



PUBLIC NOTICE

Federal Communications Commission
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ANNUAL INTERNATIONAL CIRCUIT STATUS REPORTS DUE ON March 31, 2009

Carriers are reminded that Section 43.82 of the Commission's rules requires each facilities-based common carrier that provides international telecommunications services to file a Circuit Status Report by March 31, 2009.¹ The report should contain data as of December 31, 2008. The information that must be filed and the filing format for the Circuit Status Report is described in detail in the Circuit Status Filing Manual (Filing Manual).²

All facilities-based common carriers must file a Circuit Status Report if they had any activated or idle circuits as of December 31, 2008. If carriers did not have any activated or idle circuits as of December 31, 2008, they are not required to file this report or file any letter stating that they have no circuits to report.

The Filing Manual requires common carriers to report the total number of activated and the total number of idle circuits using the following categories: submarine cable, satellite, and landline (cable or microwave).

The Filing Manual defines international facilities-based circuits as "international circuits in which a carrier has an ownership interest. For this purpose, the term ownership interest includes outright ownership, indefeasible right of use (IRU) interests, or leasehold interests in bare capacity in an international facility, regardless of whether the underlying facility is a common or non-common carrier submarine cable or ... satellite system."³ The Filing Manual further explains that leasehold interests in bare capacity "are distinct from private lines leased

¹ Section 43.82 of the Commission's rules requires that the reports be filed by March 31 each year. 47 C.F.R. § 43.82. Compliance with section 43.82 is a specific condition on a carrier's international Section 214 authorization. Failure to comply with general or specific conditions of an authorization, or with other relevant Commission rules and policies, could result in fines and forfeitures.

² *Manual for Filing Section 43.82 Circuit Status Data in Accordance with the FCC's Rules and Regulations*, 10 FCC Rcd 8605 (1995) ("Filing Manual"). The filing manual is accessible on the FCC's web-site at www.fcc.gov/ib/pd/pf/csmanual.html.

³ *Id.* at 5.

from another reporting international carrier.”⁴ Thus, any common carrier that has leased an international circuit from another common carrier, a non-common carrier, or a foreign carrier, *other than a lease of private line “service” or “capacity” from a common carrier*, must file a Circuit Status Report and include that circuit in its report. Such a circuit should be reported as a facilities-based circuit, and not as a facilities-based resold circuit. Private line resellers should report their resold circuits using the Facility Codes 11, 12 and 13 as specified in the Filing Manual.⁵

Facilities-based common carriers that are regulated as dominant on particular U.S. international routes under Section 63.10 must provide their circuit status information on a facility-specific basis for the dominant route(s) only.⁶ Carriers should provide the information in a separate appendix using the same table format in the Filing Manual, but they should add a column labeled "Facility Name" after "Data field #2".

Carriers are reminded to file their reports on compact disc (CD) media. We will not accept reports filed on diskettes.

We will accept Excel files. Attachment 1 contains a sample filing-template in Excel with brief field descriptions.

For ease of reference, Attachment 2 contains a list of the International Point country codes carriers can use in filing their circuit reports.

The detailed Filing Manual, along with other instructions that are needed to fulfill this filing requirement, can be found on the FCC web-site at <http://www.fcc.gov/ib/pd/pf/csmanual.html>. The Filing Manual is also available through the Commission's contractor for public service records duplication: Best Copy and Printing, Inc. Portals II, 445 12th Street S.W., Room CY-B402, Washington, D.C. 20554, telephone (800)-378-3160.

Carriers must submit two (2) copies of their transmittal letter and report, and 1 set of data, in CD form, to Chief, Policy Division, International Bureau. Carriers must file their original transmittal letter and the report with Marlene Dortch, FCC Secretary. The detailed filing addresses can be found on the FCC Office of the Secretary home page at <http://www.fcc.gov/osec/>. In addition, carriers should file a complete set of their submission, *i.e.*, copies of transmittal letter and report, with the Commission's contractor, Best Copy and Printing, Inc. (same mailing address as above)

For further information contact Cathy Hsu of the Policy Division, International Bureau, at (202) 418-2114, email: Cathy.Hsu@fcc.gov.

⁴ *Id.*

⁵ See sample filing-template, Attachment 1.

⁶ 47 C.F.R. § 63.10(c)(5).

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