility you served during the Reporting Period.

**(1) Destination:** Enter every International Destination at which international Audio IPCS communications from each Facility you served were terminated at any time during the Reporting Period.

**(2) Domestic Portion of International Rates:** Select “Yes” from the drop-down menu if the domestic portion of your international IPCS rates from the Facility (i.e., your international IPCS rate minus any international Termination Charges) was the same as the interstate rates you charged for Interstate Communications from the Facility. Select “No” from the drop-down menu if the domestic portion of your international IPCS rates differed from the interstate rates you charged for Interstate Communications from the Facility. If you select “No,” you must explain how they differed in the Word template, as further described in item IV.D.9 below.

**Q1 - For the first quarter (January-March) of the Reporting Period:**

**(3)(a) Highest 15-Minute Rate**

**(3)(a)(i) Highest 15-Minute Rate:** Enter the highest rate you charged for a 15-minute international IPCS communication, including any Termination Charge, from each Facility to each International Destination during Q1. If no communications were made from a Facility to a specific International Destination, leave the cell blank.

**(3)(a)(ii) First Minute Rate:** If you entered a number other than zero for (3)(a)(i), then for that highest 15-minute rate you charged for the international IPCS communication from each Facility during Q1, enter the rate you charged for the first minute, excluding any Termination Charge, as part of the 15-minute rate. Otherwise, leave the cell blank.

**(3)(a)(iii) Additional Minute Rate:** If you entered a number other than zero for (3)(a)(i), then for that highest 15-minute rate, **e**nter the additional minute rate you charged, excluding any Termination Charge, for the international IPCS communication from each Facility during Q1, as part of the 15-minute rate. Otherwise, leave the cell blank.

**(3)(a)(iv) Termination Charge**: If you entered a number other than zero for (3)(a)(i), then for that highest 15-minute rate, enter the amount you charged for terminating the communication to the International Destination given.

**(3)(b) Average Per-Minute Rate:** Enter the average per-minute rate you charged for an international IPCS communication from each Facility to each International Destination during Q1. This number shall be calculated as (total revenues for communications from each Facility to each International Destination) / (total number of minutes for the communications from each Facility to each International Destination). If no communications were made from a Facility to a specific International Destination in Q1, leave the cell blank.

**(3)(c) Average Termination Charge:** Enter the average amount you charged for terminating international IPCS communications from each Facility to the corresponding International Destinations during Q1. This number shall be calculated as (total amount charged for terminating communications from each Facility to each International Destination) / (total number of minutes for the communications from each Facility to each International Destination). If no communications were made from a Facility to a specific International Destination in Q1, leave the cell blank.

**Q2 - For the second quarter (April-June) of the Reporting Period:**

**(4)(a) Highest 15-Minute Rate**

**(4)(a)(i) Highest 15-Minute Rate:** Following the instructions for IV.D.3.a.(i), provide the highest 15-minute rate for Q2.

**(4)(a)(ii) First Minute Rate:** Following the instructions for IV.D.3.ii, provide the first minute rates for Q2.

**(4)(a)(iii) Additional Minute Rate:** Following the instructions for IV.D.3.iii, provide the additional minute rate for Q2.

**(4)(a)(iv) Termination Charge**: Following the instructions for IV.D.3.iv, provide the Termination Charge for Q2.

**(4)(b) Average Per-Minute Rate:** Following the instructions for IV.D.3.b, enter the average per-minute rate for Q2.

**(4)(c) Average Termination Charge:** Following the instructions for IV.D.3.c, enter the average Termination Charge for Q2.

**Q3 - For the third quarter (July-September) of the Reporting Period:**

**(5)(a) Highest 15-Minute Rate**

**(5)(a)(i) Highest 15-Minute Rate:** Following the instructions for IV.D.3.a.(i), provide the highest 15-minute rate for Q3.

**(5)(a)(ii) First Minute Rate:** Following the instructions for IV.D.3.ii, provide the first minute rate for Q3.

**(5)(a)(iii) Additional Minute Rate:** Following the instructions for IV.D.3.iii, provide the additional minute rate for Q3.

**(5)(a)(iv) Termination Charge**: Following the instructions for IV.D.3.iv, provide the Termination Charge for Q3.

**(5)(b) Average Per-Minute Rate:** Following the instructions for IV.D.3.b, enter the average per-minute rate for Q3.

**(5)(c) Average Termination Charge:** Following the instructions for IV.D.3.c, enter the average Termination Charge for Q3.

**Q4 - For the fourth quarter (October-December) of the Reporting Period:**

**(6)(a) Highest 15-Minute Rate**

**(6)(a)(i) Highest 15-Minute Rate:**  Following the instructions for IV.D.3.a.(i), provide the highest 15-minute rate for Q4.

**(6)(a)(ii) First Minute Rate:** Following the instructions for IV.D.3.ii, provide the first minute rate for Q4.

**(6)(a)(iii) Additional Minute Rate:** Following the instructions for IV.D.3.iii, provide the Additional Minute Rate for Q4.

**(6)(a)(iv) Termination Charge**: Following the instructions for IV.D.3.iv, provide the Termination Charge for Q4.

**(6)(b) Average Per-Minute Rate:** Following the instructions for IV.D.3.b, enter the average per-minute rate for Q4.

**(6)(c) Average Termination Charge:** Following the instructions for IV.D.3.c, enter the average Termination Charge for Q4.

**(7) Above-Cap International Rates:** In this column, select “Yes” from the drop-down menu if you billed any rate above the maximum amount permitted under the Commission’s Rate Cap Rules for any minute of an international IPCS communication from the Facility during the Reporting Period. Select “No” from the drop-down menu in this column if your international rates were at or below the maximum amount permitted under the Commission’s Rate Cap Rules for each international IPCS communication from the given Facility during the Reporting Period.

**(8) Above-Cap Termination Charges:** In this column, select “Yes” from the drop-down menu if you billed any Termination Charge above the maximum amount permitted under the Commission’s Rate Cap Rules for any minute of an international IPCS communication from the Facility during the Reporting Period. Select “No” from the drop-down menu in this column if your Termination Charges were at or below the maximum amount permitted under the Commission’s Rate Cap Rules for IPCS communications from the given Facility during the Reporting Period.

**(9) Domestic Portion of International Rates:** If any of your answers for item IV.D.2 is “No,” explain in the Word template how the domestic portion of your international IPCS rates differed from the interstate rates you charged for Interstate Communications from the Facility.

**(10) Above-Cap Termination Charges:** If any of your answers for item IV.D.8 is “Yes,” explain in detail in the Word template the circumstances surrounding your billing a Termination Charge above the maximum amount permitted under the Commission’s Rate Cap Rules. This explanation shall include, among other relevant information, the circumstances leading to the above-cap charges; the total amount of above-cap charges; the number of Consumers affected; the number of communications affected; a breakdown of the above-cap charges by Facility and International Destination; and a statement as to whether the above-cap charges have been refunded to Consumers.

**(11) Other International Rate Offerings:** Your responses to Parts IV.D.2 through IV.D.8 will provide on a Facility-by-Facility basis detailed international rate information for each International Destination to which IPCS communications were placed from a particular Facility during the Reporting Period. In the Word template, provide link(s) to publicly available webpage(s) setting forth the rates at which you offered international IPCS during the Reporting Period for International Destinations that were not called from a particular Facility during the Reporting Period.

**(12) Additional Information:** In the Word template, provide any additional information needed to ensure that your entries for international rates for Audio IPCS are full and complete.

## E. Interstate and International Audio IPCS Rates Above the Maximum Rates Permitted Under the Commission’s Rate Cap Rules

This section requires you to provide additional information regarding the interstate and international rates charged for Audio IPCS communications from each Facility for which you entered “Yes” in response to items IV.C.2.d, IV.D.7, or IV.D.8. If you entered “No” for every Facility you served during the Reporting Period in response to items IV.C.2.d, IV.D.7, and IV.D.8, select “No charges above the FCC rate caps.” from the drop-down menu at the top of the worksheet. Otherwise, select “There were charges above the FCC rate caps.” from the drop-down menu, and enter your responses for item IV.E.1 in the Excel template, and items IV.E.2 through IV.E.4 in the Word template.

**Contract & Facility Information from Tab B:**

**Contract Identifier:** The Contract Identifier should automatically be populated in this column after it is entered in tab B. Check to make sure the unique Contract Identifier in this tab correctly aligns with your data in this tab.

**Facility Identifier:** The Facility Identifier should automatically be populated in this column after it is entered in tab B. Check to make sure the unique Facility Identifier in this tab correctly aligns with your data in this tab.

**(1) Rate Information:** In these sub-columns, provide additional information regarding the Interstate and international rates charged for Audio IPCS communications from each Facility for which you entered “Yes” in response to items IV.C.2.d, IV.D.7, or IV.D.8.

**(1)(a) Applicable Period:** Provide the relevant period during which you charged each reported rate in a MM/DD/YYYY format (e.g., “03/22/2022 to 07/15/2022” (without the quotation marks)).

For each Facility where you charged a total rate for which the total rate or a component of the total rate exceeded the maximum permitted under the Rate Cap Rules, determine and report the highest total rate per minute where that maximum rate was exceeded—regardless of whether it was for the first minute of a communication or for an additional minute. If that highest total rate per minute was for an Interstate Communication, complete IV.E.1.b. If that highest total rate per minute was for an International Communication, complete IV.E.1.b and IV.E.1.c.

**(1)(b) Interstate Rates**

**(1)(b)(i) Total Per-Minute Rate for Any Minute:** To report the highest total rate for an Interstate Communication, enter the total per-minute rate that you charged for any minute (regardless of whether it was for a first minute or an additional minute) that was the highest total per-minute rate in which the total combined interstate rate (i.e., the sum of Provider-Related Rate Component and any Facility-Related Rate Component) and/or a component thereof exceeded the maximum permitted under the Rate Cap Rules. Alternatively, if you are reporting the highest total rate for an International Communication, report the total per-minute interstate rate that was a component of the highest total per-minute rate for an International Communication.

**(1)(b)(ii) Provider-Related Per-Minute Rate:** For the total per-minute rate reported in IV.E.1.b.i (regardless of whether it was for an Interstate Communication or a part of an International Communication), report the Provider-Related Rate Component of the total rate that you charged. If the Facility is a Jail with ADP of less than 1,000, leave this cell blank.

**(1)(b)(iii) Facility-Related Per-Minute Rate:** For the total per-minute rate reported in IV.E.1.b.i (regardless of whether it was for an Interstate Communication or a part of an International Communication), report the Facility-Related Rate Component of the total rate that you charged. If the Facility is a Jail with ADP of less than 1,000, leave this cell blank.

**(1)(b)(iv) Facility Rate Type (Contract/Federal, State or Local Law):** Indicate whether the rate that you reported in IV.E.1.b.iii (regardless of whether it was an Interstate Communication or a part of an International Communication) is required by contract or by a federal, state, or local law or regulation. Enter “Contract” if the Facility-Related Rate Component is required by your contract with the Facility. Enter “Federal, State, or Local Law” if the Facility-Related Rate Component is required by a federal, state, or local statute, law, or regulation applicable to your rate. If the Facility is a Jail with ADP of less than 1,000, leave this cell blank.

**(1)(c) International Rates:** As explained above, use this section along with section IV.E.1.b if the highest total per-minute (for either a first minute or an additional minute) rate for which the total rate or a component of the total rate exceeded the maximum permitted under the Rate Cap Rules was for an International Communication.

**(1)(c)(i) Destination:** List the International Destination for the communication described in IV.E.1.c.

**(1)(c)(ii) Total Per-Minute Rate for Any Minute:** Report the total per-minute rate that you charged for the communication described in IV.E.1.c.

**(1)(c)(iii) Per-Minute Termination Charge:** For the communication described in IV.E.1.c, report the Per-Minute Termination Charge that you charged as part of that highest Total Per-Minute Rate for Any Minute.

**(2) Explanation of Above-Cap Interstate Rates:** In the Word template, explain in detail the circumstances surrounding each interstate Audio IPCS rate you charged where the total rate, or a component thereof, exceeded the maximum permissible under the Rate Cap Rules. This explanation shall include, among other relevant information, for each Facility, the circumstances leading to the above-cap charges; the number of Consumers billed above-cap charges; the number of above-cap communications billed; the total dollar amount by which Consumers were overcharged; and the amount of above-cap charges that have been refunded to Consumers.

**(3) Explanation of Above-Cap International Rates:** In the Word template, explain in detail the circumstances surrounding each international Audio IPCS rate you charged where the total rate, or a component thereof, exceeded the maximum permissible under the Rate Cap Rules. This explanation shall include, among other relevant information, for each Facility, the circumstances leading to the above-cap charges; the number of Consumers billed above-cap charges; the number of above-cap communications billed; the total dollar amount by which Consumers were overcharged; and the amount of above-cap charges that have been refunded to Consumers.

**(4) Additional Information:** In the Word template, provide any additional information needed to ensure that your entries for Audio IPCS Rates Above the Maximum Rates Permitted Under the Commission’s Rate Cap Rules are full and complete.

## F. Intrastate and Interstate Video IPCS Rates

This section directs you to report intrastate and interstate IPCS rates for video communications services you charged at each Facility you served during the Reporting Period. Enter your responses to items IV.F.1 through IV.F.3 in the Excel template and your responses to items IV.F.4 and IV.F.5 in the Word template.

**Contract & Facility Information from Tab B:**

**Contract Identifier:** The Contract Identifier should automatically be populated in this column after it is entered in tab B. Check to make sure the unique Contract Identifier in this tab correctly aligns with your data in this tab.

**Facility Identifier:** The Facility Identifier should automatically be populated in this column after it is entered in tab B. Check to make sure the unique Facility Identifier in this tab correctly aligns with your data in this tab.

**(1) Unit of Sale (e.g., per minute or per 20-minute session):** Enter the unit of sale for the Video IPCS from each Facility you served during the Reporting Period. For example, enter “per minute,” “per 20-minute session,” “per 10-minute session,” or “per 2 GB per month” (without quotation marks).

**(2) Intrastate Rates:** In these sub-columns, provide information pertaining to the rates you charged for intrastate Video IPCS service from each Facility you served during the Reporting Period. For the first two categories listed below—highest and highest year-end—provide, for each Facility: (i) the total amount charged for a 15-minute session; (ii) the amount charged for the first minute (or other relevant unit) of that session (as explained below); and (iii) the amount charged per minute (or other relevant unit) for each additional minute (or other unit) of that session, if an additional amount was charged (as explained below). Finally, enter the average per-unit rate for the Reporting Period.

**(2)(a) Highest Rate for a 15-Minute Session:** In these sub-columns, enter the requested information about the highest rate for a 15-minute session for the Reporting Period. Below are examples which explain how to determine which rate to enter in which column.

**IV.F.2.a Example 1:** Suppose you provided intrastate Video IPCS with a unit of sale of “per minute,” and suppose the rate for the first minute was different than the rate for minutes 2 to 15. Suppose the rate was $0.11 for the first minute and $0.10 per minute for each additional minute during the first nine months of the Reporting Period. And suppose your rate was $0.09 for the first minute and $0.11 per each additional minute during the remaining three months of the Reporting Period. Your former rate combination would result in total charges of $1.51 (= $0.11 + ($0.10 \* 14)) for a 15-minute session, and your latter rate combination would result in total charges of $1.63 (= $0.09 + ($0.11 \* 14)) for a 15-minute session. Thus, the latter rate combination would be higher. It does not matter that the latter rate was in place for only three months. You must determine the highest rate at any point in time during the Reporting Period. You therefore would report $1.63 in (2)(a)(i), $0.09 in (2)(a)(ii), and $0.11 in (2)(a)(iii).

**IV.F.2.a Example 2:** Suppose you provided intrastate Video IPCS with a unit of sale of “per minute,” and suppose the rate for the first minute was the same as the rate for minutes 2 to 15. Suppose your rate was $0.11 per minute the first nine months of the Reporting Period. And suppose your rate was $0.09 per minute during the remaining three months of the Reporting Period. Your former rate combination would result in total charges of $1.65 (= $0.11 \* 15) for a 15-minute session, and your latter rate combination would result in total charges of $1.35 (= $0.09 \* 15) for a 15-minute session. Thus, the former rate combination would be higher. You therefore would report $1.65 in (2)(a)(i), $0.11 in (2)(a)(ii), and $0.11 in (8)(a)(iii).

**IV.F.2.a Example 3:** Suppose you provided intrastate Video IPCS with a unit of sale of 15 minutes, and you charged for 15 minutes regardless of whether the Customer used fewer than 15 minutes. Suppose that unit of sale was $1.50 for the first 5 months of the Reporting Period, and $1.60 for the last 7 months of the Reporting Period. Then enter $1.60 in (2)(a)(i), enter the same number in (2)(a)(ii), and leave (2)(a)(iii) blank because there was no additional charge beyond what you specified in (2)(a)(ii).

**IV.F.2.a Example 4:**  Suppose you provided intrastate Video IPCS with a unit of sale of 15 minutes, and you prorated that rate according to the number of minutes the Customer used. Then the unit of sale should be redesignated as “per-minute,” and data should be entered in entered in s (2)(a)(i) – (2)(a)(iii) just as described for the “per-minute” unit of sale.

**IV.F.2.a Example 5:** Suppose you provided intrastate Video IPCS with a unit of sale of, for example, 20 minutes, and the Customer was charged for the 20 minutes even if they used only 15 minutes. Suppose the 20-minute rate was $1.70 for the first 4 months, and $1.95 for the last 8 months of the Reporting Period. Then in (2)(a)(i) enter $1.95. In (2)(a)(ii), enter the same number—the rate for 20 minutes of service. Because there would be no additional charge to be added to the one designated in (2)(a)(ii), (2)(a)(iii) should be left blank.

**IV.F.2.a Example 6:** Suppose you provided intrastate Video IPCS with a unit of sale of 20 minutes, and you prorated that rate according to the number of minutes the Customer used. Then the unit of sale should be redesignated as “per-minute,” and data should be entered in entered in (2)(a)(i) to (2)(a)(iii) just as described for the “per-minute” unit of sale.

**IV.F.2.a Example 7:** Suppose you provided intrastate Video IPCS with a unit of sale of 10 minutes, that was not prorated according to the number of minutes the Customer used. Suppose the 10-minute rate was $1.20 for the first 3 months of the Reporting Period, and $1.25 for the last 9 months of the Reporting Period. Then, the highest rate for a 15-minute session would be $2.50 (the rate for 2 10-minute sessions). Enter $2.50 in (2)(a)(i), and enter $1.25 in each of (2)(a)(ii) and (2)(a)(iii).

**IV.F.2.a Example 8:** Suppose you provided intrastate Video IPCS with a unit of sale of 2 GB per month, and that there was no prorating for the bandwidth used on any call. Suppose you charged $30 for 2 GB per month for the first 5 months of the Reporting Period, and $40 for 2 GB per month for the last 7 months of the Reporting Period. Then, enter $40 in both of (2)(a)(i) and (2)(a)(ii), and leave 2(a)(iii) blank.

**(2)(a)(i) 15-Minute Rate:** For the Highest Rate for a 15-Minute Session for intrastate Video IPCS, enter the highest 15-Minute Rate for the Reporting Period. See IV.F.2.a Examples 1 to 8 for instructions about what must be entered here.

**(2)(a)(ii) Unit Rate or First Unit Rate If an Additional Rate Applies:** For the Highest Rate for a 15-Minute Session for intrastate Video IPCS, enter the Unit Rate or the First Unit Rate If an Additional Rate Applies. See IV.F.2.a Examples 1 to 8 for instructions about determining what must be entered here.

**(2)(a)(iii) Additional Unit Rate If an Additional Rate Applies:** For the Highest Rate for a 15-Minute Session for intrastate IPCS, enter the Additional Unit Rate If an Additional Rate Applies, or leave the cell blank, if there is no additional rate that applies. See IV.F.2.a Examples 1 to 8 for instructions about what must be entered here.

**(2)(b) Highest Year-End Rate for a 15-Minute Session:** In these sub-columns, enter the requested information for the Highest Year-End Rate for a 15-Minute Session.

**(2)(b)(i) 15-Minute Rate:** For the Highest Year-End Rate for a 15-Minute Session for intrastate Video IPCS, enter the highest 15-Minute Rate at the end of the Reporting Period. Follow the guidance given in IV.F.2.a Examples 1 to 8, as those examples would apply by analogy to the year-end rates.

**(2)(b)(ii) Unit Rate or First Unit Rate If an Additional Rate Applies:** For the Highest Year-End Rate for a 15-Minute Session for intrastate Video IPCS, enter the Unit Rate or the First Unit Rate If an Additional Rate Applies. Follow the guidance given in IV.F.2.a Examples 1 to 8, as those examples would apply by analogy to the year-end rates.

**(2)(b)(iii) Additional Unit Rate If an Additional Rate Applies:** For the Highest Year-End Rate for a 15-Minute Session for intrastate Video IPCS, enter the Additional Unit Rate If an Additional Rate Applies, or leave the cell blank, if there is no additional rate that applies. Follow the guidance given in IV.F.2.a Examples 1 to 8, as those examples would apply by analogy to the year-end rates.

**(2)(c) Average Per-Unit Rate:** For intrastate Video IPCS, enter the Average Per-Unit Rate for the Reporting Period. In general, this average is calculated as (total revenues for the Reporting Period) / (total billed units). For example, if intrastate Video IPCS were sold on a per-minute basis, and the total revenues were $25,000 and the total number of minutes sold were 100,000, then enter $0.25 (= $25,000 / 100,000). As another example, if the unit of sale were 10 minutes, and if the revenues were $40,000, and the number of 10-minute billed units were 25,000, then enter $1.60 (= $40,000 / 25,000).

**(3) Interstate Rates:** In these sub-columns, provide information pertaining to the rates you charged for interstate Video IPCS service from each Facility you served during the Reporting Period.

**(3)(a) Highest Rate for a 15-Minute Session:** In these sub-columns, enter the requested information about the Highest Rate for a 15-Minute Session for the Reporting Period.

**(3)(a)(i) 15-Minute Rate:** For the Highest Rate for a 15-Minute Session for interstate Video IPCS, enter the highest 15-Minute Rate for the Reporting Period. See IV.F.2.a Examples 1 to 8, as those examples would apply by analogy to interstate rates.

**(3)(a)(ii) Unit Rate or First Unit Rate If an Additional Rate Applies:** For the Highest Rate for a 15-Minute Session for interstate Video IPCS, enter the Unit Rate or the First Unit Rate If an Additional Rate Applies. See IV.F.2.a Examples 1 to 8, as those examples would apply by analogy to interstate rates.

**(3)(a)(iii) Additional Unit Rate If an Additional Rate Applies:** For the Highest Rate for a 15-Minute Session for interstate Video IPCS, enter the Additional Unit Rate If an Additional Rate Applies, or leave the cell blank, if there is no additional rate that applies. See IV.F.2.a Examples 1 to 8, as those examples would apply by analogy to interstate rates.

**(3)(b) Highest Year-End Rate for a 15-Minute Session:** In these sub-columns, enter the requested information about the Highest Year-End Rate for a 15-Minute Session.

**(3)(b)(i) 15-Minute Rate:** For the Highest Year-End Rate for a 15-Minute Session for interstate Video IPCS, enter the highest 15-Minute Rate at the end of the Reporting Period. Follow the guidance given in IV.F.2.a Examples 1 to 8, as those examples would apply by analogy to interstate year-end rates.

**(3)(b)(ii) Unit Rate or First Unit Rate If an Additional Rate Applies:** For the Highest Year-End Rate for a 15-Minute Session for interstate Video IPCS, enter the Unit Rate or the First Unit Rate If an Additional Rate Applies. Follow the guidance given in IV.F.2.a Examples 1 to 8, as those examples would apply by analogy to the interstate year-end rates.

**(3)(b)(iii) Additional Unit Rate If an Additional Rate Applies:** For the Highest Year-End Rate for a 15-Minute Session for interstate Video IPCS, enter the Additional Unit Rate If an Additional Rate Applies, or leave the cell blank, if there is no additional rate that applies. Follow the guidance given in IV.F.2.a Examples 1 to 8, as those examples would apply by analogy to the interstate year-end rates.

**(3)(c) Average Per-Unit Rate:** For interstate Video IPCS, enter the Average Per-Unit Rate for the Reporting Period. In general, this average is calculated as (total revenues for the Reporting Period) / (total billed units). For example, if interstate Video IPCS were sold on a per-minute basis, and the total revenues were $25,000 and the total number of minutes sold were 100,000, then enter $0.25 (= $25,000 / 100,000) in 3(c). As another example, if the unit of sale were 10 minutes, and if the revenues were $40,000, and the number of 10-minute billed units were 25,000, then enter $1.60 (= $40,000 / 25,000) in 3(c).

**(4) Description of Video IPCS:** In the Word template, describe in detail each type of Video IPCS provided at or for the Facilities during the Reporting Period.

**(5) Additional Information:** In the Word template, provide any additional information needed to ensure that your entries for intrastate and interstate Video IPCS Rates are full and complete.

## G. International Video IPCS Rates

This section directs you to report international IPCS rates for video communications you charged at each Facility you served during the Reporting Period. Enter your responses to item IV.G.1 in the Excel template and your responses to items IV.G.2 through IV.G.4 in the Word template.

In the top left corner, if your international Video IPCS rates are the same as your interstate Video IPCS rates, select “Yes” from the drop-down menu, and do not fill in any entries on this worksheet. If your international Video IPCS rates are not the same as your interstate Video IPCS rates, select “No” from the drop-down menu, and complete this worksheet.

**Contract & Facility Information from Tab B:**

**Contract Identifier:** The Contract Identifier should automatically be populated in this column after it is entered in tab B. Check to make sure the unique Contract Identifier in this tab correctly aligns with your data in this tab.

**Facility Identifier:** The Facility Identifier should automatically be populated in this column after it is entered in tab B. Check to make sure the unique Facility Identifier in this tab correctly aligns with your data in this tab.

1. **Rate by International Destination:** In these sub-columns, enter the requested information about international Video IPCS sessions.

**(1)(a) Destination:** Enter the International Destinations for the international Video IPCS sessions. The International Destinations shall be the International Destinations given by the international service provider (such as the name of the country), not a specific address within a country where the called person is located.

**(1)(b) Unit of Sale (e.g., per minute or per 20-minute session):** For international Video IPCS, enter the unit of sale for the international Video IPCS service. For example, enter “per minute,” “per 20-minute session,” “per 10-minute session,” “per 2 GB per month” (without quotation marks).

**(1)(c) Highest 15-Minute Rate:** In these sub-columns, enter the requested information about the Highest 15-Minute Rate for the Reporting Period.

**(1)(c)(i) 15-Minute Rate:**  For the Highest 15-Minute Rate for international Video IPCS, enter the highest 15-Minute Rate for the Reporting Period. See IV.F.2.a Examples 1 to 8, as those examples would apply by analogy to international Video IPCS rates.

**(1)(c)(ii) Unit Rate or First Unit Rate If an Additional Rate Applies:** For the Highest 15-Minute Rate for international Video IPCS for the Reporting Period, enter the Unit Rate or the First Unit Rate If an Additional Rate Applies. Follow the guidance given in IV.F.2.a Examples 1 to 8, as those examples would apply by analogy to the international Video IPCS.

**(1)(c)(iii) Additional Unit Rate If an Additional Rate Applies:** For the Highest 15-Minute Rate for international Video IPCS for the Reporting Period, enter the Additional Unit Rate If an Additional Rate Applies, or leave the cell blank, if there is no additional rate that applies. Follow the guidance given in IV.F.2.a Examples 1 to 8, as those examples would apply by analogy to international Video IPCS.

**(1)(d) Average Per-Unit Rate:** For international Video IPCS, enter the Average Per-Unit Rate for the Reporting Period. In general, this average is calculated as (total revenues for the Reporting Period) / (total billed units). For example, if international Video IPCS were sold on a per-minute basis, and the total revenues were $25,000 and the total number of minutes sold were 100,000, then enter $0.25 (= $25,000 / 100,000) in (1)(d). As another example, if the unit of sale were 10 minutes, and if the revenues were $40,000, and the number of 10-minute billed units were 25,000, then enter $1.60 (= $40,000 / 25,000) in (1)(d).

**(2) Bundling:** In the Word template, explain how you market Video IPCS to Consumers, including identifying any packages, bundles, and other services or features included with Video IPCS. Additionally, specify the unit of sale you use to sell the bundles to Consumers (e.g., per communication, per minute, or per data allotment).

**(3) Termination Charges:** In the Word template, explain whether there are any Termination Charges or the equivalent associated with international Video IPCS. Provide details concerning how the underlying carriers charge for termination (e.g., per communication, per minute, or per data allotments, and International Destinations), and how those charges are passed through to Consumers.

**(4) Additional Information:** In the Word template, provide any additional information needed to ensure that your entries for international Video IPCS Rates are full and complete.

## H. Ancillary Service Charges – Audio IPCS

This section requires you to provide, on a Facility-by-Facility basis, information regarding any Ancillary Services you offered during the Reporting Period associated with Audio IPCS. Enter your responses for items IV.H.1 through IV.H.6 in the Excel template, and items IV.H.7 through IV.H.11 in the Word template.

**Contract & Facility Information from Tab B:**

**Contract Identifier:** The Contract Identifier should automatically be populated in this column after it is entered in tab B. Check to make sure the unique Contract Identifier in this tab correctly aligns with your data in this tab.

**Facility Identifier:** The Facility Identifier should automatically be populated in this column after it is entered in tab B. Check to make sure the unique Facility Identifier in this tab correctly aligns with your data in this tab.

**Ancillary Service Charges - Audio IPCS:** The Excel template contains columns for Automated Payment Fees, Live Agent Fee, Paper Bill/Statement Fees, Fees for Single-Call and Related Services, and Third-Party Financial Transaction Services, and a placeholder column for Other Ancillary Services. Each Ancillary Service column contains up to seven sub-columns (e.g., (4)(a)-(e)(2)), as described below. Using these sub-columns, you must indicate whether you billed an Ancillary Service Charge at the relevant Facility during the Reporting Period, and report the jurisdictional nature of the charge, the amount you billed to Consumers per transaction, whether the Ancillary Service Charge is fixed or variable, the total number of times each charge was billed, and other information regarding Single-Call and Related Services Fees and Third-Party Financial Transaction Fees. For any Ancillary Service Charges you billed to Consumers that are not listed, use the placeholder column for “Other Ancillary Service Charge”; change the column name to the Other Ancillary Service Charge (e.g., Other-Connection Fee); repeat this process, creating new columns and sub-columns, for each unlisted Ancillary Service Charge as needed; and provide the information requested in the six sub-columns (6)(a)-(f) for each such unlisted Other Ancillary Service Charge.

**(1) Automated Payment Fees:** Provide the information requested in the sub-columns for the Automated Payment Fees associated with Audio IPCS at each relevant Facility during the Reporting Period.

**(1)(a) Billed (Yes/No):** In this column, select “Yes” from the drop-down menu if you billed Automated Payment Fees to Consumers. Select “No” from the drop-down menu if you did not bill an Ancillary Service Charge to Consumers.

**(1)(b)** **Jurisdiction:** In this column, select “Intrastate only,” “Interstate/International only,” or “Both” from the drop-down menu depending on the jurisdictional nature of the Automated Payment Fees.

**(1)(c) Maximum Amount per Billed Transaction:** In this column, report the maximum amount per transaction billed to Consumers for Automated Payment Fees that you billed.

**(1)(d) Fixed or Variable Fees:** In this column, report whether the Automated Payment Fees were fixed or whether they varied based on the transaction amount or other factors. Select “Fixed” or “Variable” from the drop-down menu.

**(1)(e) Number of Times Each Charge Was Billed:** In this column, report the total number of times you billed Automated Payment Fees to Consumers from each Facility during the Reporting Period. The number must be reported by Facility, for any amounts billed, not just the maximum amount billed, to Consumers.

**(2) Live Agent Fee:** Provide the information requested in the sub-columns for the Live Agent Fee associated with Audio IPCS at each relevant Facility during the Reporting Period.

**(2)(a) Billed (Yes/No):** In this column, select “Yes” from the drop-down menu if you billed a Live Agent Fee to Consumers. Select “No” from the drop-down menu if you did not bill a Live Agent Fee to Consumers.

**(2)(b)** **Jurisdiction:** In this column, select “Intrastate only,” “Interstate/International only,” or “Both” from the drop-down menu depending on the jurisdictional nature of the Live Agent Fee.

**(2)(c) Maximum Amount Per Billed Transaction:** In this column, report the maximum amount per transaction billed to Consumers for the Live Agent Fee.

**(2)(d) Fixed or Variable Fees:** In this column, report whether the Live Agent Fee was fixed or whether it varied based on the transaction amount or other factors. Select “Fixed” or “Variable” from the drop-down menu.

**(2)(e) Number of Times Each Charge Was Billed:** In this column, report the total number of times you billed the Live Agent Fee to Consumers from each Facility during the Reporting Period. The number must be reported by Facility, for any amounts billed, not just the maximum amount billed, to Consumers.

**(3) Paper Bill/Statement Fees:** Provide the information requested in the sub-columns for Paper Bill/Statement Fees associated with Audio IPCS at each relevant Facility during the Reporting Period.

**(3)(a) Billed (Yes/No):** In this column, select “Yes” from the drop-down menu if you billed Paper Bill/Statement Fees to Consumers. Select “No” from the drop-down menu if you did not bill Paper Bill/Statement Fees to Consumers.

**(3)(b)** **Jurisdiction:** In this column, select “Intrastate only,” “Interstate/International only,” or “Both” from the drop-down menu depending on the jurisdictional nature of the Paper Bill/Statement Fees.

**(3)(c) Maximum Amount per Billed Transaction:** In this column, report the maximum amount per transaction billed to Consumers for the Paper Bill/Statement Fees.

**(3)(d) Fixed or Variable Fees:** In this column, report whether the Paper Bill/Statement Fees were fixed or whether they varied based on the transaction amount or other factors. Select “Fixed” or “Variable” from the drop-down menu.

**(3)(e) Number of Times Each Charge Was Billed:** In this column, report the total number of times you billed Paper Bill/Statement Fees to Consumers from each Facility during the Reporting Period. The number must be reported by Facility, for any amounts billed, not just the maximum amount billed, to Consumers.

**(4) Fees for Single-Call and Related Services:** Provide the information requested in the sub-columns for Fees for Single-Call and Related Services associated with Audio IPCS at each relevant Facility during the Reporting Period. If you self-provide and bill for the equivalent of a service that falls under the definition of “Single-Call and Related Services,” report data for that service as an Other Ancillary Service Charge in accordance with the instructions set out in IV.H.6 below for such services.

**(4)(a) Billed (Yes/No):** In this column, select “Yes” from the drop-down menu if you billed Fees for Single-Call and Related Services to Consumers. Select “No” from the drop-down menu if you did not bill Fees for Single-Call and Related Services to Consumers.

**(4)(b)** **Jurisdiction:** In this column, select “Intrastate only,” “Interstate/International only,” or “Both” from the drop-down menu depending on the jurisdictional nature of the Fees for Single-Call and Related Services.

**(4)(c) Maximum Amount Per Billed Transaction:** In this column, report the maximum amount per transaction billed to Consumers for Fees for Single-Call and Related Services.

**(4)(d) Fixed or Variable Fees:** In this column, report whether Fees for Single-Call and Related Services were fixed or whether they varied based on the transaction amount or other factors. Select “Fixed” or “Variable” from the drop-down menu.

**(4)(e) Name of Third Party:**  In this column, provide the name of the Third Party for which you passed through to Consumers Fees for Single-Call and Related Services during the Reporting Period. Leave the cell blank if you did not pass through Fees for Single-Call and Related Services during the Reporting Period. If there is more than one Third Party for which you passed Fees for Single-Call and Related Services through to Consumers, then insert columns into the worksheet between (4)(e)(2) and (5)(a). For each additional Third Party, insert three columns with labels such as (4)(f), (4)(f)(1) and (4)(f)(2), provide information analogous to that which you provide in (4)(e), (4)(e)(1) and (4)(e)(2); and repeat that process of inserting three additional columns for each additional Third Party.

**(4)(e)(1) Number of Times Each Charge Was Passed Through:** For the Third Party identified in response to item IV.H.4.e, state the number of times you passed Fees for Single-Call and Related Services through to Consumers during the Reporting Period. Leave the cell blank if you did not pass through any Fees for Single-Call and Related Services during the Reporting Period.

**(4)(e)(2) Total Amount of Charges Passed Through:** For the Third Party identified in response to item IV.D.4.e, provide the total amount of Fees for Single-Call and Related Services that you passed through to Consumers during the Reporting Period. Leave the cell blank if you did not pass through any Fees for Single-Call and Related Services during the Reporting Period.

**(5) Third-Party Financial Transaction Fees:** Provide the information requested in the sub-columns for Third-Party Financial Transaction Fees associated with Audio IPCS at each relevant Facility during the Reporting Period.

**(5)(a) Billed (Yes/No):** In this column, select “Yes” from the drop-down menu if you billed Third-Party Financial Transaction Fees to Consumers. Select “No” from the drop-down menu if you did not bill Third-Party Financial Transaction Fees to Consumers.

**(5)(b)** **Jurisdiction:** In this column, select “Intrastate only,” “Interstate/International only,” or “Both” from the drop-down menu depending on the jurisdictional nature of the Third-Party Financial Transaction Fees.

**(5)(c) Maximum Amount Per Billed Transaction:** In this column, report the maximum amount per transaction billed to Consumers for Third-Party Financial Transaction Fees.

**(5)(d) Fixed or Variable Fees:** In this column, report whether the Third-Party Financial Transaction Fees were fixed or whether they varied based on the transaction amount or other factors. Select “Fixed” or “Variable” from the drop-down menu.

**(5)(e) Name of Third Party:**  In this column, provide the name of the Third Party for which you passed Third-Party Financial Transaction Fees through to Consumers during the Reporting Period. Leave the cell blank if you did not pass through any Third-Party Financial Transaction Fees during the Reporting Period. If there is more than one Third Party for which you passed Third-Party Financial Transaction Fees through to Consumers, then insert columns into the worksheet between (5)(e)(2) and (6)(a). For each additional Third Party, insert three columns with labels such as (5)(f), (5)(f)(1) and (5)(f)(2); provide information analogous to that which you provided in (5)(e), (5)(e)(1) and (5)(e)(2); and repeat that process of inserting three additional columns for each additional Third Party.

**(5)(e)(1) Number of Times Each Charge Was Passed Through:** For the Third Party identified in response to item IV.H.5.e, state the number of times you passed Third-Party Financial Transaction Fees through to Consumers during the Reporting Period. Leave the cell blank if you did not pass through any Third-Party Financial Transaction Fees during the Reporting Period.

**(5)(e)(2) Total Amount of Charges Passed Through:** For the Third Party identified in response to item IV.H.5.e, provide the total amount of Third-Party Financial Transaction Fees that you passed through to Consumers during the Reporting Period. Leave the cell blank if you did not pass through any Third-Party Financial Transaction Fees during the Reporting Period.

**(6) Other Ancillary Service Charge:** As discussed above, use these columns for any additional Ancillary Service Charges associated with Audio IPCS you billed to Consumers that are not already listed above. Change the column name to the Other Ancillary Service Charge (e.g., Other Connection Fee); repeat this process, creating new columns and sub-columns, for each unlisted Ancillary Service Charge as needed; and provide the information requested in the six sub-columns (6)(a)-(f) for each such unlisted Ancillary Service Charge.

**(7) Above-Cap Ancillary Service Charges:** If any of your answers for items IV.H.1.c, IV.H.2.c, IV.H.3.c, IV.H.4.c, IV.H.5.c, and any similar columns you may have added, regarding the Maximum Amount Per Billed Transaction exceeds the maximum charges permitted under the Commission’s Ancillary Service Charge Rules, explain in detail in the Word template the circumstances surrounding the above-cap charges. This explanation shall include, among other relevant information, the circumstances leading to the above-cap charges; the total amount of above-cap charges; the number of Consumers affected; a breakdown of the above-cap charges by type of charge and frequency for each relevant Facility; and a statement as to the extent to which the above-cap charges have been refunded to Consumers.

**(8) Variable Ancillary Service Charges:** If any of your answers for items IV.H.1.d, IV.H.2.d, IV.H.3.d, IV.H.4.d, IV.H.5.d, and any similar columns you may have added, regarding Fixed or Variable Fees is “Variable,” explain in the Word template how the variable fee billed to Consumers is calculated.

**(9) Allocation of Reported Number:**  If any of your answers for items IV.H.1.e, IV.H.2.e, IV.H.3.e, IV.H.4.e.(1), IV.H.5.e.(1), and any similar columns you may have added, regarding the Number of Times Each Charge Was Billed or Number of Times Each Charge Was Passed Through reflects an allocation of Ancillary Service Charge payments among Facilities, explain in the Word template why an allocation is necessary and provide the methodology used to perform the allocation.

**(10) Description of Other Ancillary Service Charges:** If you added information for Ancillary Service Charges that were not listed in these Instructions as directed in item IV.H.6, explain in the Word template each of these Other Ancillary Service Charges in detail.

**(11) Additional Information:** In the Word template, provide any additional information needed to ensure that your entries for Ancillary Service Charges associated with Audio IPCS are full and complete.

## I. Ancillary Service Charges – Video IPCS

This section requires you to provide, on a Facility-by-Facility basis, information regarding any Ancillary Services you offered during the Reporting Period associated with Video IPCS. Enter your responses for items IV.I.1 through IV.I.6 in the Excel template, and items IV.I.7 through IV.I.11 in the Word template.

In the top left corner of the spreadsheet, if your Ancillary Service Charges associated with Video IPCS are the same as your Ancillary Service Charges associated with Audio IPCS, select “Yes” from the drop-down menu, and do not fill in any entries on this worksheet. If your Ancillary Service Charges associated with Video IPCS are not the same as your Ancillary Service Charges associated with Audio IPCS, select “No” from the drop-down menu, and complete this worksheet.

**Contract & Facility Information from Tab B:**

**Contract Identifier:** The Contract Identifier should automatically be populated in this column after it is entered in tab B. Check to make sure the unique Contract Identifier in this tab correctly aligns with your data in this tab.

**Facility Identifier:** The Facility Identifier should automatically be populated in this column after it is entered in tab B. Check to make sure the unique Facility Identifier in this tab correctly aligns with your data in this tab.

**Ancillary Service Charges Associated with Video IPCS:** The Excel template contains columns for Automated Payment Fees, Live Agent Fee, Paper Bill/Statement Fees, Fees for Single-Call and Related Services, and Third-Party Financial Transaction Services, and a placeholder column for Other Ancillary Services. Each Ancillary Service column contains up to eight sub-columns (e.g., (4)(a)-(f)(2)), as described below. Using these sub-columns, you must indicate whether you billed an Ancillary Service Charge at the relevant Facility during the Reporting Period, and report the jurisdictional nature of the charge, the amount you billed to Consumers per transaction, whether the Ancillary Service Charge is fixed or variable, the total number of times each charge was billed, and other information regarding Single-Call and Related Services Fees and Third-Party Financial Transaction Fees. For any Ancillary Service Charges you billed to Consumers that are not listed, use the placeholder column for “Other Ancillary Service Charge”; change the column name to the Other Ancillary Service Charge (e.g., Other-Connection Fee); repeat this process, creating new columns and sub-columns, for each unlisted Ancillary Service Charge as needed; and provide the information requested in the six sub-columns (6)(a)-(f) for each such unlisted Ancillary Service Charge..

**(1) Automated Payment Fees:** Provide the information requested in the sub-columns for the Automated Payment Fees associated with Video IPCS at each relevant Facility during the Reporting Period.

**(1)(a) Billed (Yes/No):** In this column, select “Yes” from the drop-down menu if you billed Automated Payment Fees to Consumers. Select “No” from the drop-down menu if you did not bill Automated Payment Fees to Consumers.

**(1)(b)** **Jurisdiction:** In this column, select “Intrastate only,” “Interstate/International only,” or “Both” from the drop-down menu depending on the jurisdictional nature of the Automated Payment Fees.

**(1)(c) Maximum Amount per Billed Transaction:** In this column, report the maximum amount per transaction billed to Consumers for Automated Payment Fees that you billed.

**(1)(d) Fixed or Variable Fees:** In this column, report whether the Automated Payment Fees were fixed or whether they varied based on the transaction amount or other factors. Select “Fixed” or “Variable” from the drop-down menu.

**(1)(e) Number of Times Each Charge Was Billed:** In this column, report the total number of times you billed the Automated Payment Fees to Consumers from each Facility during the Reporting Period. The number must be reported by Facility, any amounts billed, not just the maximum amount billed, to Consumers.

**(2) Live Agent Fee:** Provide the information requested in the sub-columns for the Live Agent Fee associated with Video IPCS at each relevant Facility during the Reporting Period.

**(2)(a) Billed (Yes/No):** In this column, select “Yes” from the drop-down menu if you billed a Live Agent Fee to Consumers. Select “No” from the drop-down menu if you did not bill a Live Agent Fee to Consumers.

**(2)(b)** **Jurisdiction:** In this column, select “Intrastate only,” “Interstate/International only,” or “Both” from the drop-down menu depending on the jurisdictional nature of the Live Agent Fee.

**(2)(c) Maximum Amount per Billed Transaction:** In this column, report the maximum amount per transaction billed to Consumers for the Live Agent Fee.

**(2)(d) Fixed or Variable Fees:** In this column, report whether the Live Agent Fee was fixed or whether it varied based on the transaction amount or other factors. Select “Fixed” or “Variable” from the drop-down menu.

**(2)(e) Number of Times Each Charge Was Billed:** In this column, report the total number of times you billed the Live Agent Fee to Consumers from each Facility during the Reporting Period. The number must be reported by Facility, any amounts billed, not just the maximum amount billed, to Consumers.

**(3) Paper Bill/Statement Fees:** Provide the information requested in the sub-columns for Paper Bill/Statement Fees associated with Video IPCS at each relevant Facility during the Reporting Period.

**(3)(a) Billed (Yes/No):** In this column, select “Yes” from the drop-down menu if you billed Paper Bill/Statement Fees to Consumers. Select “No” from the drop-down menu if you did not bill Paper Bill/Statement Fees to Consumers.

**(3)(b)** **Jurisdiction:** In this column, select “Intrastate only,” “Interstate/International only,” or “Both” from the drop-down menu, depending on the jurisdictional nature of the Paper Bill/Statement Fees.

**(3)(c) Maximum Amount per Billed Transaction:** In this column, report the maximum amount per transaction billed to Consumers for Paper Bill/Statement Fees.

**(3)(d) Fixed or Variable Fees:** In this column, report whether the Paper Bill/Statement Fees were fixed or whether they varied based on the transaction amount or other factors. Select “Fixed” or “Variable” from the drop-down menu.

**(3)(e) Number of Times Each Charge Was Billed:** In this column, report the total number of times you billed the Paper Bill/Statement Fees to Consumers from each Facility during the Reporting Period. The number must be reported by Facility, for any amounts billed, not just the maximum amount billed, to Consumers.

**(4) Fees for Single-Call and Related Services:** Provide the information requested in the sub-columns for the Fees for Single-Call and Related Services associated with Video IPCS at each relevant Facility during the Reporting Period. If you self-provide and bill for the equivalent of a service that falls under the definition of Single-Call and Related Services, report data for that service as an Other Ancillary Service Charge in accordance with the reporting instructions set out in IV.I.6 below for such services.

**(4)(a) Billed (Yes/No):** In this column, select “Yes” from the drop-down menu if you billed Fees for Single-Call and Related Services to Consumers. Select “No” from the drop-down menu if you did not bill Fees for Single-Call and Related Services to Consumers.

**(4)(b)** **Jurisdiction:** In this column, select “Intrastate only,” “Interstate/International only,” or “Both” from the drop-down menu depending on the jurisdictional nature of the Fees for Single-Call and Related Services.

**(4)(c) Maximum Amount Per Billed Transaction:** In this column, report the maximum amount per transaction billed to Consumers for the Fees for Single-Call and Related Services.

**(4)(d) Fixed or Variable Fees:** In this column, report whether the Fees for Single-Call and Related Services were fixed or whether they varied based on the transaction amount or other factors. Select “Fixed” or “Variable” from the drop-down menu.

**(4)(e) Name of Third Party:**  In this column, provide the name of the Third Party for which you passed Fees for Single-Call and Related Services through to Consumers during the Reporting Period. Leave the cell blank if you did not pass through any Fees for Single-Call and Related Services during the Reporting Period. If there is more than one Third Party for which you passed Fees for Single-Call and Related Services through to Consumers, then insert columns into the worksheet between (4)(e)(2) and (5)(a). For each additional Third Party, insert three columns with labels such as (4)(f), (4)(f)(1) and (4)(f)(2), provide information analogous to that which you provide in (4)(e), (4)(e)(1) and (4)(e)(2); and repeat that process of inserting three additional columns for each additional Third Party.

**(4)(e)(1) Number of Times Each Charge Was Passed Through:** For the Third Party identified in response to item IV.I.4.e, state the number of times you passed Fees for Single-Call and Related Services through to Consumers during the Reporting Period. Leave the cell blank if you did not pass through any Fees for Single-Call and Related Services during the Reporting Period.

**(4)(e)(2) Total Amount of Charges Passed Through:** For the Third Party identified in response to item IV.I.4.e, provide the total amount of Fees for Single-Call and Related Services that you passed through to Consumers during the Reporting Period. Leave the cell blank if you did not pass through any Fees for Single-Call and Related Services during the Reporting Period.

**(5) Third-Party Financial Transaction Fees:** Provide the information requested in the sub-columns for Third-Party Financial Transaction Fees associated with Video IPCS at each relevant Facility during the Reporting Period.

**(5)(a) Billed (Yes/No):** In this column, select “Yes” from the drop-down menu if you billed Third-Party Financial Transaction Fees to Consumers. Select “No” from the drop-down menu if you did not bill Third-Party Financial Transaction Fees to Consumers.

**(5)(b)** **Jurisdiction:** In this column, select “Intrastate only,” “Interstate/International only,” or “Both” from the drop-down menu depending on the jurisdictional nature of the Third-Party Financial Transaction Fees.

**(5)(c) Maximum Amount Per Billed Transaction:** In this column, report the maximum amount per transaction billed to Consumers for Third-Party Financial Transaction Fees.

**(5)(d) Fixed or Variable Fees:** In this column, report whether the Third-Party Financial Transaction Fees were fixed or whether they varied based on the transaction amount or other factors. Select “Fixed” or “Variable” from the drop-down menu.

**(5)(e) Name of Third Party:**  In this column, provide the name of the Third Party for which you passed Third-Party Financial Transaction Fees through to Consumers during the Reporting Period. Leave the cell blank if you did not pass through any Third-Party Financial Transaction Fees during the Reporting Period. If there is more than one Third Party for which you passed through to Consumers Third-Party Financial Transaction Fees, then insert columns into the worksheet between (5)(e)(2) and (6)(a). For each additional Third Party, insert three columns with labels such as (5)(f), (5)(f)(1) and (5)(f)(2); provide information analogous to that which you provided in (5)(e), (5)(e)(1) and (5)(e)(2); and repeat that process of inserting three additional columns for each additional Third Party.

**(5)(e)(1) Number of Times Each Charge Was Passed Through:** For the Third Party identified in response to item IV.I.5.e, state the number of times you passed through to Consumers Third-Party Financial Transaction Fees during the Reporting Period. Leave the cell blank if you did not pass through any Third-Party Financial Transaction Fees during the Reporting Period.

**(5)(e)(2) Total Amount of Charges Passed Through:** For the Third Party identified in response to item IV.I.5.e, provide the total amount of Third-Party Financial Transaction Fees that you passed through to Consumers during the Reporting Period. Leave the cell blank if you did not pass through any Third-Party Financial Transaction Fees during the Reporting Period.

**(6) Other Ancillary Service Charge:** As discussed above, use these columns for any Ancillary Service Charges associated with Video IPCS you billed to Consumers that are not listed above. Change the column name to the other Ancillary Service Charge (e.g., Other-Connection Fee); repeat this process, creating new columns and sub-columns, for each unlisted Ancillary Service Charge as needed; and provide the information requested in the six sub-columns (6)(a)-(f) for each such unlisted Ancillary Service Charge.

**(7) Variable Ancillary Service Charges:** If any of your answers for items IV.I.1.d, IV.I.2.d, IV.I.3.d, IV.I.4.d, IV.I.5.d, and any similar columns you may have added regarding Fixed or Variable Fees is “Variable,” explain in the Word template how the variable fee billed to Consumers is calculated.

**(8) Allocation of Reported Number:**  If any of your answers for items IV.I.1.e, IV.I.2.e, IV.I.3.e, IV.I.4.e.(1), IV.I.5.e.(1), and any similar columns you may have added regarding the Number of Times Each Charge Was Billed or Number of Times Each Charge Was Passed Through reflects an allocation of Ancillary Service Charge payments among Facilities, explain in the Word template why an allocation is necessary and provide the methodology used to perform the allocation.

**(9) Description of Other Ancillary Service Charges:** If you added information for Ancillary Service Charges that were not listed in these Instructions as directed in item IV.I.6, explain in the Word template each of these Other Ancillary Service Charges in detail.

**(10) Different Charges**: In the Word template, if any of the Ancillary Service Charges are different for Audio IPCS vs. Video IPCS, explain in detail why the charges are different.

**(11) Additional Information:** In the Word template, provide any additional information needed to ensure that your entries for Ancillary Service Charges associated with Video IPCS are full and complete.

## J. Site Commissions – Audio IPCS

This section requires you to report, for each Facility you served during the Reporting Period, your total average monthly Site Commissions associated with Audio IPCS and to divide those payments into certain specified categories. Enter your responses for items IV.J.1. and IV.J.2 in the Excel template, and items IV.J.3 through IV.J.6 in the Word template.

Each category’s monthly average shall be calculated by dividing the total Site Commission payments for that category during the Reporting Period by the number of months during which you provided IPCS during the Reporting Period. Each of your entries shall be a dollar amount, except that you shall leave the cell blank for categories for which you had no Site Commission payments during the Reporting Period.

**Contract & Facility Information from Tab B:**

**Contract Identifier:** The Contract Identifier should automatically be populated in this column after it is entered in tab B. Check to make sure the unique Contract Identifier in this tab correctly aligns with your data in this tab.

**Facility Identifier:** The Facility Identifier should automatically be populated in this column after it is entered in tab B. Check to make sure the unique Facility Identifier in this tab correctly aligns with your data in this tab.

**(1) Monthly Site Commission Payments:** Report, for each Facility you served during the Reporting Period, the dollar amount of your average monthly Site Commission payments associated with Audio IPCS during the Reporting Period. Leave the cells blank in the sub-columns if you did not pay Site Commissions.

**(1)(a) Legally Mandated Site Commission Payments:** Report, for each Facility you served during the Reporting Period, the dollar amount of your average monthly Legally Mandated Site Commission payments associated with Audio IPCS during the Reporting Period.

**(1)(a)(i) Legally Mandated, Monetary Site Commission Payments:** Report, for each Facility you served during the Reporting Period, the dollar amount of your average monthly Legally Mandated Site Commission payments associated with Audio IPCS that were Monetary Site Commission payments.

**(1)(a)(i)(1) Legally Mandated, Monetary, Fixed Site Commission Payments:** Report, for each Facility you served during the Reporting Period, the dollar amount of your average monthly Legally Mandated, Monetary Site Commission payments associated with Audio IPCS that were Fixed Site Commission payments.

**(1)(a)(i)(2) Legally Mandated, Monetary, Variable Site Commission Payments:** Report, for each Facility you served during the Reporting Period, the dollar amount of your average monthly Legally Mandated, Monetary Site Commission payments associated with Audio IPCS that were Variable Site Commission payments.

**(1)(a)(ii) Legally Mandated, In-Kind Site Commission Payments:** Report, for each Facility you served during the Reporting Period, the dollar amount of your average monthly Legally Mandated Site Commission payments associated with Audio IPCS that were In‑Kind Site Commission payments.

**(1)(a)(ii)(1) Legally Mandated, In-Kind, Fixed Site Commission Payments:** Report, for each Facility you served during the Reporting Period, the dollar amount of your average monthly Legally Mandated, In-Kind Site Commission payments associated with Audio IPCS that were Fixed Site Commission payments.

**(1)(a)(ii)(2) Legally Mandated, In-Kind, Variable Site Commission Payments:** Report, for each Facility you served during the Reporting Period, the dollar amount of your average monthly Legally Mandated, In-Kind Site Commission payments associated with Audio IPCS that were Variable Site Commission payments.

**(1)(b) Contractually Prescribed Site Commission Payments:** Report, for each Facility you served during the Reporting Period, the dollar amount of your average monthly Contractually Prescribed Site Commission payments associated with Audio IPCS.

**(1)(b)(i) Contractually Prescribed, Monetary Site Commission Payments:** Report, for each Facility you served during the Reporting Period, the dollar amount of your average monthly Contractually Prescribed Site Commission payments that were Monetary Site Commission payments associated with Audio IPCS.

**(1)(b)(i)(1) Contractually Prescribed, Monetary, Fixed Site Commission Payments:** Report, for each Facility you served during the Reporting Period, the dollar amount of your average monthly Contractually Prescribed, Monetary Site Commission payments that were Fixed Site Commission payments associated with Audio IPCS.

**(1)(b)(i)(2) Contractually Prescribed, Monetary, Variable Site Commission Payments:** Report, for each Facility you served during the Reporting Period, the dollar amount of your average monthly Contractually Prescribed, Monetary Site Commission payments associated with Audio IPCS that were Variable Site Commission payments.

**(1)(b)(ii) Contractually Prescribed, In-Kind Site Commission Payments:** Report, for each Facility you served during the Reporting Period, the dollar amount of your average monthly Contractually Prescribed Site Commission payments associated with Audio IPCS that were In‑Kind Site Commission payments.

**(1)(b)(ii)(1) Contractually Prescribed, In-Kind, Fixed Site Commission Payments:** Report, for each Facility you served during the Reporting Period, the dollar amount of your Contractually Prescribed, In-Kind Site Commission payments associated with Audio IPCS that were Fixed Site Commission payments.

**(1)(b)(ii)(2) Contractually Prescribed, In-Kind, Variable Site Commission Payments:** Report, for each Facility you served during the Reporting Period, the dollar amount of your average monthly Contractually Prescribed, In-Kind Site Commission payments associated with Audio IPCS that were Variable Site Commission payments.

**(2) Total Site Commission Amount Paid:** For each Facility you served during the Reporting Period, report the total dollar amount of your Site Commission payments associated with Audio IPCS during the Reporting Period.

**(2)(a) Total Fixed Site Commissions Amount Paid:** In this column, enter the total dollar amount in Fixed Site Commissions associated with Audio IPCS you paid to the Facility during the Reporting Period.

**(2)(b) Total Variable Site Commissions Amount Paid:** In this column, enter the total dollar amount in Variable Site Commissions associated with Audio IPCS you paid to the Facility during the Reporting Period.

**(3) Allocation of Reported Amount:** If any amount reported for items IV.J.1 and IV.J.2 reflects an allocation of Site Commission payments among Facilities covered by a given contract, explain in the Word template why an allocation is necessary, provide the methodology used to perform the allocation, and explain why you chose the particular allocation method. For each amount reflecting an allocation of Site Commission payments among Facilities covered by a given contract, you must identify each Facility to which that amount has been allocated and include the Contract Identifier information for each Facility covered by that contract.

**(4) In-Kind Site Commission Payments:** Describe in the Word template your In-Kind Site Commission payments in detail, including how you determined the value of the payments you entered in the Excel template. Specifically describe each Safety and Security Measure that you classify as an In-Kind Site Commission payment. Also specifically describe any other payment, gift, exchange of services or goods, fee, technology allowance, or product that you classify as an In-Kind Site Commission payment.

**(5) Legal Authority for Legally Mandated Site Commission Payments:** For any Legally Mandated Site Commission payments reported in item IV.J.1.a above, provide a citation in the Word template to the authority requiring the Legally Mandated Site Commission at the Facility.

**(6) Additional Information:** In the Word template, provide any additional information needed to ensure that your entries for Site Commissions associated with Audio IPCS are full and complete.

## K. Site Commissions – Video IPCS

This section requires you to report, for each Facility you served during the Reporting Period, your total average monthly Site Commission payments associated with Video IPCS and to divide those payments into certain specified categories. Enter your responses for items IV.K.1 through IV.K.2 in the Excel template, and items IV.K.3 through IV.K.7 in the Word template.

Each category’s monthly average shall be calculated by dividing the total Site Commission payments for that category during the Reporting Period by number of months during which you provided Video IPCS during the Reporting Period. Each of your entries shall be a dollar amount, except that you shall enter the number zero for categories for which you had no Site Commission payments during the Reporting Period.

**Contract & Facility Information from Tab B:**

**Contract Identifier:** The Contract Identifier should automatically be populated in this column after it is entered in tab B. Check to make sure the unique Contract Identifier in this tab correctly aligns with your data in this tab.

**Facility Identifier:** The Facility Identifier should automatically be populated in this column after it is entered in tab B. Check to make sure the unique Facility Identifier in this tab correctly aligns with your data in this tab.

**(1) Monthly Site Commission Payments:** Report, for each Facility you served during the Reporting Period, the dollar amount of your average monthly Site Commission payments associated with Video IPCS during the Reporting Period. Enter the number zero for the sub-columns if you did not pay the applicable Site Commission.

**(1)(a) Legally Mandated Site Commission Payments:** Report, for each Facility for which you provided Video IPCS during the Reporting Period, the dollar amount of your average monthly Legally Mandated Site Commission payments associated with Video IPCS during the Reporting Period.

**(1)(a)(i) Legally Mandated, Monetary Site Commission Payments:** Report, for each Facility for which you provided Video IPCS during the Reporting Period, the dollar amount of your average monthly Legally Mandated Site Commission payments associated with Video IPCS that were Monetary Site Commission payments.

**(1)(a)(i)(1) Legally Mandated, Monetary, Fixed Site Commission Payments:** Report, for each Facility for which you provided Video IPCS during the Reporting Period, the dollar amount of your average monthly Legally Mandated, Monetary Site Commission payments associated with Video IPCS that were Fixed Site Commission payments.

**(1)(a)(i)(2) Legally Mandated, Monetary, Variable Site Commission Payments:** Report, for each Facility for which you provided Video IPCS during the Reporting Period, the dollar amount of your average monthly Legally Mandated, Monetary Site Commission payments associated with Video IPCS that were Variable Site Commission payments.

**(1)(a)(ii) Legally Mandated, In-Kind Site Commission Payments:** Report, for each Facility you served during the Reporting Period, the dollar amount of your average monthly Legally Mandated Site Commission payments associated with Video IPCS that were In‑Kind Site Commission payments.

**(1)(a)(ii)(1) Legally Mandated, In-Kind, Fixed Site Commission Payments:** Report, for each Facility you served during the Reporting Period, the dollar amount of your average monthly Legally Mandated, In-Kind Site Commission payments associated with Video IPCS that were Fixed Site Commission payments.

**(1)(a)(ii)(2) Legally Mandated, In-Kind, Variable Site Commission Payments:** Report, for each Facility you served during the Reporting Period, the dollar amount of your average monthly Legally Mandated, In-Kind Site Commission payments associated with Video IPCS that were Variable Site Commission payments.

**(1)(b) Contractually Prescribed Site Commission Payments:** Report, for each Facility you served during the Reporting Period, the dollar amount of your average monthly Contractually Prescribed Site Commission payments associated with Video IPCS.

**(1)(b)(i) Contractually Prescribed, Monetary Site Commission Payments:** Report, for each Facility you served during the Reporting Period, the dollar amount of your average monthly Contractually Prescribed Site Commission payments associated with Video IPCS that were Monetary Site Commission payments.

**(1)(b)(i)(1) Contractually Prescribed, Monetary, Fixed Site Commission Payments:** Report, for each Facility you served during the Reporting Period, the dollar amount of your average monthly Contractually Prescribed, Monetary Site Commission payments associated with Video IPCS that were Fixed Site Commission payments.

**(1)(b)(i)(2) Contractually Prescribed, Monetary, Variable Site Commission Payments:** Report, for each Facility you served during the Reporting Period, the dollar amount of your average monthly Contractually Prescribed, Monetary Site Commission payments associated with Video IPCS that were Variable Site Commission payments.

**(1)(b)(ii) Contractually Prescribed, In-Kind Site Commission Payments:** Report, for each Facility you served during the Reporting Period, the dollar amount of your average monthly Contractually Prescribed Site Commission payments associated with Video IPCS that were In‑Kind Site Commission payments.

**(1)(b)(ii)(1) Contractually Prescribed, In-Kind, Fixed Site Commission Payments:** Report, for each Facility you served during the Reporting Period, the dollar amount of your Legally Mandated, In-Kind Site Commission payments associated with Video IPCS that were Fixed Site Commission payments.

**(1)(b)(ii)(2) Contractually Prescribed, In-Kind, Variable Site Commission Payments:** Report, for each Facility you served during the Reporting Period, the dollar amount of your average monthly Contractually Prescribed, In-Kind Site Commission payments associated with Video IPCS that were Variable Site Commission payments.

**(2) Total Site Commission Amount Paid:** For each Facility you served during the Reporting Period, report the total dollar amount of your Site Commission payments associated with Video IPCS during the Reporting Period.

**(2)(a) Total Fixed Site Commissions Amount Paid:** In this column, enter the total dollar amount in Fixed Site Commissions associated with Video IPCS you paid to the Facility during the Reporting Period.

**(2)(b) Total Variable Site Commissions Amount Paid:** In this column, enter the total dollar amount in Variable Site Commissions associated with Video IPCS you paid to the Facility during the Reporting Period.

**(3) Allocation of Reported Amount Among Facilities:** If any amount reported for items IV.K.1 and IV.K.2 reflects an allocation of Site Commission payments among Facilities covered by a given contract, explain in the Word template why an allocation is necessary, provide the methodology used to perform the allocation, and explain why you chose the particular allocation method. For each amount reflecting an allocation of Site Commission payments among Facilities covered by a given contract, you must identify each Facility to which that amount has been allocated and include the Contract Identifier information for each Facility covered by that contract.

**(4) In-Kind Site Commission Payment:** Describe in the Word template your In-Kind Site Commission payments in detail, including how you determined the value of the payments you entered in the Excel template. Specifically describe each Security Measure that you classify as an In-Kind Site Commission payment. Also specifically describe any other payment, gift, exchange of services or goods, fee, technology allowance, or product that you classify as an In-Kind Site Commission payment.

**(5) Legal Authority for Legally Mandated Site Commission Payments:** For any Legally Mandated Site Commission payments reported in item IV.K.1.a above, provide a citation in the Word template to the authority requiring the Legally Mandated Site Commission at the Facility.

**(6) Allocation of Reported Amount Among Services:** To the extent you pay Site Commissions for both Audio IPCS and Video IPCS on a per-Provider, per-Facility, or per-contract basis, and those Site Commissions are fixed, you shall allocate such Site Commission payments between Audio IPCS and Video IPCS based on your best estimate of the percentage of the total amount of your Fixed Site Commissions attributable to each type of IPCS. If you used an alternative allocation methodology, in the Word template, explain why an alternative allocation is necessary, provide the methodology used to perform the allocation, and explain why you chose the particular allocation method.

**(7) Additional Information:** In the Word template, provide any additional information needed to ensure that your entries for Site Commissions associated with Video IPCS are full and complete.

## L. Disability Access

This section directs you to provide, on a Facility-by-Facility basis, information regarding the availability of each Disability Access Service listed and the number of completed communications that utilized each Disability Access Service during the Reporting Period. Enter your responses for items IV.L.1 through IV.L.8 in the Excel template, and items IV.L.9 through IV.L.11 in the Word template.

Note that the safe harbor that previously exempted some providers from TRS-related reporting requirements no longer is in effect.[[25]](#footnote-27)

**Contract & Facility Information from Tab B:**

**Contract Identifier:** The Contract Identifier should automatically be populated in this column after it is entered in tab B. Check to make sure the unique Contract Identifier in this tab correctly aligns with your data in this tab.

**Facility Identifier:** The Facility Identifier should automatically be populated in this column after it is entered in tab B. Check to make sure the unique Facility Identifier in this tab correctly aligns with your data in this tab.

**(1) Kinds of Disability Access Service Available in the Facility:** For each Facility served during the Reporting Period, report the types of TRS that were available**.** For this item (1), a “Yes” response means that the Disability Access Service was available at some time during the Reporting Period.

**(1)(a) Video Relay Service (VRS):** Select “Yes” from the drop-down menu if VRS was available in the Facility during the Reporting Period. Select “No” from the drop-down menu if VRS was not available in the Facility during the Reporting Period.

**(1)(b) Internet Protocol Relay Service (IP Relay):** Select “Yes” from the drop-down menu, if IP Relay was available in the Facility during the Reporting Period. Select “No” from the drop-down menu if IP Relay was not available in the Facility during the Reporting Period.

**(1)(c) Internet Protocol Captioned Telephone Service (IP CTS):** Select “Yes” from the drop-down menu if IP CTS was available in the Facility during the Reporting Period. Select “No” from the drop-down menu if IP CTS was not available in the Facility during the Reporting Period.

**(1)(d) Non-Internet Protocol Captioned Telephone Service (Non-IP CTS):** Select “Yes” from the drop-down menu if Non-IP CTS was available in the Facility during the Reporting Period. Select “No” from the drop-down menu if Non-IP CTS was not available in the Facility during the Reporting Period.

**(1)(e) Speech-to-Speech Relay Service (STS):** Select “Yes” from the drop-down menu if STS was available in the Facility during the Reporting Period. Select “No” from the drop-down menu if STS was not available in the Facility during the Reporting Period.

**(1)(f) Traditional (TTY-based) TRS:** Select “Yes” from the drop-down menu if TTY-based TRS was available in the Facility during the Reporting Period. Select “No” from the drop-down menu if TTY-based TRS was not available in the Facility during the Reporting Period.

**(1)(g) Point-to-Point Video Service:** Select “Yes” from the drop-down menu if Point-to-Point Video Service was available in the Facility during the Reporting Period. Select “No” from the drop-down menu if Point-to-Point Video Service was not available in the Facility during the Reporting Period.

**(1)(h) TTY-to-TTY Calling:** Select “Yes” from the drop-down menu if TTY-to-TTY Calling was available in the Facility during the Reporting Period. Select “No” from the drop-down menu if TTY-to-TTY Calling was not available in the Facility during the Reporting Period.

**(2) Number of Disability Access Communications Completed:** For each Facility served during the Reporting Period, report the number of completed communications made or received by Incarcerated People using each kind of Disability Access Service**.**

**(2)(a) Number of VRS Communications:** Enter the number of completed VRS communications made or received by Incarcerated People in the Facility during the Reporting Period.

**(2)(b) Number of IP Relay Communications:** Enter the number of completed IP Relay communications made or received by Incarcerated People in the Facility during the Reporting Period.

**(2)(c) Number of IP CTS Communications:** Enter the number of completed IP CTS communications made or received by Incarcerated People in the Facility during the Reporting Period.

**(2)(d) Number of Non-IP CTS Communications:** Enter the number of Non-IP CTS communications made or received by Incarcerated People in the Facility during the Reporting Period.

**(2)(e) Number of STS Communications:** Enter the number of STS communications made or received by Incarcerated People in the Facility during the Reporting Period.

**(2)(f) Number of TTY-based TRS Communications:** Enter the number of TTY-based TRS communications made or received by Incarcerated People in the Facility during the Reporting Period.

**(2)(g) Number of Point-to-Point Video Communications:** Enter the number of Point-to-Point Videocommunications made or received by Incarcerated People in the Facility during the Reporting Period.

**(2)(h) Number of TTY-to-TTY Calls:** Enter the number of TTY-to-TTY calls made or received by Incarcerated People in the Facility during the Reporting Period.

**(3) Number of Complaints Regarding Disability Access Services:** For each Facility served during the Reporting Period, report the number of complaints that the Provider received regarding each kind of Disability Access Service**.**

**(3)(a) Number of VRS Complaints:** Enter the number of complaints that the reporting Provider received regarding VRS at the Facility during the Reporting Period.

**(3)(b) Number of IP Relay Complaints:** Enter the number of complaints that the reporting Provider received regarding IP Relay at the Facility during the Reporting Period.

**(3)(c) Number of IP CTS Complaints:** Enter the number of complaints that the reporting Provider received regarding IP CTS at the Facility during the Reporting Period.

**(3)(d) Number of Non-IP CTS Complaints:** Enter the number of complaints that the reporting Provider received regarding Non-IP CTS at the Facility during the Reporting Period.

**(3)(e) Number of STS Complaints:** Enter the number of complaints that the reporting Provider received regarding STS at the Facility during the Reporting Period.

**(3)(f) Number of TTY-based TRS Complaints:** Enter the number of complaints that the reporting Provider received regarding TTY-based TRS at the Facility during the Reporting Period.

**(3)(g) Number of Point-to-Point Video Complaints:** Enter the number of complaints that the reporting Provider received regarding Point-to-Point Video Service at the Facility during the Reporting Period.

**(3)(h)** **Number of** **TTY-to-TTY Complaints**: Enter the number of complaints that the reporting Provider received regarding TTY-to-TTY calls at the Facility during the Reporting Period.

**(4) Ancillary Service Charges:** List each type of Ancillary Service Charge you billed during the Reporting Period for access to or use of TTY equipment or other disability-related technologies at the Facility.

**(5) Billed TTY-to-TTY or TTY-Based TRS Ancillary Service Charges (Yes/No):** In this column, select “Yes” from the drop-down menu if you billed an Ancillary Service Charge to Consumers for TTY-to-TTY or TTY-based TRS calls.

**(6)** **Ancillary Service Charge #1 for TTY-to-TTY or TTY-Based TRS Service:** Change the title for (6) to be the name of an Ancillary Service Charge you billed Consumers of TTY-to-TTY service or TTY-based TRS. Then, in the three sub-columns, provide information about charges related to that Ancillary Service Charge.

**(6)(a) Jurisdiction:** Select from the drop-down menu, “Intrastate only,” “Interstate/International only,” or “Both” depending on the jurisdictional nature of the Ancillary Service Charge.

**(6)(b)** **Total Amount Billed for Ancillary Service Charge:** Enter the total amount billed for the Ancillary Service Charge at the Facility for the Reporting Period.

**(6)(c) Number of Times the Charge Was Billed:** Enter the number of times the Ancillary Service Charge was billed at the Facility during the Reporting Period.

**(7) Ancillary Service Charge #2 for TTY-to-TTY or TTY-Based TRS Service**: If you billed a second Ancillary Service Charge to Consumers of TTY-to-TTY or TTY-based TRSservice, change the title of (7) to be the name of that Ancillary Service Charge. Then, in the three sub-columns, provide information about charges related to that Ancillary Service Charge.

**(7)(a) Jurisdiction:** Select from the drop-down menu, “Intrastate only,” “Interstate/International only,” or “Both” depending on the jurisdictional nature of the Ancillary Service Charge.

**(7)(b)** **Total Amount Billed for Ancillary Service Charge:** Enter the total amount billed for the Ancillary Service Charge at the Facility for the Reporting Period.

**(7)(c) Number of Times the Charge Was Billed:** Enter the number of times the Ancillary Service Charge was billed at the Facility during the Reporting Period.

**(8) Additional Ancillary Service Charges for TTY-to-TTY or TTY-Based TRS Service:** If you billed additional Ancillary Service Charges for TTY-to-TTY or TTY-based TRSService, then add additional columns in the format given for (6) and (7), with the name of the Ancillary Service Charge spanning three sub-columns, and the three sub-columns providing the Jurisdiction, Total Amount Billed for Ancillary Service Charge, and Number of Times the Charge Was Billed. Continue adding as many columns as needed for additional Ancillary Service Charges.

**(9) Above-Cap TTY-to-TTY or TTY-Based TRS Based Ancillary Service Charges:** If any of your answers for items IV.L.6.b, IV.L.7.b, and any similar columns you may have added regarding Total Amount Billed for Ancillary Service Charges exceeds the maximum charges permitted under the Commission’s Ancillary Service Charge Rules, explain in detail in the Word template the circumstances surrounding the above-cap charges. This explanation shall include, among other relevant information, the circumstances leading to the above-cap charges; the total amount of above-cap charges; the number of Consumers affected; a breakdown of the above-cap charges by type of charge and frequency for each relevant Facility; and a statement as to the extent to which the above-cap charges have been refunded to Consumers.

**(10) Allocation of Reported Number:** If a reported number of times each charge has been billed reflects an allocation of Ancillary Service Charge payments among Facilities, explain in the Word template why an allocation is necessary, provide the methodology used to perform the allocation, and why you chose the particular allocation method.

**(11) Additional Information:** In the Word template, provide any additional information needed to ensure that your entries for Disability Access are full and complete.

# V. ANNUAL CERTIFICATION REQUIREMENTS

Each Provider must submit a signed Annual Certification Form as part of the Annual Report. The Chief Executive Officer (CEO), Chief Financial Officer (CFO), or other senior executive of the Provider must complete the form and certify that, based the executive’s own reasonable inquiry, all statements and information contained in the Provider’s Annual Report are true, accurate, and complete. A link to the Certification Form is provided in Appendix C to these Instructions.

**(1) Name of Service Provider:** Provide the name under which the Provider offers Audio IPCS or Video IPCS. If the Provider offers Audio IPCS or Video IPCS under more than one name, provide all relevant names.

**(2) Reporting Year:** Provide the relevant time period for the information the certification covers.

**(3) Authorized Officer Name, Title:** Provide the name and title of the authorized officer completing the certification form. The officer must be the CEO, CFO, or other senior executive who can attest to the truthfulness, accuracy, and completeness of the information provided.

**(4) Mailing Address of Authorized Officer:** Provide the business mailing address of the officer identified in item V.3.

**(5) Telephone Number:** Provide the business telephone number, with area code, of the officer identified in item V.3.

**(6) E-mail Address:** Provide the business e-mail address of the officer identified in item V.3.

**(7) Certification:** This item requires the person who signs the certification form on behalf of the service Provider to declare, under penalty of perjury, that (1) the signatory is an officer of the above-named Provider and is authorized to submit the attached Annual Report on behalf of the Provider; (2) the signatory has examined the attached Annual Report and determined that all requested information has been provided; and (3) based on information known to the signatory, or provided to the signatory by employees responsible for the information being submitted, and on the signatory’s own reasonable inquiry, all statements and information contained in the Provider’s Annual Report are true, accurate, and complete.

**(8) Signature of Authorized Officer:** The signature of the officer identified in item V.3 is required in this block.

**(9) Date:** The date the officer identified in item V.3 signs the form is required in this block.

**(10) Printed Name of Authorized Officer:** The printed name of the officer identified in item V.3 is required in this block.

**APPENDIX A**

The proposed Word template is available at this link: <https://docs.fcc.gov/public/attachments/DOC-395701A1.docx>.

**APPENDIX B**

The proposed Excel template is available at this link: <https://docs.fcc.gov/public/attachments/DOC-395702A1.xlsx>.

**APPENDIX C**

The proposed Annual Certification Form is available at this link: <https://docs.fcc.gov/public/attachments/DOC-395703A1.docx>.

1. *Rates for Interstate Inmate Calling Services*, WC Docket No. 12-375, Second Report and Order and Third Further Notice of Proposed Rulemaking, 30 FCC Rcd 12763, 12891-92, paras. 267-68 (2015) (*2015 ICS Order*); *see* 47 CFR § 64.6060. [↑](#footnote-ref-3)
2. *2015 ICS Order* at 12891-93, paras. 267-68, 273. [↑](#footnote-ref-4)
3. *See* *Rates for Interstate Inmate Calling Services*, WC Docket No. 12-375, Fourth Report and Order and Sixth Further Notice of Proposed Rulemaking, FCC 22-76 (Sept. 30, 2022) (*2022 ICS Order*); 47 CFR § 64.6040(b) (adopting expanded access requirements for incarcerated persons with communication disabilities). Among the numerous reforms, the Commission required all ICS providers to provide access to all relay services eligible for TRS Fund support in any facility where broadband is available and where the average daily population incarcerated in that jurisdiction (i.e., in that city, county, state, or the United States) totals 50 or more persons. *See* *2022 ICS Order* at 3, para. 3. The Commission also adopted targeted reforms to lessen the financial burden on incarcerated people and their loved ones when using calling services. *Id.* at 3, para. 4. [↑](#footnote-ref-5)
4. *2022 ICS Order* at 24, para. 48. [↑](#footnote-ref-6)
5. *Id.* at 25, para. 51 (citing the *2015 ICS Order*, 30 FCC Rcd at 12883, para. 246). A provider that fell within the safe harbor was required to include a certification from an officer of the company stating which prong(s) of the safe harbor it had met.  *2022 ICS Order* at 25, para. 51. [↑](#footnote-ref-7)
6. *2022 ICS Order* at 25, para. 51. [↑](#footnote-ref-8)
7. *Id.* at 26, para. 52. [↑](#footnote-ref-9)
8. Martha Wright-Reed Act § 2(a)(2), (b). [↑](#footnote-ref-10)
9. *Id.* § 2(c); *see* 47 U.S.C. § 152(b). [↑](#footnote-ref-11)
10. *2023 IPCS Order* at 32, para. 80. With the Martha Wright-Reed Act’s expansion of the Commission’s authority beyond calling services to include all audio and video communications services used by incarcerated people, the Commission no longer uses the phrase “Inmate Calling Services” and instead uses the term “Incarcerated People’s Communications Services” or “IPCS” to refer to these broader service offerings. [↑](#footnote-ref-12)
11. *Incarcerated People’s Communications Services*; *Implementation of the Martha Wright-Reed Act*; *Rates for Interstate Inmate Calling Services*, WC Docket Nos. 23-62, 12-375, Notice of Proposed Rulemaking and Order, FCC 23-19 (Mar. 17, 2023) (*2023 IPCS Notice* or *2023 IPCS Order*). [↑](#footnote-ref-13)
12. *Id.* at 33-34, paras. 84-85; *Wireline Competition Bureau and Office of Economics and Analytics Seek Comment on Proposed 2023 Mandatory Data Collection for Incarcerated People’s Communication Services*, WC Docket Nos. 23-62, 12-375, Public Notice, DA 23-355 at 2 (WCB/OEA Apr. 28, 2023) (*2023 IPCS Mandatory Data Collection Public Notice*). [↑](#footnote-ref-14)
13. *2023 IPCS Order* at 33-34, paras. 84-85. [↑](#footnote-ref-15)
14. *Incarcerated People’s Communications Services*; *Implementation of the Martha Wright-Reed Act*; *Rates for Interstate Inmate Calling Services*, WC Docket Nos. 23-62, 12-375, Order, DA 23-638 (July 26, 2023). [↑](#footnote-ref-16)
15. *2023 IPCS Order* at 34, para. 86. [↑](#footnote-ref-17)
16. *Id*.; *see* *2023 IPCS Mandatory Data Collection Public Notice* (seeking comment on the proposed mandatory data collection for IPCS). [↑](#footnote-ref-18)
17. These Instructions and the associated template and Annual Certification Form consolidate and supplant the Instructions and template and Annual Certification Form for earlier iterations of the ICS annual reporting and certification requirements. As discussed below, the template consists of a Word document and Excel spreadsheets. For simplicity, we refer to these respective portions of the template as the Word template and the Excel template. [↑](#footnote-ref-19)
18. 47 CFR § 64.6060. [↑](#footnote-ref-20)
19. *2023 IPCS Order* at 34, para. 86. [↑](#footnote-ref-21)
20. *See* 47 CFR §§ 64.6060, 64.6000(s). [↑](#footnote-ref-22)
21. *Incarcerated People’s Communications Services*; *Implementation of the Martha Wright-Reed Act*; *Rates for Inmate Calling Services*, WC Docket Nos. 23-62 and 12-375, Protective Order, DA 23-298 (WCB Apr. 5, 2023), <https://www.fcc.gov/document/wireline-competition-bureau-adopts-ipcs-protective-order> (*Protective Order*); 47 CFR § 0.459(b); *id*. § 0.459(c) (specifying that “[c]asual requests [for confidential treatment] (including simply stamping pages ‘confidential’) . . . will not be considered”); *Rates for Interstate Inmate Calling Services*, WC Docket No. 12-375, Order, 35 FCC Rcd 9267 (WCB 2020) (*ICS Annual Report Transparency Order*); *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, 37 FCC Rcd 1214 (WCB 2022). [↑](#footnote-ref-23)
22. *ICS Annual Report Transparency Order*, 35 FCC Rcdat 9267, para. 1. [↑](#footnote-ref-24)
23. *Id.* [↑](#footnote-ref-25)
24. *See Rates for Interstate Inmate Calling Services*, WC Docket No. 12-375, Report and Order on Remand and Fourth Further Notice of Proposed Rulemaking, 35 FCC Rcd 8485, 8502, 8533, paras. 51, 133 (2020) (citing 47 CFR § 6060). [↑](#footnote-ref-26)
25. *2022 ICS Order* at 25, para. 51. [↑](#footnote-ref-27)