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Ms. Cathy Williams  
Office of Managing Director - FCC

Delivered by email to [PRA@fcc.gov](mailto:PRA@fcc.gov) and [Cathy.Williams@fcc.gov](mailto:Cathy.Williams@fcc.gov)

Re: Information Collection Being Reviewed by the Federal Communications Commission, OMB Control Number 3060-0854, with respect to Section 64.2401, Truth-in-Billing Format, CC Docket No. 98-170 and CG Docket No. 04-208

Dear Ms. Williams:

CenturyLink files these comments in response to the Commission's Federal Register request for comments regarding the information collection impacts of the Commission's *2012 Cramming Order*.<sup>1</sup> We believe the Commission has substantially underestimated the "Time per Response" for respondents. Accordingly, the Commission's estimated "Total Annual Burden" and "Total Annual Cost" are undoubtedly significantly underestimated as well. Below we provide information in support of these conclusions. Because of these underestimations, the Commission should consider whether carriers will be able to fully comply with the Commission's *Order* with respect to those items awaiting OMB approval.<sup>2</sup>

In its Federal Register publication, the Commission invited comment on a variety of matters, including:

Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the

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<sup>1</sup> *In the Matter of Empowering Consumers to Prevent and Detect Billing for Unauthorized Charges ("Cramming"), Consumer Information and Disclosure, Truth-in-Billing and Billing Format*, Report and Order and Further Notice of Proposed Rulemaking, CG Docket Nos. 11-116, 09-158, CC Docket No. 98-170, FCC 12-42, rel. Apr. 27, 2012. 77 Fed. Reg. 34947 (June 12, 2012). The *2012 Cramming Order* provides no specifics regarding the specific information collection activities associated with the Paperwork Reduction Act (PRA) review. The *Order* merely says that "This document adopts new or revised information collection requirements subject to the [PRA] of 1995 . . . Public Law 104-13 (44 U.S.C. 3501-3520). The requirements will be submitted to the Office of Management and Budget (OMB) for review under Section 3507 of the PRA." *Id.* ¶ 151.

<sup>2</sup> *Id.* ¶ 113.

respondents, including the use of automated collection techniques or other forms of information technology.<sup>3</sup>

The Federal Register publication indicates that the “Frequency of Response” includes “On occasion reporting requirement[s]” and “Third party disclosure requirement[s].”<sup>4</sup> There, the Commission estimated that the “Time Per Response” would be 2 to 243 hours per respondent. Considering that it anticipated 4,484 respondents and 49,542 responses, the Commission estimated an annual industry burden of 4,047,134 hours at a total annual cost of \$15,918,200. As described more fully below, based on the number of hours (with associated costs) that CenturyLink alone has already spent, and the work it anticipates continuing into 2013, CenturyLink questions the accuracy of the Commission’s estimates.

The Commission’s *2012 Cramming Order* was released in late April 2012. Beginning early May, before the *Order* was even published in the Federal Register, CenturyLink began pulling together various interested constituencies in its business divisions, as well as public policy, compliance and legal. Since then over 632 person hours have been consumed in conference calls (over 35) alone.<sup>5</sup> In addition, there have been additional telephone and email communications.<sup>6</sup> The hour figure also does not include more dedicated project hours or costs involved with smaller groups preparing change orders (to request modifications to systems), non-IT billing development and design work with regard to bill format to reflect telecommunications versus non-telecommunications charges, or the resources and hours dedicated to crafting customer communications for business office personnel or electronic messaging. The person hours CenturyLink has already expended clearly substantially exceed those estimated in the Federal Register publication with respect to an ongoing burden. Moreover, CenturyLink currently estimates that the IT implementation associated with the Commission’s *Order* will entail many thousands of hours and will cost over a million dollars.

Given these figures, CenturyLink questions how the estimated annual industry burden with respect to hours or costs reflected in the Federal Register publication can be correct. We believe it is materially underestimated.

Thank you for your consideration of this information in your analysis and assessment.

Respectfully submitted,

/s/ Kathryn Marie Krause

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<sup>3</sup> 77 Fed. Reg. at 34947. This essentially paraphrases the requirements of 44 U.S.C. § 3506(c)(2)(A).

<sup>4</sup> *Id.*

<sup>5</sup> Using a modest, averaged labor rate of \$36.77/hour, this converts to \$23,238.64.

<sup>6</sup> The chief compliance person dedicated to this task has over 300 current emails on this matter.