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CLIENT UPDATE
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FCC Revises Form 477 Requirements and Extends Filing Obligation to VoIP Providers

On June 12, 2008, the FCC adopted an order that revised the broadband data reporting requirements on Form 477 and extended the filing requirements to interconnected VoIP providers. The new reporting requirements will take effect with the March 1, 2009 filing (subject to OMB approval). This filing will report connection data as of December 31, 2008.

Currently, facilities-based broadband providers must file Form 477 twice a year for each state in which they provide broadband connections to end users. On the new Form 477, broadband providers will be required to provide the following information:

- The number of broadband connections in individual census tracts, broken down by technology type and upload and download speed.
- The percentage of broadband connections that is residential.

Moreover, the Order requires interconnected VoIP providers to report the following information:

- The number of subscribers served (both end user and resale).
- The percentage of subscribers that is residential.
- Whether the service is provided over a broadband connection provided by the filer or the filer's affiliate.
- A list of the 5-digit zip codes in which the filer has at least one subscriber.
- Whether the service is fixed or nomadic.

The FCC declined to adopt any exceptions or reduced reporting requirements for small or medium-sized providers. Instead, in lieu of reporting subscriber counts by census tract, "upon a showing of significant hardship," the FCC will allow these entities to report a list of service addresses or GIS coordinates of service, along with the speed and technology of the broadband connection in service at each address.

If you have questions about Form 477 or your company's VoIP obligations, please call Nicole Paolini-Subramanya at (312) 372-3930.

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