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Regulatory Review

The Miller Isar, Inc. Regulatory Review is a monthly report designed to provide clients with information regarding regulatory and policy matters that may impact their business operations. The Regulatory Review is provided for informational purposes only and does not constitute legal opinion or legal counsel.

FEDERAL REGULATORY NEWS



COMMISSION SETS UNIVERSAL SERVICE FUND FACTOR FOR FIRST QUARTER 2018

On December, 14, 2017, the Commission Office of Managing Director [released](#) the universal service contribution factor for first quarter 2018. The first quarter contribution factor will be 19.5 percent based on \$12.8719 billion in projected collected interstate and international end user telecommunications Revenues; an increase from 18.8 percent in fourth quarter 2017. (DA No. 17-1203). (Docket No 96-45).

RESTORING INTERNET FREEDOM ORDER ADOPTED – IMMEDIATE PLANS TO PRESERVE NET NEUTRALITY ANNOUNCED

On December 14, 2017, the Commission adopted a *Declaratory Ruling, Report and Order, and Order* in its Restoring Internet Freedom proceeding during its Open Meeting. The decision reverts Broadband Internet Access Service (BIAS) to an information service; reinstates the private mobile service classification of mobile BIAS; adopts transparency requirements for Internet Service Providers to disclose information regarding their practices to consumers, entrepreneurs, and the Commission; restores broadband consumer protection authority to the Federal Trade Commission; and eliminates the Commission’s Internet Conduct Standard. The Order becomes effective upon approval by the Office of Management and Budget of the new transparency rule that requires the collection of additional information from the industry. (Docket No. 17-108) [Pai Statement](#); [Clyburn Statement](#); [O’Rielly Statement](#); [Carr Statement](#); [Rosenworcel Statement](#) [FCC Restoring Internet Freedom Web Page](#).

On December 15, 2017 lawmakers, attorneys general, and governors in several states including California, New York, and Washington announced plans to preserve net neutrality. New York Attorney General Eric Schneiderman (D) said he would lead a multi-state lawsuit against the Commission to preserve net neutrality regulation. Schneiderman reportedly has been investigating “fake comments” filed in the Commission’s Internet freedom rulemaking proceeding for more than seven months. He stated that his investigation into the “two million comments that stole real Americans’ identities” would continue, noting that the Commission had repeatedly refused to cooperate with the investigation. Attorneys general in Illinois, Washington, Oregon, and Massachusetts also announced plans to file lawsuits. Washington state Attorney General Bob Ferguson (D), Washington Gov. Jay Inslee (D), and several state legislators announced planned legal action and legislation to help preserve net neutrality. Ferguson also said that he would file a legal challenge to the Commission’s Internet Freedom order. Governor Inslee said that he was considering incentives for companies to adhere to net neutrality principles, including regulatory and legislative action to award contracts to vendors that meet net neutral business requirements. Legislation to protect net neutrality was also announced by California Senator Scot Wiener (D) for introduction in January when the General Assembly reconvenes. The National Association of Regulatory Utility Commissioners, meanwhile, called on Congress to pursue legislation to preserve net neutrality.

On December 18, 2017, [SB 310](#), a bill to preserve “Net Neutrality” principles was pre-filed in the Georgia Senate seeking to preserve certain net neutrality principles that were eliminated by the Commission. According to the proposed bill, “The

purpose of this chapter is to preserve the Internet as an open platform enabling consumer choice, freedom of expression, end user control, competition, and the freedom to innovate without permission.”

Also on December 18, 2017 Representative Marsha Blackburn (R TN), chairman of the House communications and technology subcommittee, introduced a [bill](#) to ensure that ISPs cannot block or throttle users, yet limits Commission authority to develop policy and rules and would not limit traffic prioritization, paid or otherwise. The bill, entitled the “Open Internet Preservation Act,” amends the Communications Act of 1934 by adding provisions that would ensure Internet openness, prohibit blocking of lawful content, applications, services and non-harmful devices; and prohibit impairment or degradation of lawful Internet traffic. The legislation would also limit the Commission’s authority to preempt state law regarding Internet openness obligations and to provide that broadband Internet access service are considered an information service. Commissioner O’Rielly issued a [statement](#).

FCC-FTC ANNOUNCE INTERNET PROTECTION MOU

On December 11, 2017, the Commission and Federal Trade Commission (FTC) [announced](#) their intent to enter into a Memorandum of Understanding (MoU) outlining how the two agencies will coordinate online consumer protection efforts resulting from the December 14, 2017 Restoring Internet Freedom *Declaratory Ruling, Report and Order, and Order*. Among the steps outlined in the [draft MoU](#), the Commission is to review informal complaints regarding Internet Service Provider (ISP) disclosure obligation contained in the Commission’s transparency rule. ISP failing to make required disclosures will be subject to Commission enforcement action. The FTC will investigate and take action against ISPs regarding disclosure accuracy and deceptive or unfair acts or practices; and the two agencies commit to share technical and legal resources as well as collaborate on consumer and industry outreach and education. In a statement, Chairman Ajit Pai said that “[i]nstead of saddling the Internet with heavy-handed regulations, we will work together to take targeted action against bad actors.” Acting FTC Chairman Maureen K. Ohlhausen noted that, “The FTC is committed to ensuring that Internet service providers live up to the promises they make to consumers. The MOU we are developing with the FCC, in addition to the decades of FTC law enforcement experience in this area, will help us carry out this important work.” In her statement, Commissioner Mignon L. Clyburn said, “The agreement announced today between the FCC and FTC is a confusing, lackluster, reactionary afterthought: an attempt to paper over weaknesses in the Chairman’s draft proposal repealing the FCC’s 2015 net neutrality rules. Two years ago, the FCC signed a much broader pro-consumer agreement with the FTC that already covers this issue. There is no reason to do this again other than as a smoke and mirrors PR stunt, distracting from the FCC’s planned destruction of net neutrality protections later this week.”

CALLER ID ORDER BECOMES EFFECTIVE JANUARY 2, 2018

On December 1, 2017, the Commission published its [Report and Order](#) allowing law enforcement authorities under specific circumstances to access blocked caller ID information when needed to identify and thwart threatening callers in the [Federal Register](#). With *Federal Register* publication, the Report and Order becomes effective January 2, 2018, with the exception of Sections 64.1601(d)(4)(ii) and (f) of the Commission’s rules, which contain new or modified information collection requirements that require review by the Office of Management and Budget.

LIFELINE ORDER-NPRM-NOI RELEASED FOR COMMENT

On December 1, 2017, the Commission released the Lifeline [Fourth Report and Order, Order on Reconsideration, Memorandum Opinion and Order, Notice of Proposed Rulemaking and Notice of Inquiry](#) regarding measures to bridge the digital divide for Lifeline subscribers and reduce waste, fraud and abuse in the Lifeline program adopted at its November 16, 2017 Open Meeting. Comments are due January 24, 2018; replies are due February 23, 2018.

NATIONAL LIFELINE ELIGIBILITY VERIFIER LAUNCH POSTPONED

On December 1, 2017, the Wireline Competition Bureau issued a [Public Notice](#) to announce that launch of the National Lifeline Eligibility Verifier has been postponed until early 2018. The launch had been scheduled for December in six initial states. The Bureau reported that the Universal Service Administrative Company had informed the Bureau of unresolved potential vulnerabilities in the National Lifeline Eligibility Verifier system that have not yet been addressed under the Federal Information Security Management Act of 2002, potentially impacting personal subscriber information security. [News release](#)

POLE REPLACEMENT ORDER ELIMINATING HISTORIC PRESERVATION RULE BECOMES EFFECTIVE JANUARY 16

On December 14, 2017, the Commission [published](#) in the *Federal Register* its [Report and Order](#) eliminating historic preservation reviews when utility poles are replaced with substantially identical poles that can support antennas or other wireless communications equipment. The Order becomes effective January 16, 2018. (WT Docket No. 17-79).

POLE ATTACHMENT REFORM AND COPPER RETIREMENT ORDER - FNPRM PUBLISHED

On December 27, 2017, the Commission's [Report and Order](#) on changes to the pole attachment rules, network change disclosure processes and section 214(a) discontinuance processes was published in the *Federal Register*. The *Report and Order* becomes effective January 29, 2018 with exception for amendments to sections 1.1424, 51.325, 51.329, 51.332, 51.333, 63.60 and 63.71, which require OMB. The accompanying [Further Notice of Proposed Rulemaking](#) was also published in the *Federal Register* and seeks comment on expediting applications that grandfather additional data services for existing customers, and further streamlining the section 214(a) discontinuance process for legacy voice services, among other things. Comments are due January 17, 2018; replies are due February 16, 2018. (WC Docket No. 17-84)

COMMISSION AMENDS RULES TO REQUIRE ELECTRONIC FEE PAYMENT

On December 18, 2017, the Commission released an [Order](#) amending section 1.11051 of its rules regarding application fee payments associated with petitions filed with the Wireline Competition Bureau. In its *Order* the Commission closed the lock box formerly used for manual filings. Under the amended rule, all filers will be required to use an electronic payment system and, wherever possible, electronic filing. The Order also amended rules in parts 0, 1, 51 and 61 to reflect these changes. The Commission noted that as a temporary transition, payments and paper filings may still be made to the lock box for processing by U.S. Bank for a period of 90 days following publication of the *Order* in the *Federal Register*. Upon completion of the transition period, payments for any Bureau-related fee or service must be made in accordance with the procedures set forth on the Commission's [web site](#).

ADVISORY COMMITTEE EXPANDED

The Commission has expanded its Intergovernmental Advisory Committee (IAC) from 15 members to 30 members. According to the Commission, the expansion is intended to allow for "a greater diversity of viewpoints representing our municipal, county, state, and Tribal partners throughout the country." Commissioner Clyburn dissented from the action, arguing that the matter should have been delayed until IAC chair concerns could be addressed, and for the order's failure to set aside seats for state utility consumer advocates. Commissioner Clyburn referenced a November 21, 2017 letter from IAC Chairman Elin Swanson Katz, consumer counsel for the state of Connecticut, in which Ms Katz expressed concern to Chairman Pai that "doubling the size of the IAC, without substantive changes to the FCC's approach to and interaction with the IAC, will not result in either increased attendance or increased engagement by the Membership."

IN THE COURTS

CONSUMER GROUPS APPEAL COMMISSION WIRELINE DEPLOYMENT ORDER

The National Association of State Utility Consumer Advocates (NASUCA) and other consumer advocacy groups have appealed the Commission's November 2017 wireline broadband deployment order that eliminated the *de facto* copper retirement rule and functional test rule adopted by the Commission in 2015 (WC docket 17-84) to the U.S. Court of Appeals for the Ninth Circuit (San Francisco). Under the *de facto* retirement rule, incumbent local exchange carriers had been required to notify customers when retiring copper loops, subloops, or the feeder portions of such loops and subloops due to lack of maintenance. In November, the Commission eliminated the requirement, finding that *de facto* retirements could have conceptually already occurred when notice would be required under the rule, and that there was no practical way to implement the requirement. The Commission concluded that consumers would receive no benefit from the rule's notice requirement. "We instead find that a carrier's description in its tariff-or customer service agreement in the absence of a tariff-is dispositive of what comprises the 'service' being offered by that carrier for purposes of determining whether section 214(a) discontinuance authority is required. In reaching this conclusion, we increase incentives for deployment of next-generation services and provide clarity to industry and customers alike" the Commission stated. The consumer groups, including NASUCA, the Greenlining Institute, Public Knowledge, and The Utility Reform Network (TURN) appealed the Commission's decision arguing that the Commission decisions were "arbitrary, capricious, an abuse of discretion, or contrary to law pursuant to 5 U.S.C. § 706." They noted that the functional test imposed a "totality of circumstances" standard for the

Commission in considering whether a change to an incumbent telco's network constitutes a "discontinuance, reduction, or impairment of service" under section 214 of the Communications Act.

NINTH CIRCUIT AFFIRMS ARBITRATION ORDER

On December 11, 2017, the U.S. Court of Appeals for the Ninth Circuit (San Francisco) affirmed a district court ruling granting AT&T Mobility LLC's request to compel arbitration in response to a proposed class action against the Company for allegedly misleading consumers when advertising unlimited wireless service plans when those plans could be "throttled." In July 2015 several consumers filed a class action suit against AT&T Mobility in district court asserting statutory, tort, and warranty claims based on AT&T's "deceptive and unfair trade practice of marketing its wireless service plans as being "unlimited," when in fact those plans are subject to a number of limiting conditions [in particular, throttling] that either are not disclosed or inadequately disclosed to consumers." AT&T filed a motion to compel arbitration primarily based on a U.S. Supreme Court 2011 ruling upholding AT&T's arbitration provision in *AT&T Mobility LLC v. Concepcion*. In that case, the Supreme Court found that the Federal Arbitration Act (FAA) preempted state law limiting a company's ability to force customers into arbitration. In April 2016, the district court granted AT&T Mobility's motion. On appeal of the district court's decision, plaintiffs argued that the decision in the *Concepcion* did not pertain to the issues they claimed in the case and that enforcement of the arbitration agreements would violate their rights as protected by the Petition Clause of the First Amendment, or their right to "petition a court for a redress of grievances." The Ninth Circuit disagreed, concluding, among other things, that an "asserted constitutional injury is predicated on the contract being one of adhesion - where the consumer did not knowingly and/or voluntarily agree to arbitration and forfeits access to the courts. Thus, the source of the alleged constitutional deprivation when a consumer is involved is not the judicial interpretation of the [Federal Arbitration Act]; rather, the source is AT&T's private conduct in purportedly forcing arbitration on an unwitting consumer." The Ninth Circuit affirmed the appeals court and stayed the suit pending arbitration. (*Marcus A. Roberts, et al., v. AT&T Mobility LLC*, case 16-16915)

STATE REGULATORY NEWS



CALIFORNIA – CASF Surcharge Increased

The Public Utilities Commission has adopted an increase the monthly California Advanced Services Fund (CASF) surcharge assessed on end users to fund the to 0.56% from the current zero percent, effective March 1, 2018. In 2016, the Commission had approved a reduction of the CASF surcharge to zero percent to avoid exceeding the statutory \$315 program cap. Assembly Bill 1665 enacted in October 2017 authorized the CASF to impose a surcharge to collect a sum not to exceed \$330,000, in an amount not to exceed \$66 million per year, for the purpose of extending broadband access to a minimum of 98% of California households in each consortia region. The Commission found that increasing the surcharge satisfies the new law's requirements. Companies are to begin collecting the CASF on March 1, 2018 to allow sufficient time for carrier implementation. The surcharge remains in effect until December 31, 2022.

MAINE – Commission Considers State USF Amendments

The Maine Public Utilities Commission has initiated an inquiry proceeding regarding possible amendments to State's Universal Service Fund (MUSF) funding. According to the inquiry, the Commission "intends to examine amending chapter 288 to base future MUSF assessments on a per-number or per-line fixed amount for all providers including both pre- and post-paid providers." The Commission is specifically reconsidering its continued ability to rely on a percentage of revenue methodology for the MUSF. Prior to the enactment of a 2017 law, amounts required to fund the Maine Telecommunications Education Access Fund (MTEAF) by voice network service providers were based on a percentage of the provider's intrastate retail revenues, consistent with MUSF funding. The new law, however, "changed the basis for determining contributions by all providers, both pre-paid and traditional post-paid, to a fixed per-line or per-number amount, with a maximum of \$0.21 per month." Yet the MTEAF statute requires the commission to "integrate the collection of the [MTEAF] charge with the collection of the charge [for the MUSF]," the Commission noted. "Thus, given the proposed changes to the MTEAF in chapter 285, the commission is faced with a situation where it must attempt to harmonize one statute, section 7104-B, that requires the commission to utilize a fixed per-line or per-number charge for assessments, with another statute, section 7104, that is predicated on using a percentage of revenue for assessments. Accordingly, the commission seeks input on whether, and if so, how, the commission should amend the MUSF in chapter 288 to integrate the reporting and contribution mechanisms for the two funds." A workshop to discuss matters related to the inquiry was held on December 18, 2017. Final comments are due January 12, 2018. (Docket 2017-00305)

MICHIGAN – Commission Approves Basic Local Service Cessation Rules

The Public Service Commission has promulgated new rules governing cessation of basic local exchange services. The new rules apply to providers of basic local exchange service that cease to provide service to any “segment of end users or geographic area, go out of business, or withdraw from the state, including the transfer of customers to other providers and the reclaiming of unused telephone numbers.” Under the new rules, wholesale providers planning to disconnect a service due to a dispute must notify the Commission in writing at least 45 days prior to ceasing to provide service. Further, the provider must contact the Commission to provide periodic updates of the status of the disconnection and the transition of customers. (Case No. U-18360)

NEBRASKA – Commission Initiates USF Contribution Reform Proceeding

The Nebraska Public Service Commission has initiated a proceeding to consider implementation issues resulting from a change in the contribution methodology used to fund the State’s universal service fund. The Nebraska universal service fund has been funded under a revenue-based contribution methodology, which the Commission determined is unsustainable. In November the Commission adopted a connections-based contribution mechanism based on intrastate voice connections. The order adopted definitions for “connection” and “assessable service” intended to “capture the services subject to contribution requirements today. This mechanism would include wireline and wireless connections as well as VoIP connections, each of which contribute on a revenues basis today.” The commission determined that several issues still have to be consider before a “workable transition” to a connection-based contributions mechanism can occur. “Until those decisions have been made we continue to require NUSF remittances be filed pursuant to the commission's existing revenues-based methodology.” The contribution reform proceeding is intended to “determine an appropriate rate design for a rational connections-based contribution mechanism and address implementation issues associated with changing the contribution methodology.” Comments are sought regarding “how to structure a connections-based rate design that will result in a specific, predictable, sufficient, and competitively-neutral contribution mechanism;” on a “proposed rate design that will reasonably balance the burden of the surcharge with the requirement that the NUSF provide reasonably comparable access to telecommunications and advanced communications services in rural high-cost areas;” and on design of a contribution mechanism given estimated costs to deploy broadband service to the remaining areas of the state and the ongoing costs to maintain areas that have already built out, among other matters. Comments are due January 30, 2018. (Docket NUSF-111/PI-211)

NEW MEXICO –2018 Universal Service Fund Surcharge Adopted

The New Mexico Public Regulation Commission has adopted a 6.06% surcharge on carrier intrastate telecommunications revenues to fund the state’s Rural Universal Service Fund for 2018. Although the Commission had planned to move to a connections based surcharge, staff recommended retaining the revenue-based surcharge as several unresolved issues remained in moving to a connection-based methodology. The 6.06% surcharge is lower than the surcharge recommended by Solix, the Fund administrator. According to the Commission, the lower surcharge would minimize the burden on rate payers. The commission has been implementing legislative amendments resulting from the New Mexico Rural Telecommunications Act which among other things, allows the Commission to, “establish the surcharge as a percentage of intrastate retail public telecommunications services revenue or as a fixed amount applicable to each communication connection.” (Docket 17-00202-UT)

OREGON – Residential Service Protection Fund Changes Announced

On December 6, 2017, the Commission announced two changes to the Oregon Residential Service Protection Fund (RSPF). Per Commission [Order No. 17-453](#), the RSPF surcharge will be \$0.06 per line/per instrument effective January 1, 2018. Providers are directed to continue collecting the current \$0.07 per line/per instrument for the December 2017 filing due January 22, 2018 ([2017 RSPF Form](#)). Filers are urged to report and pay the RSPF on line under the Commission’s [guidelines](#). The Commission also announced that interconnected VoIP providers must charge and collect the RSPF from Oregon subscribers beginning January 1, 2018.

PENNSYLVANIA – USF Contribution Rate Increased

The Pennsylvania Public Utility Commission has approved an increase in the Commonwealth’s Universal Service Fund (USF) contribution rate from 1.8259005% of 2015 average monthly intrastate end-user retail telecommunications revenue to 1.9568705% of 2016 average monthly intrastate end-user retail telecommunications revenue; an increase of approximately

7.17% over last year's contribution rate. The increase was recommended by the fund's administrator, GVNW Consulting, Inc. to cover the projected expenses for the fund for calendar year 2018. A recommended five percent contingency reserve was also approved. (Docket M-00001337)

PENNSYLVANIA – Telephone Service Complaints Rose in 2016

The Pennsylvania Public Utility Commission reported in December that complaints regarding residential telephone service in the Commonwealth rose by 34 percent in 2016 over 2015, despite a declining number of complaints generally. The Commission reported that the total number of consumer complaints decreased from 10,684 in 2015 to 10,368 in 2016, a 3% drop. Yet the number of telephone service complaints increased to 1,662 in 2016, from 1,236 in 2015. The commission said that “unsatisfactory service” was the primary source of residential consumer telephone service complaints. Poor service accounted for just over half of the complaints; billing disputes - 15%; service delivery - 11%, service terminations - 3%, and competition 1% of total telephone service complaints. A majority of the complaints came from the residential customers of the five major incumbent local exchange carriers operating in the state - CenturyLink, Frontier Communications Commonwealth Telephone Co., Verizon North Inc., Verizon Pennsylvania, and Windstream Communications. In 2016, 1,386 complaints from residential customers of all of Pennsylvania's incumbents, while 1,377 were from customers of the five major incumbents. A total of 52 consumer complaints were received from competitive local exchange carriers, and the remaining 32 consumer complaints were from residential customers of other providers of telecommunications services.

REPORTS DUE IN JANUARY

The following report listing has been compiled from past reporting requirements and is provided exclusively for informational purposes. Reporting requirements are subject to change and should be verified by filers.

Due Date	Jurisdiction	Report Name
January	Alaska	Access Minutes Report
January	Alaska	Carrier and Area Specific Bulk Billed Report
January	Missouri	Relay Missouri Statement
January	Rhode Island	Telecommunication Education Access Fund
January	Rhode Island	Telecommunications Relay Service Report
January 1	Idaho	ID Universal Service Fund Form
January 1	Michigan	Operator Service Provider Registration
January 9	California	Combined California PUC Telephone Surcharge Transmittal
January 10	Alaska	Alaska Telecommunications Relay Services Fund - Remittance of Surcharges Collected
January 10	Arizona	Estimated Gross Operating Revenue Report
January 10	Arkansas	State of Arkansas Universal Service Fund
January 10	California	Employee Compensation, Dues, and Subscriptions
January 10	Georgia	Local Service Indicators Data Requests
January 10	New York	Service Quality Performance
January 15	Alabama	Revised Survey of Competitive Local Exchange Carriers
January 15	California	Annual Fee Statement for CPUC Utilities Reimbursement Account

Due Date	Jurisdiction	Report Name
January 15	California	Quarterly Fee Statement for CPUC Utilities Reimbursement Account
January 15	Florida	Florida Telecommunications Relay, Inc. (FTRI) Monthly Surcharge Collection Report
January 15	Georgia	Georgia Telecommunications Relay Service (TRS) Monthly Surcharge Collection Report
January 15	Georgia	Revised Universal Access Fund Quarterly Deposit Report
January 15	Kansas	Kansas Universal Service Fund 2004/2005 Wireless and Wireline Carrier Remittance Worksheet
January 15	Kentucky	Commonwealth of Kentucky Telecommunications Relay Service Fund Telecommunications Devices for the Deaf Distribution Fund
January 15	Kentucky	Commonwealth of Kentucky Universal Service Fund
January 15	Maine	Maine Telecommunications Education Access Fund
January 15	Maine	Maine Universal Service Fund
January 15	Nebraska	Nebraska USF & E911 Remittance Worksheet
January 15	Nevada	Nevada Universal Service Fund Carrier Remittance Worksheet
January 15	North Carolina	North Carolina Access Line Report - Rule 17-2(K)
January 15	North Carolina	Questions for Competing Carriers Report
January 15	Oklahoma	State of Oklahoma Universal Service Fund Carrier Remittance Worksheet
January 15	Pennsylvania	Pennsylvania Universal Service Fund, FY2004 Carrier Remittance Monthly Worksheet
January 15	Pennsylvania	Slamming Cramming Complaint Form
January 15	Puerto Rico	Puerto Rico Universal Service Fund July 2004 - December 2004 Carrier Remittance Worksheet

Due Date	Jurisdiction	Report Name
January 15	Rhode Island	E911
January 15	South Carolina	The Public Service Commission of South Carolina SC Dual Party Relay System Invoice
January 15	Vermont	Vermont Universal Service Fund Carrier Remittance Worksheet
January 15	Virginia	Telecommunications Relay Service Monthly Report
January 20	Alaska	State of Alaska Universal Service Fund Monthly Carrier Remittance Worksheet
January 20	Arizona	Arizona Universal Service Fund Carrier Remittance Worksheet
January 20	Colorado	CO Telecommunications Relay Service Surcharge
January 20	Idaho	Idaho Telecommunications Service Assistance Plan (ITSAP)
January 20	New Hampshire	Telecommunications Relay Service Remittance
January 20	New Mexico	Carrier and Utility Inspection Report
January 20	North Carolina	Service Quality Objectives Report
January 20	Pennsylvania	Remittance Form for Monthly Telecommunications Relay Service (TRS) Surcharge Collections
January 20	Utah	Utah Universal Service Fund Surcharge Remittal Statement
January 20	Washington	Telecommunications Relay Service, Washington Telecommunications Assistance Program, and E911
January 21	New York	TAF Adjustment Input Form
January 21	New York	Targeted Accessibility Fund Monthly Online Reporting Form
January 21	Oregon	Residential Services Protection Fund Surcharge Remittance Form
January 22	Arkansas	Arkansas Intrastate Carrier Common Line Pool Report
January 25	Minnesota	Minnesota Annual 911/TAM/TAP Fees Report Form
January 25	Texas	Texas Universal Service Fund Worksheet
January 30	Alaska	Regulatory Cost Charge Quarterly Return
January 30	Arkansas	Arkansas Public Service Commission Service Performance Report
January 30	Colorado	Low Income Telephone Assistance Program
January 30	Connecticut	Quality of Service, Semi-Annual Report
January 30	Florida	Alternate Local Exchange Company Regulatory Assessment Fee Return
January 30	Florida	Alternate Local Exchange Company Regulatory Assessment Fee Return
January 30	Florida	Interexchange Company Regulatory Assessment Fee Return
January 30	Georgia	Quarterly Report of Georgia Operations (no formal name)
January 30	Illinois	Section 757, Exhibit A LEC Quarterly Report to Commission

Due Date	Jurisdiction	Report Name
January 30	Mississippi	Mississippi Dual Party Fund Statement of Revenues
January 30	Nebraska	State of Nebraska Dual Party Relay Surcharge Form
January 30	Puerto Rico	Income Statement of Telecommunications Companies
January 30	Puerto Rico	Informe de Revendedores de Servicio (Reseller List)
January 30	South Carolina	SCPSC CLEC Quarterly Service Quality Report
January 30	Tennessee	Wireline Activity Tennessee-CCN Authority
January 30	Vermont	Monthly Disconnect Report
January 30	Vermont	Vermont Service Quality Performance Index Report
January 30	Virginia	Annual Economic Reporting Requirements for CLECs
January 30	Virginia	Semi-Annual Economic Reporting Requirements for CLECs
January 30	Virginia	Service Quality Report
January 30	Wyoming	Telecommunication Companies Revenue & Assessment Report (Wyoming Universal Service Fund)
January 31	Illinois	Chief Executive Officer and Designated Agent Form
January 31	Michigan	Intrastate Telecommunications Service Provider Registration
January 31	Nevada	TDD Surcharge for Assistance to Persons With Impaired Speech or Hearing Report Form
January 31	Oregon	Oregon Telephone Assistance Program Reimbursement Form

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[FCC Makes Public Its Plan to Stop Regulating the Internet](#)

By Andrew Regitsky, Dec 1, 2017 10:00:00 AM On the eve of the Thanksgiving holiday, the FCC decided to give ISPs an early Christmas present when it made public a draft "Internet Freedom" Declaratory Ruling, Report and Order, and Order ("Internet Freedom Order") it intends to vote into law on December 14, 2017. The Internet Freedom Order would completely overturn the FCC's 2015 Open Internet Order and turn over almost all regulatory authority over the Internet to the Federal Trade Commission (FTC). Here is a summary of the key points of the draft Order and its implications: [Read more >](#)

[Hawaiian Telecom Thrives Despite Connect America Fund Shortcomings](#)

By Andrew Regitsky, Dec 8, 2017 10:00:00

AM Aloha. A few weeks ago, I was lucky enough to spend some time on the beautiful Hawaiian island of Maui. One sunny day forsaking a typical day at the beach, I decided to spend a few hours driving around the top of the island. The trip provides beautiful views but is not for the faint-of-heart! The road weaves a narrow path between the West Maui Mountains and the Pacific Ocean. There are numerous switchbacks in which it is impossible to see oncoming traffic. [Read more »](#)

[FCC and FTC Strike Agreement to "Save" Consumers from Net Neutrality Loss](#) By Andrew Regitsky, Dec 15, 2017 10:00:00 AM There is no question that FCC Chairman Ajit Pai is feeling the heat for his agency voting 3-2 to eliminate the 2015 net neutrality rules. The new "Light Regulation" or as some would call "No Regulation" Internet Order ("Order) is scheduled to become effective early next year unless stayed by a court (more about that later). We know Pai is under the gun because earlier this week his FCC issued a draft Memorandum of Understanding (MOU) explaining how the Commission will work jointly with the Federal Trade Commission (FTC) to protect consumers on a case-by-case basis when a complaint is filed against an ISP. The MOU will become effective on the effective date of the Order. Before we discuss why we believe the MOU to be virtually useless, here are some of its key points: [Read more »](#)

[2017, the Year the FCC Killed Regulation](#) By Andrew Regitsky, Dec 22, 2017 10:00:00 AM I know this may sound strange to you young guys and gals out there, but at one time I was a big fan of the FCC. I admired the way commissioners of both parties put aside their obvious political differences to work together for the betterment of the American people. The Commission's success stories are numerous, including developing a universal service program that made telephone service affordable for virtually all Americans, implementing the requirements of the 1996 Telecom Act to break up the Bell companies and establish competition in both the local and long-distance markets, and establishing harmonious relationships with state public utility commissions to protect individuals and companies. [Read more »](#)

LIGHT READING

From *Corporate Counsel Update*

[Ripped From the Headlines: 2017 Employment Law Issues](#) What's been bugging in-house employment counsel in 2017? [READ MORE »](#)

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[Trump and the NFL, EEOC and DOJ Clash: 14 Top Labor and Employment Stories](#) Here's a roundup of some of our most-read stories about labor and employment this year. [READ MORE »](#)

We wish you prosperity and health in the New Year! Happy New Year.