



4423 POINT FOSDICK DRIVE, NW
SUITE 306
GIG HARBOR, WA 98335
TELEPHONE: 253.851.6700
FACSIMILE: 866.474.3630
WWW.MILLERISAR.COM

Regulatory Review

The Miller Isar, Inc. Regulatory Review is a monthly report designed to provide clients with information regarding regulatory and policy matters that may impact their business operations. The Regulatory Review is provided for informational purposes only and does not constitute legal opinion or legal counsel. Comments and suggestions are always welcome.

FEDERAL REGULATORY NEWS

COMMISSION RELEASES RULE STREAMLINING NPRMS

On February 22, 2010, the Commission released two Notices of Proposed Rulemaking (“NPRM”) seeking comments regarding how to improve Commission decision making and efficiency and promote participation in Commission proceedings. In its procedural rule NPRM the Commission proposes changes to procedural and organization rules primarily governing reconsideration of agency proceedings and case management to “enhance efficiency and reduce backlogs, improve the transparency and openness of FCC proceedings by making it easier for interested persons to follow and participate in the process, and reduce confusion by the public about certain deadlines.” The Commission’s Ex Parte Rule NPRM proposes changes to rules governing *ex parte* communications. The rules are based recommendations resulting from a public workshop held in October 2009, and Commission experience. The Commission seeks to ensure that its decision-making processes more open, transparent, fair, and effective.

NPRM (*Ex Parte Rules*): [Word](#) | [Acrobat](#)
NPRM (*Procedural Rules*): [Word](#) | [Acrobat](#)
News Release (2/18/10): [Word](#) | [Acrobat](#)
Genachowski Statement: [Word](#) | [Acrobat](#)
Copps Statement: [Word](#) | [Acrobat](#)
McDowell Statement: [Word](#) | [Acrobat](#)
Clyburn Statement: [Word](#) | [Acrobat](#)
Presentation on Procedural Rules NPRM: [Acrobat](#)
Presentation on Ex Parte Rules NPRM: [Acrobat](#)

COMMISSION CLARIFIES APPLICATION OF FEDERAL LIFELINE RULES TO CARRIERS

The Commission has released an *Order and Clarifying Ruling* regarding the applicability of federal Lifeline rules

when program certification and verification requirements are absent in state programs. Acting on four petitions for waiver of section 54.410 of the Commission’s rules and six requests for a declaratory ruling concerning the Commission’s Lifeline certification and verification requirements, the Commission concluded that “when a state commission mandates Lifeline support, but does not impose certification and verification requirements on certain carriers within the state, the affected carriers must follow federal default criteria for certification and verification purposes.”

Order: [Word](#) | [PDF](#)

TELEPHONE NUMBER UTILIZATION REPORT RELEASED

The Commission has released its current report on telephone number utilization in the United States. The report provides biannual data on telephone number usage by carriers, specifically the percentage of telephone numbers assigned to customers compared to the total of telephone numbers assigned to carriers. The report presents numbering resource utilization statistics based on June 2009 data that carriers submitted to the North American Numbering Plan Administrator (NANPA), as well as other information. According to the report, Reporting carriers have nearly 1.4 billion telephone numbers. Of these, 673 million were assigned to customers, about 629 million were available to be assigned, and roughly 87 million were used for other purposes, such as for administrative use; Overall, 48.5% of all telephone numbers were assigned to customers; The overall utilization rate for Incumbent Local Exchange Carriers (LECs) was 48.8%, down from 49.6% six months earlier; The overall utilization rate for Cellular/PCS carriers was 66.1%, up from 65.6% six months earlier; and The overall utilization rate for Competitive LECs was 34.3%, up from 31.1% six months earlier. Michigan’s area code 947 is the most utilized, with 86.1% of numbers assigned to customers. New York’s area code 646 (which is coincident

with New York City's area code 212) is the next most utilized, with 81.2% of numbers assigned to customers. Tracking number utilization is one of a number of initiatives taken by the Commission to ensure that limited numbering resources are used efficiently.

Report: [PDF](#) | [Text](#)

COMMISSION RELEASES NEW CENSUS TRACT-LEVEL DATA ON HIGH-SPEED INTERNET SERVICES

On February 12, 2010, the Commission released its first *High-Speed Services for Internet Access* report based on the new census tract-based Form 477 data collection requirements. The FCC has collected information from facilities-based broadband service providers since 2000. In 2008, the FCC released orders implementing significant improvements to its data collection. As part of the improvements, providers of fixed-location Internet access connections faster than 200 kilobits per second (kbps) are now to report connection counts at the census tract level as well as the state level. This report summarizes information about fixed-location Internet access connections in 3,232 counties and 66,287 census tracts and in 72 combinations of upload and download advertised transmission speeds. Additionally, the report summarizes information about subscribers with full Internet access at transmission speeds above 200 kbps as part of their mobile wireless service package, now based on the improved reporting criteria. Report statistics show that in 200 counties (6% of counties, containing 1% of U.S. households), no more than 20% of households were estimated to have broadband connections, while in 104 counties (3% of counties, containing 8% of U.S. households) at least 80% of households had broadband connections. Among the Report's other findings, High-speed Internet access connections to homes and businesses over fixed-location technologies increased by 10% during 2008, to 77 million. By contrast, the annual rate of increase was 17% during 2007; At year-end 2008, 25 million mobile wireless service subscribers had mobile devices (such as laptops and smartphones) with high-speed data plans for full Internet access; Reported connections for the most widely adopted fixed-location technologies, cable modem and aDSL, increased by 14% and 3%, respectively, during 2008, to 41 million cable modem connections and 30 million aDSL connections, with the cable modem increase being partly due to more comprehensive reporting by small cable systems. A 56% increase in total FTTP connections, to 3 million, was the largest rate of increase among fixed-location technologies; and Of the 102 million total high-speed connections at year-end 2008 (including residential and business fixed and mobile connections), 86 million (or 84% of the total) were faster than 200 kbps in both upstream and downstream directions.

News Release: [Word](#) | [Acrobat](#)

BROADBAND PLAN RECOMMENDATIONS UNVEILED

In anticipation of meeting the extended March 17, 2010 deadline for submitting a National Broadband Plan to Congress that addresses broadband deployment, adoption, affordability, and the use of broadband to advance solutions to national priorities, under The American Recovery and Reinvestment Act of 2009, the Commission released its working recommendation for a national plan. The plan offers approaches to promote broadband deployment for healthcare, education, energy and the environment, government, public safety and homeland security, job training, and small business.

News Release: [Word](#) | [Acrobat](#)

Report: [Acrobat](#)

COMMISSION 2011 BUDGET TOPS \$352M

On February 1, 2010, the Commission announced the submission of its fiscal year 2011 operating budget. According to the Commission, the budget proposal incorporates several Commission initiatives including:

- Continuation of the work of the National Broadband Plan and broadband map;
- Implementation of a spectrum inventory initiative and emergency response interoperability center;
- State-of-the-art consumer information programs, seizing the opportunities provided by new media and advanced information technology;
- New investment in the people and technology necessary to overhaul the agency's antiquated systems for data collection, processing, analysis, and dissemination;
- New expertise and new tools required to ensure that the FCC is able to be a model of excellence, openness, and transparency domestically and internationally.

The Commission also notes that the request "would also provide funds to cover mandatory increases in salaries and benefits and inflationary increases for contractual services."

News Release: [Word](#) | [Acrobat](#)

FY 2011 Budget Estimate: [Acrobat](#)

REPORT CONCLUDES THAT LECs HAVE NOT INCREASED INVESTMENTS FOLLOWING REGULATORY STREAMLINING

A [Report](#) released by Public Knowledge and written by written by Economics and Technology, Inc. – "Regulation, Investment and Jobs: How regulation of wholesale markets can stimulate private sector broadband investment and create jobs" has concluded that decreased regulation has not yielded increased investments by incumbent or competitive local exchange carriers. The Report notes, "The RBOCs have long claimed that eliminating regulation and wholesaling requirements will incent investment by both ILECs and CLECs but the evidence to date supports and opposite conclusion. The Report notes that decreased regulation has not yielded increased investments by ILECs or CLECs. By returning to policies that ensured that ILEC wholesale access facilities are ubiquitously available and fairly priced, the Report maintains that the FCC has the opportunity to set in motion a new era of innovation,

investment and job growth in the telecommunications industry.

FIXED-BROADBAND SERVICE SUBSCRIPTION RATES INCREASE IN U.S. AND GLOBALLY

An ABI Research report concludes that the number of fixed-broadband subscriptions worldwide grew 9% from 2008 to 2009 to a total of more than 422 million. The firm says DSL accounts for 65% of subscriptions, with cable broadband garnering 25% at more than 105 million, followed by fiber-to-the-home at 11%. "ABI forecasts that worldwide wireline broadband subscribers will increase to 501 million at the end of 2014 -- with most of the growth in fiber-to-the-home connections. FTTH will more than double over that time period, from 44 million at the end of 2009 to about 106 million in 2014, the research firm estimates." [Multichannel News](#)

In a separate report, the U.S. Commerce Department concludes that the number of U.S. homes with broadband connections has increased significantly since 2007. Broadband penetration is estimated to be at 63.5% as of 2009 compared with just over 50% two years ago. Broadband connections now account for more than 90% of all Internet service compared with 82% in 2008, according to the report. [Network World](#)

IN THE COURTS

D.C. COURT FINDS VOIP TRAFFIC NOT SUBJECT TO ACCESS CHARGES

In what could be a precedence setting ruling, U.S. District Court for the District of Columbia has ruled that that CommPartners LLC's voice-over-Internet-protocol traffic terminated by PAETEC Communications, Inc., is not subject to PAETEC's access rate tariff. Both companies had filed motions with the Court to address a dispute over applicability of access charges to CommPartners traffic under PAETEC's tariff. The Order found that CommPartners traffic is subject to PAETEC access charges, while also concluding that PAETEC applicability of access charges to iVoIP traffic under its tariff is "inconsistent" with FCC rules and court rulings. According to PAETEC's tariff, access charges apply for use of facilities to terminate traffic regardless of the technology used, including iVoIP services. CommPartners argued that the tariff provisions apply exclusively to technology used by PAETEC. The Court disagreed with CommPartners on the basis that the tariff is silent regarding any implied limitation on who terminates traffic. Yet, the Court sided with CommPartners in finding that PAETEC's tariff does not apply to VoIP-originated traffic, because VoIP is an "information service" exempt from such charges, and instead is applicable to "reciprocal compensation" rules. The Court acknowledged the ongoing issue over whether iVoIP services are to be considered "information" or "telecommunications" services,

while noting that Federal courts have already ruled that transmission including iVoIP to conventional time division multiplex net format conversions are exempt from access charges. Further, the Court agreed with CommPartner's argument that reciprocal compensation should be the standard used in the case as under the federal Telecommunications Act of 1996, access charges only apply where there is a "pre-act obligation relating to inter-carrier compensation." The Court concluded that since VoIP was not developed until after enactment of the 1996 Act, no applicable pre-Act compensation regime applies. Other pending related suits including the ongoing Global NAPs access charge challenges in Maryland and Ohio may be impacted. (PAETEC Communications, Inc., v. CommPartners LLC)

STATE REGULATORY NEWS

FLORIDA – Repeal of Telephone Pole Rights-of-Way Law Considered

A bill that would repeal Florida's eminent domain rules for telephone companies has been introduced in the House. HB 995, if enacted, would repeal Sections 362.01 and 361.02 of the Florida Statutes; provisions that give telecommunications providers authority to erect telephone poles along public roads and highways and to construct and operate lines along the right-of-way of any railroad.

KANSAS – 911 Fee Bill Muddled in House

The Kansas House of Representative is considering legislation that would impose a \$0.55 per month, per subscriber on all wireline, wireless and VoIP subscribers to fund emergency 911 services. HB2423 would apply the fee on these services and any "other service capable of contacting a [public safety answering point]." Fees would also be imposed on prepaid services at the rate of 1% of the retail price. If enacted, the new fees would become effective January 1, 2011.

KENTUCKY – PSC AT&T UNE Order Rejected

U.S. District Court for the Eastern District of Kentucky (Central Division) has ruled that the State Public Service Commission did not have jurisdiction to establish ILEC unbundled network elements (UNE) terms and rates. Ruling on an AT&T's motion for injunctive relief from a December 2007 Commission order that required AT&T to offer certain UNEs at rates determined by the Commission as well as forcing the incumbent to provide commingled UNEs, the Court found that the Commission's decision was "contrary to the FCC's interpretation and application of federal law." The matter stems from motions filed by several competitive carriers to compel AT&T to provide delisted network elements at rates based on rates for services provided under section 271 of the federal Telecommunications Act until interconnection agreements

could be negotiated with AT&T. Following a Commission order doing so, AT&T secured a District Court decision which enjoined the Commission from enforcing its order. A subsequent complaint filed by SouthEast Telephone, Inc. in which the carrier also asked the Commission to compel AT&T to provide UNEs under section 271 of the Act resulted to the Court's enjoining the Commission from enforcement, finding in both cases that the Commission did not have authority to enforce Section 271-based service rates. The matter was remanded to the Commission to determine damages owed to AT&T. Following the Commission's failure to act, AT&T sued the Commission in April 2009. The Court's decision further ruled on related issues. Among them, that while AT&T is not obligated to provide a splitter to a competitor, AT&T must allow competitors the ability to engage in line splitting arrangements with other CLECs using a splitter collocated at AT&T's central office. AT&T was also required to unbundle DS1/DS3 loops including loops provided under fiber optic cable. ("Bellsouth Telecommunications, Inc., v. Kentucky Public Service Commission et al.," civil action no. 3:08-07-DCR)

MASSACHUSETTS – Telecommunications Industry Report Released

On February 12, 2010, the Massachusetts Department of Telecommunications and Cable issued its telecommunications industry report for 2009. The Competition Status Report evaluates the availability and adoption of wireline telephony and cable services for 2005 through 2008 and analyzes the effects of wireless telephony in the telecommunications market. According to the Report, The number of available competitive providers for Wireline Voice services has decreased dramatically for residential customers. As of December 2008, ILECs served about 996,600 business lines, or 59% of the market. CLECs represent the primary competition for small to medium sized business customers, while cable providers served a very small number of customers. As of December 2008, CLECs served about 660,500 end-user business lines (39% of the SMB market), an end-user line increase of more than 26% since 2005. The Report may be accessed via the [Department's website](#).

MINNESOTA – Panel Addresses Telephone Directory Bill

The Minnesota House Telecommunications Regulation and Infrastructure Division met in February to discuss adoption of HB 170, a bill requiring telephone directory publishers to print a toll free number where directory recipients could call to opt out from receiving directories. If adopted, publishers would be required to publish the number outside of the directory. Publishers would also be required to maintain a database of those opting out from receiving directories, and would be prohibited from removing the names of those

opting out unless receiving a notice from the individual. A \$500 penalty could be assessed on publishers for violations.

MISSOURI – House Passes Bill to Require ILEC Rate Reductions

The Missouri House has passed HB 1750, a bill that would require incumbent local exchange carriers to reduce switched access charges in the State of Missouri. Under the bill, ILECs would specifically be required to reduce composite originating and terminating intrastate switched access rates each year by 5% of the difference between the carrier's intrastate and interstate rates. ILECs would subsequently be required to lower their intrastate rates to a level of 50% of their interstate rates by Dec. 31, 2019. The first reduction would occur on Dec. 31, 2010 and each subsequent reduction will take place on Dec. 31 of each subsequent year. The requirement would not apply to incumbents serving fewer than 25,000 access lines as of January 1, 2010.

NEW JERSEY – Bill Calls for Preclusion of Charges for Services that Cannot be Canceled Through Telecom Providers

AB 1919, a measure that would prohibit telecommunications providers from charging subscribers for services provided by other companies unless the subscriber can cancel the service through the telecommunications provider, has been introduced. The bill would require telecommunications providers to enable subscribers to cancel any service appearing on a telecommunications bill through the telecommunications company billing the service. A penalty not to exceed \$1,000 per offense would apply.

NEW JERSEY – Commission Implements Access Charge Reduction

On February 1, 2010, the New Jersey Board of Public Utilities released an order implementing a series of switched access charge reductions over a 36 month period. Incumbent local exchange carriers Verizon, Embarq, and Warwick Valley Telephone were directed to implement three separate rate reductions, and established the resulting rates as switched access rate caps for competitive carriers. The first reduction was to have taken place on the second week of February when the incumbents were directed to eliminate the carrier common line charge component from their rates. The Board then established a benchmarked composite rate for competitive carriers, who were directed to file rate reductions in mid February. The second reduction comes on February 1, 2011, when the incumbents are to reduce intrastate access rates by one-third the difference between their intrastate and interstate rates. By February 1, 2012, incumbents must reduce rates by one half again the difference between incumbent intrastate and interstate rates, and again on February 1, 2013, when

incumbent intrastate rates are to equal interstate rates. Each reduced incumbent rate become the competitive carrier benchmarked rate. (Docket No. TX08090830)

NEW YORK – Bill To Reduce Commission Petition Response Time Passes House

The New York Assembly has passed a measure that would require the Public Service Commission to act on pending petitions within a fixed time period. HB 4472 requires formal Commission action on petitions which request that the Commission investigate “imprudent behavior” against a utility within 30 days, and other petitions within 90 days. The bill was prompted by a huge Commission backlog in petitions: , 69 cases filed in 2002 are still open, 95 from 2003, 143 from 2004, 321 from 2005, and 665 from 2006.

OREGON – USF Surcharge Decreased

The Oregon Public Utility Commission has adopted a staff recommended decrease in the state universal service fund end-user surcharge to 5.6% from 7.12% of intrastate telecommunications charges. The new surcharge becomes effective March 1, 2010. (Docket UM 731)

SOUTH DAKOTA – Cable and Telephone Interconnection Bill Passes to House

The House Commerce Committee has passed a bill establishing that a bona fide request for interconnection made by a cable operator, eligible telecommunications carrier, rural telephone company, and video programming company has the same meaning in the state as it does under Section 251 of the federal Telecommunications Act of 1996. Rural telephone companies intending to offer video service would be required to provide written notice to the Commission and to each cable operator within the proposed service area in no less than 120 days prior to initiation of service, under the bill. A cable operator would be authorized to request interconnection within 30 days from receipt of notice and the Commission would initiate a proceeding to terminate the rural telephone company's exemption under section 251 of the Act. HB 1173 also gives the Commission authority to grant competitive local exchange service applications in a rural service territory if meeting Commission requirements. Applicants would not be required to become eligible telecommunications carriers.

SOUTH DAKOTA – Traffic Pumping Bill Heads to House

The House Committee on State Affairs narrowly passed a bill that would explicitly prohibit local exchange carriers from engaging in traffic stimulation or “traffic pumping.” HB 1097 would make any form of access stimulation charges, defined as a “switched access charge assessed by a local exchange carrier upon a connecting carrier for delivery

of telecommunications during which a free or nominally priced service or product is provided by an unaffiliated entity with which the local exchange carrier has a business, financial, or contractual arrangement relating directly or indirectly to any switched access revenue from the offering of such service or product” illegal. The number of pending court cases regarding the practice has prompted legislative action.

TENNESSEE – Legislation Authorizes Market-Regulated ILEC Tariffs

SB 3640, a bill that would authorize market-regulated local exchange telephone service providers to a tariff with the state Regulatory Authority, has been introduced in the Senate. The bill would amend Section 65-5-109 of the Tennessee administrative rules governing price regulation to allow market-regulated LECs to file tariffs. According to the bill’s language “The approval of a tariff under this section shall constitute publication and notice to consumers of the provisions of the tariff, specifically those provisions governing carrier and consumer liability.”

TEXAS – Tariff Filing Requirements Streamlined

The Texas Public Utilities Commission has promulgated new rules that streamline company access tariff submissions in certain instances. Under the amended rule, companies may file an information notice with the Commission that cross references a web site where the Company’s interstate switched access rates are posted, if the company concurs with its interstate rates, terms and conditions for intrastate access. Companies would be required to provide ten days notice to the Commission of any changes. Unnecessary and outdated sections under the Public Utility Regulatory Act relating to additional notice requirements that expired in 2003 were also removed. (Docket 36622)

WEST VIRGINIA – Commission Sets Customer Deposit Interest Rate

On February 4, 2010, the West Virginia Public Service Commission established the customer deposit interest rate to be applied by telecommunications providers holding deposits in 2010. Telephone providers are directed to pay a simple interest rate of 0.35% on customer deposits beginning February 4, 2010 until the next Commission order setting the rate. The rate is based on the average rate paid on Treasury Bills during the last quarter of 2009. [Order](#)

WISCONSIN – Switched Access Rate Reform Provisions Removed from Bill

Controversial provisions designed to reform local exchange carrier switched access charges have been removed from a bill meant to revise Wisconsin's telecommunications laws. SB 469 and companion HB 696 include a number of telecommunications reforms including new standards for inter-carrier compensation. Proposed language that would have required incumbent LECs to lower intrastate switched access rates to interstate rates within six months and benchmark competitive carrier access rates to incumbent rates, while allowing the carriers to offset associated losses from the state's universal service fund, were deemed too contentious and were subsequently removed. Legislators recognized that similar efforts in other states had been exceptionally controversial, though the legislature plans to take up the matter of access rate reform in the future. The state Public Service Commission is conducting its own investigation into access rate reform and has already held a number of technical conferences. Among the reforms remaining in the bill are provisions exempting incumbents from several reporting requirements, limiting the Commission's competitive carrier requirements imposed, and making CLEC certification applicable on a statewide basis. The bill further exempts voice over Internet protocol service from Commission regulation, except for VoIP provider contributions the state's Universal Service Fund. The bill also states that access charges for interconnected VoIP service are subject to the commission's access service charge requirements.

WISCONSIN – New Police and Fire Protection Fund Assessment Implemented

The Public Service Commission has promulgated new rules imposing a fee on voice service providers that will fund Wisconsin's fire protection and police fund. The new fee is the result of Wisconsin Act 28, enacted in 2009, which authorized imposition of a \$0.75 per month fee on all voice connections including those provided by voice over Internet protocol service providers. Subscribers with more than 10 "connections" are subject to a \$0.75 fee for each connection beginning with the 11th connection. Prepaid wireless subscribers are subject to a single \$0.38 assessment at the point of sale. Providers must explain the assessment on the first bill on which the assessment appears. Lines used internally by service providers, federal government agencies and tribal governments are exempt from the fee. The new rule will become effective the first day after it is published in the Wisconsin Administrative Register. The Wisconsin State Telecommunications Association had sought exemptions arguing that many provider billing systems could not differentiate between the number of connections, and that providers would assume significant implementation costs. The Commission disagreed, noting that providers have the capability to calculate assessments from existing account data, though conceded that the new assessment would increase carrier costs of doing business.

COMPLIANCE REPORTING MARCH 2010

The following report listing has been compiled from past reporting requirements and is provided exclusively for informational purposes. Reporting requirements are subject to change and should be verified by filers.

FEDERAL REPORTS DUE IN MARCH

Due Date	Jurisdiction	Report Name
March 1	Federal	Local Competition and Broadband Reporting FCC Form 477
March 1	Federal	Customer Proprietary Network Information Compliance Certification
March 31	Federal	Circuit Status Report
April 1	Federal	Annual USF Report, FCC Form 499A

STATE REPORTS DUE IN MARCH

Due Date	Jurisdiction	Report Name
March	Alaska	Access Minutes Report
March	Alaska	Access Minutes Report
March	Alaska	Carrier and Area Specific Bulk Billed Report
March	Missouri	Relay Missouri Statement
March	Rhode Island	Telecommunication Education Access Fund
March	Rhode Island	Telecommunications Relay Service Report
March 1	Arkansas	Annual "Ad Valorem Tax" Report
March 1	California	Women, Minority and Disabled Veteran Business Enterprises (WMDVBE) Annual Report G.O. 156
March 1	Idaho	ID Universal Service Fund Form
March 1	Illinois	Annual Report on Competition
March 1	Ohio	CLEC Data (Report)
March 10	Alaska	Alaska Telecommunications Relay Services Fund - Remittance of Surcharges Collected
March 10	Arkansas	State of Arkansas Universal Service Fund
March 10	California	Employee Compensation, Dues, and Subscriptions
March 10	Georgia	Local Service Indicators Data Requests
March 10	New York	Service Quality Performance
March 12	California	Combined California PUC Telephone Surcharge Transmittal
March 15	Alabama	Revised Survey of Competitive Local Exchange Carriers
March 15	Florida	Florida Telecommunications Relay, Inc. (FTRI) Monthly Surcharge Collection Report
March 15	Georgia	Georgia Telecommunications Relay Service (TRS) Monthly Surcharge Collection Report

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Due Date	Jurisdiction	Report Name	Due Date	Jurisdiction	Report Name
March 15	Kansas	Kansas Universal Service Fund 2004/2005 Wireless and Wireline Carrier Remittance Worksheet	March 22	Arkansas	Arkansas Intrastate Carrier Common Line Pool Report
March 15	Kentucky	Commonwealth of Kentucky Telecommunications Relay Service Fund Telecommunications Devices for the Deaf Distribution Fund	March 25	Minnesota	Minnesota Annual 911/TAM/TAP Fees Report Form
March 15	Kentucky	Commonwealth of Kentucky Universal Service Fund	March 25	Texas	Texas Universal Service Fund Worksheet
March 15	Nebraska	Nebraska USF & E911 Remittance Worksheet	March 30	Mississippi	Mississippi Dual Party Fund Statement of Revenues
March 15	North Carolina	North Carolina Access Line Report - Rule 17-2(K)	March 30	Nebraska	State of Nebraska Dual Party Relay Surcharge Form
March 15	North Carolina	Questions for Competing Carriers Report	March 30	Tennessee	Wireline Activity Tennessee-CCN Authority
March 15	Oklahoma	Annual Affidavit of Switchless Reseller to the Oklahoma Intrastate High Cost Fund	March 30	Vermont	Monthly Disconnect Report
March 15	Oklahoma	Oklahoma High Cost Fund Interexchange Carrier Annual Retail Billed Minutes of Use Report	March 30	Vermont	Vermont Service Quality Performance Index Report
March 15	Oklahoma	State of Oklahoma Universal Service Fund Carrier Remittance Worksheet	March 30	Virginia	Service Quality Report
March 15	Pennsylvania	Pennsylvania Universal Service Fund, FY2004 Carrier Remittance Monthly Worksheet	March 30	Wyoming	Telecommunication Companies Revenue & Assessment Report (Wyoming Universal Service Fund)
March 15	Puerto Rico	Puerto Rico Universal Service Fund July 2004 - December 2004 Carrier Remittance Worksheet	March 31	Alaska	Regulatory Cost Charge Annual Report for Telecommunication Intrastate Inter-Exchange Carriers (IXCs)
March 15	Rhode Island	E911	March 31	Alaska	Regulatory Cost Charge Annual Report for Telecommunication Local Exchange Carriers (LECs)
March 15	South Carolina	The Public Service Commission of South Carolina SC Dual Party Relay System Invoice	March 31	Arkansas	Arkansas Public Service Commission Company Contacts and General Information for Interexchange Carriers and Private Pay Telephone Providers Report on Gross Revenue
March 15	Vermont	Vermont Universal Service Fund Carrier Remittance Worksheet	March 31	Arkansas	Arkansas Reseller Shortform
March 15	Virginia	Telecommunications Relay Service Monthly Report	March 31	Arkansas	Local Telephone Company Annual Report
March 20	Alaska	State of Alaska Universal Service Fund Monthly Carrier Remittance Worksheet	March 31	California	Estimate of Billing Base Subject to Surcharge
March 20	Arizona	Arizona Universal Service Fund Carrier Remittance Worksheet	March 31	California	Operational and Financial Information Report
March 20	Colorado	CO Telecommunications Relay Service Surcharge	March 31	Colorado	CO High Cost Support Mechanism Worksheet
March 20	Idaho	Idaho Telecommunications Service Assistance Plan (ITSAP)	March 31	Delaware	Annual Gross Revenue Return and Statement of Assessment
March 20	New Hampshire	Telecommunications Relay Service Remittance	March 31	Hawaii	State of Hawaii PSC Annual Report of Resellers and Various Telecommunications Services
March 20	Pennsylvania	Remittance Form for Monthly Telecommunications Relay Service (TRS) Surcharge Collections	March 31	Illinois	Amended and Annual Gross Revenue Return for Public Utilities and Rail Carriers
March 20	Utah	Utah Universal Service Fund Surcharge Remittal Statement	March 31	Illinois	Annual Report of Certain Telecommunications Carriers
March 20	Washington	Telecommunications Relay Service, Washington Telecommunications Assistance Program, and E911	March 31	Indiana	Indiana Utility Regulatory Commission Local Competition Survey
March 21	New York	TAF Adjustment Input Form	March 31	Kansas	Supply Line Report
March 21	New York	Targeted Accessibility Fund Monthly Online Reporting Form	March 31	Kentucky	Annual Report
March 21	Oregon	Residential Services Protection Fund Surcharge Remittance Form			

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Due Date	Jurisdiction	Report Name
March 31	Kentucky	Kentucky Public Service Commission Report of Gross Operating Revenues Derived From Intra-Kentucky Business for the Year Ending December 31, 20__ Local Exchange Carriers and Competitive Local Exchange Carriers
March 31	Kentucky	Kentucky Public Service Commission Report of Gross Operating Revenues Derived From Intra-Kentucky Business for the Year Ending December 31, 20__ Long Distance Carriers and Operator Services
March 31	Louisiana	Service Standard Report
March 31	Maryland	Interexchange Carrier Annual Report
March 31	Maryland	Maryland CLEC Financial Statements
March 31	Massachusetts	Annual Return and Revenue Statement (Combo Return), IPP Revenue Statement (Department of Telecommunications and Energy Annual Report)
March 31	Missouri	Statement of Revenue
March 31	New Hampshire	Annual Quality of Service Report Card
March 31	New Hampshire	CLEC FX Eligibility Report
March 31	New Hampshire	Contact Information Sheet
March 31	New Hampshire	Telecommunications Companies Competitive Local Exchange Carrier/Competitive Toll Provider Annual Report
March 31	New Jersey	Annual Report
March 31	New York	Statement of Gross Intrastate Operating Revenues
March 31	New York	Telecommunications Monitoring Report
March 31	Oregon	Oregon Telephone Assistance Program Reimbursement Form
March 31	Pennsylvania	Development of Assessment Worksheet
March 31	Pennsylvania	Pennsylvania Public Utility Commission Assessment Report
March 31	Puerto Rico	Puerto Rico Telecommunications Reporting Worksheet
March 31	Utah	Competitive Local Exchange Carrier Annual Report
March 31	West Virginia	West Virginia Financial and Statistical Report
March 31	CANADA	CRTC Telecommunications Industry Data Collection, Contribution Collection Mechanism (CCM), (High Cost Funding)
March 31	CANADA	CRTC Telecommunications Industry Data Collection, Financial Statement Forms

Due Date	Jurisdiction	Report Name
March 31	CANADA	CRTC Telecommunications Industry Data Collection, Local and Access
March 31	CANADA	CRTC Telecommunications Industry Data Collection, Long Distance
March 31	CANADA	CRTC Telecommunications Industry Data Collection, Telecom Fees

Dates and Deadlines MARCH

1- Comments are due to the **FCC's Office of Engineering and Technology and Wireless Telecommunications Bureau** in response to a further notice of proposed rulemaking on the treatment of **wireless microphones** in the core television bands. Replies are due March 22 in WT dockets 08-166 and 08-167 and ET docket 10-24.

1- Comments are due to the **FCC** on a petition filed by Beehive Telephone Co., Inc., and its Nevada affiliate seeking a **declaratory ruling** that the FCC "will not entertain a complaint by a local exchange carrier to recover unpaid tariff access charges from its interexchange carrier customer." Replies in Wireline Competition docket 10-36 will be due March 11.

2- The FCC will hold a public forum to discuss the creation of an emergency response interoperability center for **public safety broadband communications** from 2 p.m. to 4 p.m. at its Washington headquarters.

2- The fourth meeting of the FCC's Advisory Committee for the **2012 World Radiocommunication Conference (WRC-12)** will be held from 11 a.m. to noon in the Commission's meeting room.

3- Comments are due to the **FCC** on a petition filed by ACS of Anchorage, Inc., and two of its affiliates seeking **Phase II pricing flexibility** for the Anchorage metropolitan statistical area, the Juneau non-MSA area, and the Fairbanks MSA. Replies are due March 15 in Wireline Competition Bureau/Pricing File no. 10-02.

4- The **Commerce Spectrum Management Advisory Committee** plans to hold its next meeting from 9 a.m. to 2 p.m. in room 4725 at Commerce headquarters.

5- Comments are due to the **FCC's Wireline Competition Bureau** on a petition filed by the U.S. Telecom Association, on behalf of its price-cap-regulated members, seeking a permanent waiver of rules on **nonexogenous cost data filing requirements** for the Short Form Tariff Review Plan (TRP). Replies in the WC docket 10-46 proceeding are due March 12.

5- Comments are due to the **FCC** on Virgin Island Telephone Corp.'s petition to move to price regulation by July 1 and for related limited waivers of certain **universal**

service "high-cost" support rules. Replies are due March 15 in Wireline Competition docket 10-39.

9- Comments are due to the **FCC's Wireline Competition Bureau** on a joint petition for declaratory ruling and motion for temporary relief filed by five Michigan competitive local exchange carriers asking the FCC to **preempt a Michigan law** ("Act 182"). Replies are due March 19 in WC docket 10-45.

16- The **FCC** holds an open meeting at which the Commission is expected to vote on a Broadband Mission Statement and its staff is expected to present the **National Broadband Plan**.

MILLER ISAR NEWS

Miller Isar, Inc. has again been engaged to prepare FCC Form 499A and FCC Form 477 submissions for several clients. The firm has also been asked to pursue a Consent Decree with the FCC Enforcement Bureau to resolve outstanding Notices of Apparent Liability regarding late-filed calendar year 2007 customer proprietary network information certifications.

For additional information, please contact Andrew Isar at aisar@millerisar.com, or call 253.851.6700.