



A Professional Limited Liability Company
307 North Michigan Avenue, Suite 1020
Chicago, Illinois 60601
Telephone: 312-372-3930
Facsimile: 312-372-3939

CLIENT UPDATE
January 12, 2009

**FCC Provides Guidance on CPNI Officer's
Certificate Due On or Before March 1, 2009**

The FCC's CPNI rules require that an officer of an interconnected VoIP provider annually file a certificate with the Commission stating that the officer has personal knowledge that the provider has established operating procedures that are adequate to ensure compliance with FCC's CPNI rules. The carrier must provide a statement accompanying the certificate explaining how its operating procedures ensure that it is in compliance with the FCC's CPNI rules.

In addition, the provider must include an explanation of any actions taken against data brokers, and a summary of all customer complaints concerning the unauthorized release of CPNI received in the past year. The interconnected VoIP providers' officer's certificates for data pertaining to the previous calendar year, as well as the information noted above, must be filed in EB Docket No. 06-36 on or before March 1, 2009.

On January 7, 2009 the FCC issued a Public Notice offering further guidance regarding the filing of the officer's certificate, including an acceptable sample form. Use of the sample form is not mandatory provided all required information is provided. All certificates must reference EB Docket No. 06-36.

If you have any questions regarding CPNI or the filing of the officer's certificate, please call Bruce Beard at 636-778-0646.

FCC Form 477 Due March 2, 2009

Form 477 is due on March 2, 2009. The form and instructions are available electronically on the FCC's website at <http://www.fcc.gov/formpage.html>. The FCC encourages filers to submit the completed Form 477 via email to FCC477@fcc.gov. Form 477 collects information about broadband connections to end-user locations, and wired and wireless local telephone services.

All facilities-based providers of wired or wireless broadband connections to end-user locations, all local exchange carriers, and all non-reseller commercial mobile radio service providers offering mobile telephony are required to file Form 477 twice each year. The March 2 filing should include information about broadband connections and local telephone service as of December 31, 2008.

For the purposes of Form 477, a broadband connection is one that enables the end-user to receive information from and/or send information to the Internet at information transfer rates exceeding 200 kilobits per second in at least one direction.

Reminder: The new filing requirements, including revisions to the reporting requirements and the obligation for VoIP providers to file, take effect with the March 2, 2009 filing.

If you have any questions about the FCC Form 477, please call Scott Friedman at 312-372-3930.

Copyright Forms and Fees Due March 2, 2009

Cable operators should file with the U.S. Copyright Office their Statement of Account (Form SA1-2 or SA3) and pay any royalty fees due for the July 2008 – December 2008 accounting period by March 2, 2009. The following forms apply:

- **SA1-2 Short Form.** For use by cable television systems with semiannual gross receipts of less than \$527,600.
- **SA3 Long Form.** For use by cable television systems with semiannual gross receipts of \$527,600 or more.

Copyright royalty fees must be remitted by electronic payment.

If you have any questions about copyright forms or fees, please call Heidi Schmid at 312-372-3930.

Please visit our website at www.cinnamonmueller.com to learn more about our lawyers and practice. You can reach Cinnamon Mueller at 312-372-3930. *This update is provided by the law firm of Cinnamon Mueller. The document is intended for informational purposes only as a service to clients of Cinnamon Mueller and to the members of the American Cable Association. It is not intended to provide specific legal advice or to substitute obtaining appropriate legal counsel. We encourage you to consult with counsel to address special compliance issues and for assistance in negotiating or handling any such matter referred to in the update.*