

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of:)	
)	
Connect America Fund)	WC Docket No. 10-90
)	
A National Broadband Plan for Our Future)	GN Docket No. 09-51
)	
Establishing Just and Reasonable Rates for Local Exchange Carriers)	WC Docket No. 07-135
)	
High-Cost Universal Service Support)	WC Docket No. 05-337
)	
Developing an Unified Inter-carrier Compensation Regime)	CC Docket No. 01-92
)	
Federal-State Joint Board on Universal Service)	CC Docket No. 96-45
)	
Lifeline and Link-Up)	WC Docket No. 03-109
)	
Notice of Public Information Collection(s))	
Being Reviewed by the Federal Communications Commission)	

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**CENTURYLINK'S PAPERWORK REDUCTION ACT COMMENTS
REGARDING DRAFT FCC FORM 481**

The Commission seeks comments pursuant to the Paperwork Reduction Act (PRA) regarding its proposed information collection through its draft FCC Form 481 and accompanying instructions.¹ CenturyLink submits these comments primarily to offer ways to enhance the quality, utility, and clarity of the information to be collected and ways to minimize the burden of the collection of information on the respondents.

¹ See, 78 Fed. Reg. 12750 (Feb. 25, 2013).

I. THE COMMISSION SHOULD IMMEDIATELY CLARIFY THAT THE REPORTING REQUIREMENTS FOR WHICH THE COMMISSION IS CURRENTLY SEEKING OMB APPROVAL AND THE NEW LIFELINE REPORTING REQUIREMENTS WILL NOT BE EFFECTIVE FOR THE JULY 2013 ANNUAL REPORTS.

At the outset it should be noted that CenturyLink fully supports the petition and comments that the United States Telecom Association (USTelecom) filed regarding the annual ETC reporting requirements and FCC Form 481 earlier this month.² Generally, CenturyLink will not repeat those arguments here. But, we emphasize that it is imperative that the Commission clarify which reporting requirements will be in effect this year. In fact, at this point, the optimal solution would be to clarify now that the new reporting requirements for which the Commission is currently seeking Office of Management and Budget (OMB) approval will not be effective for this year's annual reports. Also, given that the new reporting requirements pertaining to Lifeline service are included for the first time in the new FCC Form 481, the Commission should also clarify that those reporting requirements will be first effective for the July 1, 2014 annual reports. These immediate clarifications would significantly reduce the unnecessary burdens caused by the ongoing uncertainty as to which reporting requirements will be imposed this year.

II. TO THE EXTENT THAT THE COMMISSION PROCEEDS WITH THE FCC FORM 481 REPORTING REQUIREMENTS, IT SHOULD CLARIFY SEVERAL ADDITIONAL ASPECTS OF THE INFORMATION COLLECTIONS.

In reviewing the draft Form 481 and the accompanying instructions, CenturyLink has identified several issues in addition to those raised by USTelecom that the Commission should clarify in order to improve the quality and utility of the information collected to the extent that it moves forward in requesting this information at all. This list is not exhaustive, but raises issues

² See, United States Telecom Association's Petition for Reconsideration and Clarification and Comments in Response to Paperwork Reduction Act, WC Docket No 10-90, *et al.*, filed Apr. 4, 2013 (USTelecom Petition).

that CenturyLink has noted since the USTelecom Petition was filed during CenturyLink's efforts to assess what processes it would need to put in place to gather and provide the information requested.

A. The Commission Should Clarify the Relevant Time Periods for the Information Being Collected.

One overarching issue is the need for clarity regarding the time periods associated with each section of the reporting. Several of the reporting obligations as reflected in Rule 54.313 explicitly refer to reporting information for the "prior calendar year."³ Other sections, such as the certification requirements of sections 54.313(a)(5) and (6) which use language of "is complying" and "is able to function" imply a more current, but less specific time frame.⁴ Still other sections, such as the reporting on voice price offerings are tied to a specific day.⁵ This also ties to the need for clarity regarding the "Program Year" for each section of reporting. Is the "Program Year" a line that will be pre-populated on the form or will the reporting carrier complete that line? Is it intended to be the same time periods throughout the form or is it intended to shift depending on the information being reported in a section? The Commission should clarify the time frames applicable to each reporting requirement to better enable temporally consistent data across reporting carriers.

B. The Commission Should Clarify Several Aspects of the Voice Price Offerings and Voice Rates Below the Rate Floor Reporting Section.

As already mentioned, CenturyLink fully supports the USTelecom Petition including each of the points made in that petition regarding the voice pricing information collection

³ See, e.g., 47 C.F.R. § 54.313(a)(2)(3) & (4).

⁴ See, 47 C.F.R. § 54.313(a)(5) & (6).

⁵ See, Draft Instructions at pp. 17-19. But, which day is the correct rate-sampling date remains unclear. See discussion at 4-5, *infra*.

requirements. CenturyLink questions the practical utility of the vast amount of information the section seeks. Additionally in reviewing the sections of the draft instructions and form pertaining to annual reporting by ILEC high-cost recipients of voice price offerings and voice rates below the rate floor, CenturyLink has identified several other issues warranting clarification.

Reporting Date. For instance, in the “Purpose” paragraph of the instructions pertaining to this section, it states that “[c]arriers must report lines and rates in effect as of January 1 of the Program Year.”⁶ Later in the same section of the instructions, however, companies are to report residential rates and loops “in effect as of June 1 of the reporting year” and “as of June 1 of the Program Year”, respectively.⁷ What is the correct rate-sampling date? Is it January 1 or June 1? In this case is the reporting year the same as the “Program Year” and is that the current year, not the prior year? It is CenturyLink’s understanding that the rate-sampling date for at least the rate floor deficiency analysis should be June 1 of the current year.⁸ The conflicting language in the instructions, however, undermines that understanding and raises the question of whether there may be different rate-sampling dates for the voice pricing offering information and the voice rates below the rate floor information. The Commission must clarify these rate-sampling dates.

⁶ See, Draft Instructions at p. 17.

⁷ See, *id.* at pp. 18-19.

⁸ The Commission changed the rate-sampling date for section 54.313(h) for the rate floor deficiency reporting from January 1 to June 1 when it changed the annual ETC reporting date from April 1 to June 1. *Connect America Fund, A National Broadband Plan for Our Future, Establishing Just and Reasonable Rates for Local Exchange Carriers, High-Cost Universal Service Support, Developing a Unified Intercarrier Compensation Regime, Federal-State Joint Board on Universal Service, Lifeline and Link-Up, Universal Service Reform – Mobility Fund*, WC Docket Nos. 10-90, 07-135, 05-337, 03-109, GN Docket No. 09-51, CC Docket Nos. 01-92, 96-45, WT Docket No. 10-208, Third Order on Reconsideration, 27 FCC Red 5622, 5629 ¶ 19 (2012). To CenturyLink’s recollection, the Commission has not previously addressed a rate-sampling date for the additional voice pricing data now being requested.

Further, with respect to this voice pricing reporting section, we have a concern about the timing of this reporting burden. CenturyLink appreciates that the Commission picked June 1 as the date for reporting rates and loops to ensure a rate-sampling date for the rate floor deficiency calculation that is reasonably close to the reporting date, while accommodating certain petitioners' request for additional time to implement rate changes as needed to maintain eligibility for support.⁹ CenturyLink continues to view that for purposes of reporting those exchanges with a rate deficiency that the June 1 sampling date is appropriate.

Now, however, the Commission is requesting voice pricing data for all exchanges in addition to those that are identified as having rates below the rate benchmark. As a practical matter for reporting purposes, reporting data as of June 1 for a July 1 filing does not provide sufficient time for CenturyLink to gather all of the pricing data now requested, populate the form with that information for each ETC receiving support, obtain the necessary certifications, finalize the filing and prepare it for filing with the FCC, USAC, and the relevant state commissions and tribal authorities.¹⁰ It would reduce somewhat the very significant burden of this annual filing if the Commission could either use a date that is earlier than June 1 as the basis for this pricing information, such as April 1, or provide some flexibility such that carriers could select a date earlier than June 1 as the basis for their pricing data that does not reflect a rate floor deficiency.

⁹ *See, id.*

¹⁰ CenturyLink has ILEC operations in 37 states, approximately 120 ILEC companies, and approximately 3,200 exchanges for which we will need to provide the voice pricing information currently requested. In addition, almost half of the 3,200 exchanges have both flat rate and measured local service rates. For each of these exchanges, CenturyLink will need to complete studies for its measured service to determine an equivalent local rate for the voice pricing reporting. Although a few of these exchanges require a study for a possible rate floor deficiency, the vast majority of these exchanges would not require a study because the exchange does not receive high-cost loop support today. Compiling the data to calculate and report an equivalent local rate for these exchanges is time consuming and burdensome without any clear purpose. And this is only one piece of the voice price offering reporting, that is only one piece of the FCC Form 481 information collection.

Acquired Exchanges. Also, the instructions regarding Line 703 – column a5 – acquired exchange – require reporting carriers to indicate whether each local service area was acquired through purchase or merger. Is this at any time in the past or is there a more limited time period associated with this? Depending on the purpose of this information, it may be that a limited time period would be appropriate.

Total Per-Line Fees. Also, in the instructions for Line 703 – column c – it seems that the “total per-line fees” of this column should be the sum of columns b2 through b5 as opposed to what is stated (b2 through b4).¹¹ In other words, the mandatory EAS charges should be included in the total per-line fee amount.

Rate Floor Deficiency. Still further, with respect to Line 703 – column d, the instructions do not match the column. Currently the instructions state “[w]hen the analysis of column ‘e’ indicates a deficiency below the Urban Rate Floor, this column will calculate revenue deficiency at the wire center level.” But, the information in column “e” is not used to determine whether there is a rate floor deficiency, it is the column in which you report the number of residential loops associated with any rate floor deficiency reported in column “d”. CenturyLink recommends revising the instructions for Line 703 – column (d) to state the following: “Enter the calculated amount of the ‘Total per line Rates and Fees’ reported in column (c) less the amount of FCC Local Urban Rate Floor. When this amount is less than zero, the amount reflects the rate floor deficiency. This amount times the residential loops reported in column (e) will calculate the revenue deficiency at the wire center level.”

¹¹ See Draft Instructions at p. 19.

C. The Commission Should Clarify the Time Period or Specific Date for Which Company Broadband Price Offerings Are to Be Reported.

CenturyLink supports the concerns raised by USTelecom regarding the reporting requirements for broadband pricing data. The Commission is imposing reporting requirements that are unduly burdensome with no clear explanation of why the information collection is necessary, particularly with respect to the scope and detail of the requested information. The Commission should take the necessary time to carefully re-evaluate its broadband pricing information collection prior to imposing those reporting obligations on high-cost support recipients.

In addition to the concerns already raised by USTelecom regarding the requested reporting of company broadband price offerings, CenturyLink notes another. With respect to this reporting, it is not stated for what time period the broadband price offerings are supposed to be reported. It is not clear if it is rates for an entire year (which it should not be as that would be unduly burdensome), at a point in time (which at least could be consistent with the voice price reporting), or something else. If the broadband pricing reporting is tied to a specific date, as discussed above for the voice pricing data that is not associated with a rate deficiency, a date earlier than June 1, such as April 1, is more practical for a July 1 filing.

III. CONCLUSION.

The Commission should take the time necessary to refine and improve the FCC Form 481 and its accompanying instructions so that the information collected has clear practical utility and the instructions guiding the collection are understandable. To do this effectively the Commission should immediately clarify that the reporting requirements for which the Commission is currently seeking OMB approval and the new Lifeline reporting requirements will not be required for the July 2013 annual reports. In this manner the Commission would be able to take

additional time to evaluate and modify the proposed information collections to be understandable and appropriately tailored to the CAF purposes for which the information is being collected in the first instance.

Respectfully submitted,

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