

**Federal Communications Commission**

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**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of )  
 )  
Contributions to the Telecommunications Relay ) CG Docket No. 11-47  
Services Fund )  
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**ERRATUM**

**Released: March 24, 2011**

By the Chief, Consumer and Governmental Affairs Bureau:

On March 3, 2011, the Commission released a Notice of Proposed Rulemaking (“NPRM”), FCC 11-38, in the above-captioned proceeding. This Erratum amends the NPRM as indicated below:

1. The third sentence of paragraph 26 is corrected to read as follows:

“We believe that requiring all providers of non-interconnected VoIP services to similarly register with the Commission and designate a District of Columbia agent for service of process using the FCC Form 499-A will facilitate our enforcement of TRS Fund contribution obligations and is consistent with the congressional mandate for consistent and comparable obligations.”

2. The sixth sentence of paragraph 26 is corrected to read as follows:

“We seek comment on this proposal and on the specific text of the proposed rule, set forth as new subsection 64.604(c)(5)(iii)(C) in Appendix A, as well as any other registration requirements, guidance, or rules that would be appropriate for non-interconnected VoIP service providers.”

3. The following sentence is added at the end of paragraph 26:

“Lastly, we seek comment on whether to amend section 1.47(h) of our rules as set out in Appendix A to include providers of non-interconnected VoIP services among those required to designate a District of Columbia agent for service of process using the FCC Form 499-A in accordance with its instructions.”

4. The first sentence of paragraph 31 is corrected to read as follows:

“To meet the one-year statutory deadline with respect to non-interconnected VoIP service providers, we propose to require all such providers to register and designate a District of Columbia agent for service of process by September 30, 2011, using the FCC Form 499-A in accordance with its instructions.”

5. The first sentence of Appendix A is corrected to read as follows:

“The Federal Communications Commission proposes to amend Subpart A of Part 1 and Subpart F of Part 64 of Title 47 of the Code of Federal Regulations as follows:”

6. The following is inserted in Appendix A after the first sentence:

**“Subpart A of Part 1 of Title 47 of the Code of Federal Regulations is amended as follows:**

Section 1.47(h) of Subpart A is amended to read as follows:

Every common carrier and interconnected VoIP provider, as defined in § 54.5 of this chapter, and non-interconnected VoIP provider, as defined in § 64.601(a)(15) of this chapter, that is subject to the Communications Act of 1934, as amended, shall designate an agent in the District of Columbia, and may designate additional agents if it so chooses, upon whom service of all notices, process, orders, decisions, and requirements of the Commission may be made for and on behalf of such carrier, interconnected VoIP provider, or non-interconnected VoIP provider in any proceeding before the Commission. Such designation shall include, for the carrier, interconnected VoIP provider, or non-interconnected VoIP provider and its designated agents, a name, business address, telephone or voicemail number, facsimile number, and, if available, Internet e-mail address. Such carrier, interconnected VoIP provider, or non-interconnected VoIP provider shall additionally list any other names by which it is known or under which it does business, and, if the carrier, interconnected VoIP provider, or non-interconnected VoIP provider is an affiliated company, the parent, holding, or management company. Within thirty (30) days of the commencement of provision of service, such carrier, interconnected VoIP provider, or non-interconnected VoIP provider shall file such information with the Chief of the Enforcement Bureau's Market Disputes Resolution Division. Such carriers, interconnected VoIP providers, and non-interconnected VoIP providers may file a hard copy of the relevant portion of the Telecommunications Reporting Worksheet, as delineated by the Commission in the *Federal Register*, to satisfy this requirement. Each Telecommunications Reporting Worksheet filed annually by a common carrier, interconnected VoIP provider, or non-interconnected VoIP provider must contain a name, business address, telephone or voicemail number, facsimile number, and, if available, Internet e-mail address for its designated agents, regardless of whether such information has been revised since the previous filing. Carriers, interconnected VoIP providers, and non-interconnected VoIP providers must notify the Commission within one week of any changes in their designation information by filing revised portions of the Telecommunications Reporting Worksheet with the Chief of the Enforcement Bureau's Market Disputes Resolution Division. A paper copy of this designation list shall be maintained in the Office of the Secretary of the Commission. Service of any notice, process, orders, decisions or requirements of the Commission may be made upon such carrier, interconnected VoIP provider, or non-interconnected VoIP provider by leaving a copy thereof with such designated agent at his office or usual place of residence. If such carrier, interconnected VoIP provider, or non-interconnected VoIP provider fails to designate such an agent, service of any notice or other process in any proceeding before the Commission, or of any order, decision, or requirement of the Commission, may be made by posting such notice, process, order, requirement, or decision in the Office of the Secretary of the Commission.”

7. The first sentence of paragraph 3 of Appendix B is corrected to read as follows:

“Specifically, the NPRM proposes: to require providers of non-interconnected VoIP service to register with the Commission and designate a District of Columbia agent for service of process for purposes of contributing to the TRS Fund; to complete and file FCC Form 499-A annually; to permit providers of non-interconnected VoIP service to determine interstate end-user revenues by

using actual revenues, a traffic study or to utilize a safe harbor; and to exempt service providers with no end user revenues for the reporting year from the \$25 minimum contribution requirement to the TRS Fund.”

8. The first sentence of paragraph 4 of Appendix B is corrected to read as follows:

“The Commission proposes to require that non-interconnected VoIP service providers register and designate a District of Columbia agent for service of process by filling out Blocks 1, 2, and 6 of the FCC Form 499-A and to annually file the completed Form with the Commission.”

FEDERAL COMMUNICATIONS COMMISSION

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