

44 FR 61214, 10/24/99

Before the  
Federal Communications Commission  
Washington, D. C. 20554

FCC 79-620  
14713

In the Matter of	)	
	)	
Amendment of Part 43.61 of	)	CC DOCKET NO. 79-262
the Rules so as to eliminate	)	
semi-annual reports and to	)	
provide for the submission	)	
of revised and corrected	)	
data in the annual reports	)	
of overseas telecommunica-	)	
tions traffic data.	)	

NOTICE OF INQUIRY AND PROPOSED RULE MAKING

Adopted: October 2, 1979 ; Released: October 16, 1979

By the Commission:

1. In this Notice we are proposing certain revisions to Section 43.61, which deals with overseas traffic data. This proposal calls for the elimination of the semi-annual reports of such data, changes the due date for the annual reports, provides for the submission of revised annual reports and certain corrected data, and explores the need for changing the reporting classification service categories.

Background

2. Pursuant to Section 43.61 of the Commission's Rules and Regulations, common carriers engaged in the provision of overseas telecommunications services are required to file reports containing information on overseas traffic. These reports are filed twice each year, the first report covering the period of January through June and the second covering the period of January through December. The information in these reports is subdivided into various service classifications. In the case of services provided by the international record carriers, for example, traffic statistics on message telegraph service and overseas teleprinter exchange service are reported separately. The information is further subdivided into outbound and inbound traffic, with traffic

which transits the United States being reported separately from traffic which originates and terminates in the United States. Finally, information is submitted for each overseas point except Alaska, Canada, Saint Pierre-Miquelon, and Mexico.

#### Problem

3. It has come to our attention that some of the data may no longer be useful or as useful as they could be. Further, there may be errors in the data or revisions which are received by the carriers after the reports are submitted to the Commission. Finally, the service classifications in our rules may be outmoded due to new services that have been introduced by the international carriers since the classifications were established. Through this Rule Making Proceeding, we seek to remedy the problems discussed herein as well as other problems that may be brought to our attention.

#### Comments

4. First, we are soliciting comments concerning the possibility of eliminating the six month reports submitted by AT&T and the IRCs under Part 43.61. It is our understanding that considerable delays are frequently experienced by the carriers in receiving data from their foreign correspondents. In such cases, the carriers may find it necessary to estimate the traffic statistics in order to meet the deadlines specified in our reporting requirements. These estimates may be inaccurate, and if so, this circumstance limits the reliability and usefulness of the data. It is also our understanding that the carriers periodically update their own data to reflect revisions they receive after they have submitted their reports to the Commission.

5. Before taking action on the six month reports, we would like the carriers to address the following issues and to submit their comments. First, we need information on the lag between the time a data item is received from the overseas correspondents and the month in which it originated. In addressing this issue, respondents should

include a distribution which shows the number of countries involved in each of several specified lag intervals. The distribution should be set out as follows:

<u>Months of Lag</u>	<u>Number of Countries</u>
Under	1
1 and under	2
2 and under	3
3 and under	4
4 and under	5
5 and under	6
6 and over	

Second, the proportion of data associated with each of the monthly time lags should be indicated. Third, where it is necessary to estimate the data, there should be a clear explanation of the nature of the information and the methods that are used to derive the estimates. Fourth, the differences between the carriers' estimates and the actual data received from the foreign correspondents should be quantified and explained. Fifth, the average proportion of estimated data for each reported data category included in the six month reports should be calculated and submitted by each carrier.

6. The Commission is aware of the fact that frequently the annual data received from the carriers are not completely accurate. This situation may be caused by problems similar to those we discussed in connection with the semi-annual data. In order to be assured that our records contain the most up-to-date and accurate data which is available in a reasonable period of time, we are considering a change in the date on which the annual 43.61 data are due. Under the Commission's present Rules and Regulations, annual reports are due by May 15 for traffic data of the preceding calendar year. The new requirement would call for the report to be submitted by June 30 rather than May 15. For example, reports for 1979 are due by May 15, 1980. Under the new requirement, reports for 1979 would be submitted by June 30, 1980. We invite comments on this proposed revision of our Rules, including suggestions for other dates on which the annual data would be due. We also solicit responses to each of the issues listed in connection with the six month reports.

7. In a further attempt to assure the receipt of accurate data, we have under consideration a requirement for the submission of revised 43.61 reports. We recognize that it may be unduly burdensome to expect the carriers to file updates with the Commission each time a revision is received. In order to avoid this unnecessary burden, our proposal will require each international carrier to submit a revised 43.61 annual report by December 31 of each year. It will be a complete report of the latest available data, including all revisions to the report of June 30. We invite comments on this proposed change in our Rules.

8. On occasion substantial errors in the 43.61 data may be discovered by the carriers after the revised annual reports have been submitted to the Commission. We wish to be informed of these errors when they are discovered. We suspect that "substantial" would be defined differently depending on the particular service and country involved. It is, therefore, necessary to establish standards for this category of inaccurate data. The following standards have been suggested for telephone service.

1. For countries with more than 10 million minutes or \$10 million in revenues (excluding foreign payouts) or more than 1 million calls, an error that exceeds 1% of the figure in any category would require a report for all data of the country.
2. For countries with more than 5 million but less than 10 million minutes or dollars of revenue (excluding foreign payouts) or more than 500,000 but less than 1 million calls, an error that exceeds 2% of the figure in any category would require a report for all data of the country.
3. For countries with more than 1 million but less than 5 million minutes or dollars of revenue (excluding foreign payouts) or more than 100,000 but less than 500,000 calls, an error that exceeds 3% of the figure in any category would require a report for all data of the country.

4. For countries with less than 1 million minutes of dollars of revenue (excluding foreign payouts) or less than 100,000 calls, an error that exceeds 4% of the figure in any category that would require a report for all data of the country.

We request comments on these standards and invite suggestions on alternative standards.

9. For overseas services other than message telephone, there has been little discussion on error updating or the magnitude of an error that would require submission of corrected data. Therefore, we request comments on the appropriate standards, including specific suggestions similar to those in paragraph 8, to apply to the various overseas services. In addition, we would like the carriers to comment on the possibility of submitting data revisions immediately after substantial changes in the data are discovered.

10. Since the 43.61 reporting rules were originally promulgated and the services required to be reported were first listed, the international carriers have initiated several new services. While some of these services have been offered for several years, they are not reported separately in the 43.61 submissions. Instead, some carriers combine usage data for these services with other services and other carriers exclude data for these new services altogether. In this proceeding, we intend to remedy this situation.

11. We seek comments from all interested parties on the following subjects. First, we would like each carrier to identify specifically those categories of actual or potential services which are not identified and reported separately in its 43.61 reports. AT&T should address itself to international dataphone and international WATS, describing the current status of each and in the case of WATS, its expected availability in the future. Second, for each service listed, we request specific suggestions concerning the appropriate measurement units that the carriers should use to report the service (e.g., Message Telephone Service - messages, minutes, revenues). Third, we would like suggestions on whether the data should be reported by its tariff

classification, or whether, as in the past, broad generic categories should be developed, into which the carriers fit the tariff categories. Fourth, we request comments on whether these services should be reported in a form suitable for the industry consolidation reports (i.e., computer readable format), or in handwritten form. Further, if only handwritten reports are thought to be necessary, the appropriate time to convert to a computer format should be discussed. Finally, we would like the carriers to comment on the availability of data, in explicit form, for these "new" services from the year they were initially offered to the present.

12. There have been informal discussions between AT&T and the Commission staff concerning the need to continue the reporting of 43.61 traffic data for offshore points involved in rate integration. By letter of January 30, 1979, AT&T informed the Commission that it is discontinuing the submission of this data. This discontinuance did not have Commission sanction. Our initial reaction is to require continued submission of these data from all parties that serve these points. Several facilities that serve international traffic points also serve the domestic overseas points that are being integrated into the domestic network, (e.g., Transpac cables serve Hawaii, Caribbean cables serve the Virgin Islands). Thus, in determining the need for new facilities, it is important for the Commission to know the demands of intermediate points, such as Hawaii and the Virgin Islands, that will also be served by the facility. However, we want all parties to comment on the question of whether these data should be submitted and, therefore we will leave the question open.

13. It has come to our attention that AT&T's "transit switching" data are not reported in its 43.61 submission. This situation results in an incomplete measure of use of international facilities because traffic that does not terminate in or originate from the contiguous United States is excluded from the reports. We would, therefore, like AT&T to comment on a possible requirement calling for the reporting of the total revenues, messages, and minutes represented by its switched transit services. Also, we would like to know the company's expected trends for transit switching. Finally, we welcome comments on

the need to include transit switching data in the 43.61 report and the appropriate format for its inclusion.

14. As a final matter, it is our understanding that data from AT&T on its Customer Dialed Operator Serviced calls are included in the dial category for the 43.61 reports. These calls are billed as customer dialed calls and apparently, this procedure explains the reporting classifications. However, the calls are functionally operator assisted calls. We request comments on the appropriate reporting classification of Customer Dialed Operator Serviced calls, including the relative magnitudes of their traffic volumes and revenues.

15. In response to the issues listed herein, each common carrier engaged in providing overseas telecommunications services and any other interested party should submit Comments by November 16, 1979 and Replies by December 1, 1979. After a review and analysis of the Comments and Replies, we shall set forth in a Supplemental Notice of Proposed Rule Making the specific changes in the Rules which we consider to be appropriate.

16. ACCORDINGLY, IT IS ORDERED, pursuant to Section 4i, 4j, 220 of the Communications Act of 1934, as amended, That this Notice of Proposed Rulemaking concerning Part 43.61 of the Commission's Rules and Regulations IS ADOPTED.

17. IT IS FURTHER ORDERED, That comments on the matters set forth in paragraphs 4 through 14 above SHALL BE filed no later than November, 16, 1979, and Replies SHALL BE filed no later than December 1, 1979. Each party responding to this notice shall file an original and (5) copies of its comments and replies with the Commission.

FEDERAL COMMUNICATIONS COMMISSION

William J. Tricarico  
Secretary