

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

In the Matter of
Special Access for Price Cap Local Exchange Carriers;
AT&T Corporation Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services
WC Docket No. 05-25
RM-10593

ORDER ON RECONSIDERATION

Adopted: September 15, 2014

Released: September 15, 2014

Data Collection Filing Deadline: December 15, 2014

By the Chief, Wireline Competition Bureau:

TABLE OF CONTENTS

Heading Paragraph #
I. INTRODUCTION..... 1
II. BACKGROUND..... 2
III. DISCUSSION 9
IV. PROCEDURAL MATTERS..... 14
V. ORDERING CLAUSES..... 20
APPENDIX A – Data Collection (September 2014)
APPENDIX B – Instructions for Data Collection (September 2014)
APPENDIX C – Supplemental Final Regulatory Flexibility Analysis

I. INTRODUCTION

1. In this Order on Reconsideration, the Wireline Competition Bureau (Bureau) amends the special access data collection, outlined in the Commission’s Data Collection Order, to reflect the conditional approval received from the Office of Management and Budget (OMB) pursuant to the Paperwork Reduction Act of 1995 (PRA), Public Law 104-13.1 In addition, we address two petitions seeking reconsideration of the Data Collection Implementation Order released by the Bureau that

1 See Special Access for Price Cap Local Exchange Carriers; AT&T Corporation Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services, WC Docket No. 05-25, RM-10593, Report and Order and Further Notice of Proposed Rulemaking, 27 FCC Rcd 16318 (2012) (Data Collection Order or Special Access FNPRM); Notice of Office of Management and Budget Action, OMB Control No. 3060-1197 (Aug. 15, 2014), available at http://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=201311-3060-001# (last visited Sept. 15, 2014).

clarified and amended the collection.² Finally, we announce that responses to the data collection are due by December 15, 2014. These actions allow the Commission to move forward with the collection for a comprehensive analysis of the special access market. This collection is vital to the Commission's efforts to reform the rules applicable to the provision of special access services by *Incumbent Local Exchange Carriers (ILECs)* in areas subject to price cap regulation.³

II. BACKGROUND

2. Special access, also referred to as *Dedicated Service*, encompasses dedicated transmission services for voice and data traffic that do not use local switches. This service is used by “businesses and competitive providers to connect customer locations and networks with dedicated, high-capacity links.”⁴ As recognized in the Commission's National Broadband Plan, “[s]pecial access circuits play a significant role in the availability and pricing of broadband service.”⁵

3. In August 2012, the Commission suspended further automatic grants of special access pricing flexibility to *ILECs*, determining based on “significant evidence that these rules, adopted in 1999, are not working as predicted, and widespread agreement across industry sectors that these rules fail to accurately reflect competition in today's special access markets.”⁶ On December 18, 2012, the Commission released the *Data Collection Order*, outlining a data collection for an analysis of the special access market.⁷ Services covered by the collection include traditional special access service (including *DS1s* and *DS3s*), *Packet-Based Dedicated Service* such as Ethernet, and *Best Efforts Business Broadband Internet Access Service* to ensure a “clear picture of all competition in the marketplace.”⁸ Those required to respond to the data collection include *Providers* and *Purchasers* of special access services⁹ and certain

² See *Special Access for Price Cap Local Exchange Carriers; AT&T Corporation Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services*, WC Docket No. 05-25, RM-10593, Report and Order, 28 FCC Rcd 13189 (Wireline Comp. Bur. 2013) (*Data Collection Implementation Order*); 78 Fed. Reg. 67053 (Nov. 8, 2013).

³ Unless referring to items previously released by the Commission or Bureau, capitalized and italicized terms used in this Order on Reconsideration refer to the defined terms in the attached data collection. See Appendix A.

⁴ Federal Communications Commission, Omnibus Broadband Initiative, Connecting America: The National Broadband Plan at 48 (March 2010) (NBP), available at <http://www.fcc.gov/national-broadband-plan> (last visited Aug. 26, 2014).

⁵ *Id.* (“For example, a competitive provider with its own fiber optic network in a city will frequently purchase special access connections from the incumbent provider in order to serve customer locations that are ‘off net.’ For many broadband providers, including small incumbent LECs, cable companies and wireless broadband providers, the cost of purchasing these high-capacity circuits is a significant expense of offering broadband service, particularly in small, rural communities.”).

⁶ See *Special Access for Price Cap Local Exchange Carriers; AT&T Corporation Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services*, WC Docket No. 05-25, RM-10593, Report and Order, 27 FCC Rcd 10557, 10558-59, para. 1 (2012) (*Pricing Flexibility Suspension Order*).

⁷ *Data Collection Order*, 27 FCC Rcd at 16360, App. A.

⁸ *Id.* at 16326-27, paras. 16-19.

⁹ The Commission found “it necessary to obtain data from special access providers and purchasers of all sizes.” *Id.* at 16327-28, para. 22. In reaching this conclusion, the Commission focused on how small providers could be a “significant competitor in smaller areas,” citing filings by AT&T and Verizon. *Id.* at 16328, para. 22 n.51. The Commission said that “[c]ompetition in the provision of special access appears to occur at a very granular level—perhaps as low as the building/tower” and so even a provider with at least fifty channel terminations to end users could be significant. *Id.* at 16327-28, para. 22. Accordingly, the Commission declined to exempt smaller providers of *Dedicated Service* from the collection. *Id.*

entities providing *Best Efforts Business Broadband Internet Access Service*.¹⁰ As originally adopted, the collection required data on a nationwide basis for areas where the *ILEC* is subject to price cap regulation (i.e., price cap areas) with the majority of data from calendar years 2010 and 2012.¹¹ The Commission provided an “initial version” of the questions and definitions for the collection as an appendix to the order.¹²

4. In the *Special Access FNPRM*, the Commission proposed to conduct a one-time, multi-faceted market analysis.¹³ The analysis would evaluate “how the intensity of competition (or lack thereof), whether actual or potential, affects prices, controlling for all other factors that affect prices” and would provide an evidentiary record for reforming the Commission’s special access rules applicable to *ILECs*.¹⁴ The analysis would evaluate market structure and include, to the extent practicable, “econometrically sound panel regressions . . . of the prices for special access on characteristics such as 1) the number of facilities-based competitors (both actual and potential); 2) the availability of, pricing of, and demand for best efforts business broadband Internet access services; 3) the characteristics of the purchased service; and 4) other factors that influence the pricing decisions of special access providers, including cost determinants (e.g., density of sales) and factors that deliver economies of scale and scope (e.g., level of sales).”¹⁵ Because of the various factors that may influence competition at a particular location, the Commission designed the collection to obtain detailed data at the location level.¹⁶ The Commission also proposed to analyze the information from *Purchasers*, as well as *Providers*, to assess the reasonableness of terms and conditions offered by *ILECs* for special access service.¹⁷

5. The Commission delegated authority to the Bureau to implement the data collection. The Commission’s delegation gives the Bureau authority to: “(a) draft instructions to the data collection and modify the data collection based on public feedback; (b) amend the data collection based on feedback received through the PRA process; (c) make corrections to the data collection to ensure it reflects the Commission’s needs as expressed in [the *Data Collection Order*]; . . . (d) issue Bureau-level orders and Public Notices specifying the production of specific types of data, specifying a collection mechanism (including necessary forms or formats), and set[] deadlines for response to ensure that data collections are complied with in a timely manner; and (e) take other such actions as are necessary to implement [the *Data Collection Order*]. . . consistent with [its] terms”¹⁸ The Commission further stated that “[t]o the extent the Bureau cannot obtain Office of Management and Budget approval for some portion of the data collection, we direct the Bureau to proceed with the remainder of the collection.”¹⁹

6. On September 18, 2013, the Bureau released the *Data Collection Implementation Order* clarifying the scope of the collection, providing instructions on how to respond to the data collection

¹⁰ *Id.* at 16327-28, para. 22 (exempting those entities with fewer than 15,000 customers and fewer than 1,500 business broadband customers).

¹¹ *Id.* at 16328-31, paras. 23-29.

¹² *Id.* at 16331, para. 30.

¹³ See *Special Access FNPRM*, 27 FCC Rcd at 16343-49, paras. 66-71. The comment cycle on the proposed analysis ended on March 12, 2013. See *Special Access for Price Cap Local Exchange Carriers; AT&T Corporation Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services*, 78 Fed. Reg. 2600 (Jan. 11, 2013).

¹⁴ See *Special Access FNPRM*, 27 FCC Rcd at 16343-47, paras. 66-69.

¹⁵ *Id.* at 16346, para. 68.

¹⁶ *Id.* at 16327, para. 22.

¹⁷ *Id.* at 16354-56, paras. 91-93.

¹⁸ *Id.* at 16340, para. 52.

¹⁹ *Id.* at 16340, para. 52 n.111.

questions, and providing a list of all modifications and amendments to the data collection questions and definitions.²⁰ These actions were based on feedback received from potential respondents, including the PRA comments filed with the Commission during the 60-day public comment period, and the Bureau's further internal review.²¹ The Bureau subsequently submitted the collection to OMB for review as required by the PRA.²²

7. In December 2013, the Small Purchasers Coalition (Coalition) and the Blooston Private Microwave Licensees (Blooston) filed petitions for reconsideration of the *Data Collection Implementation Order*.²³ The Coalition urged the Bureau to exempt small purchasers from the collection or to alternatively: (1) limit the collection to 2013 data; (2) exempt self-provisioned special access facilities from the collection; (3) exempt providers of special access to affiliated entities from the collection; and (4) to narrow the scope of quantitative data from *Purchasers*.²⁴ MTPCS, LLC d/b/a Cellular One (MTPCS) filed comments in support, and the Independent Telephone and Telecommunications Alliance (ITTA) opposed the request.²⁵ Blooston, asked for reconsideration of the Bureau's decision not to categorically exclude entities that use fixed point-to-point microwave services on a non-common carrier basis from the definition of *Purchasers*.²⁶ The Utilities Telecom Council (UTC) filed comments in support and asked the Commission to also exclude non-common carrier licensees in the Wireless Broadband Services frequency band, 3650-3700 MHz, that purchase *Dedicated Service*.²⁷

8. After receiving comments from interested parties and completing its review, OMB approved the collection²⁸ subject to the following modifications on August 15, 2014:

- Where data sought for 2010 and/or 2012, only require the reporting of data for a single year, and use the most recent year (i.e., calendar year 2013).
- Revise definition of *Purchasers* to exclude entities from the collection that purchased less than \$5 million in *Dedicated Services* in 2013 (in areas where the *ILEC* is subject to price cap regulation).
- Do not require *Purchasers* to answer Questions II.E.4-8, II.E.14, II.F.3-7, and II.F.13 (which involve the reporting of *Dedicated Service* expenditures by various categories and identifying tariffs used to purchase service). *Purchasers* can provide information in response to such questions on a voluntary basis.²⁹

²⁰ See *Data Collection Implementation Order*, 28 FCC Rcd at 13192, para. 7.

²¹ See *id.*

²² See *Information Collection(s) Being Submitted for Review and Approval to OMB*, 78 Fed. Reg. 73861 (Dec. 9, 2013).

²³ See Petition for Blanket Exemption or, in the Alternative, Petition for Reconsideration of the Coalition, WC Docket No. 05-25, RM-10593 (filed Dec. 9, 2013) (Coalition Petition); Petition for Reconsideration of Blooston, WC Docket No. 05-25, RM-10593 (filed Dec. 6, 2013) (Blooston Petition); *Petitions for Reconsideration of Action in Rulemaking Proceeding*, WC Docket No. 05-25, RM-10593, Report No. 2995, 78 Fed. Reg. 79363 (2013).

²⁴ See Coalition Petition at ii.

²⁵ Comments of MTPCS, WC Docket No. 05-25, RM-10593 (filed Dec. 14, 2013) (MTPCS Comments); Opposition of ITTA, WC Docket No. 05-25, RM-10593 (filed Dec. 15, 2013) (ITTA Opposition).

²⁶ Blooston Petition at 1.

²⁷ Comments of UTC, WC Docket No. 05-25, RM-10593 (filed Dec. 14, 2013) (UTC Comments).

²⁸ See Notice of Office of Management and Budget Action, OMB Control No. 3060-1197 (Aug. 15, 2014), available at http://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=201311-3060-001#.

²⁹ The Bureau already made the following questions optional in the *Data Collection Implementation Order*: II.E.9-11, 13 and II.F.8-10, 12. See 28 FCC Rcd at 13209, paras. 51-52. Accordingly, with this revision, the only

(continued...)

- Require the reporting of revenues and expenditures broken down by bandwidth as set forth in Questions II.A.16, II.B.9, II.E.7-8, and II.F.6-7, only if respondent keeps such information in the normal course of business. Otherwise, respondent can provide information on a voluntary basis.
- Only require the reporting of CLLI code for *ILEC* wire center in response to Question II.E.2.d if kept in the normal course of business. Otherwise, respondent can provide information on a voluntary basis.
- In Question II.A.11 directed at *Competitive Providers*, only require responses where the respondent was selected as the winning bidder on a Request for Proposal (RFP). Respondents can provide information on unsuccessful RFP bids and business rules relied upon to submit bids on a voluntary basis.
- In Questions II.A.4.c and II.B.3.c regarding the reporting of *Locations* with *Connections*, *Providers* are only required to provide the geocode for the *Location* if the respondent keeps such information in the normal course of business. Respondent can, however, provide such information on a voluntary basis.
- In Question II.A.5 directed at *Competitive Providers* regarding fiber maps and the reporting of *Nodes* used to interconnect with third party networks, do not require cable companies to show the feeder links to locations, only their interoffice transport fiber network. In addition, cable companies are only required to report their headends (i.e., *Nodes*) that they have upgraded to provide metro Ethernet service, or its functional equivalent.

III. DISCUSSION

9. We hereby amend the collection to reflect the changes in the conditional approval received from OMB. In so doing, we partially grant and partially deny the Coalition and Blooston petitions. Amending the collection is consistent with our delegated authority and will allow the Commission to move forward with the remainder of the collection for an analysis of the special access market. Specifically, we have revised the questionnaire and instructions by: (1) replacing references to the collection of 2010 and 2012 data with the collection of 2013 data; (2) revising the definition of *Purchasers* as directed by OMB; (3) indicating those questions where responses are optional and not required or where information is required only if kept in the normal course of business by the respondent; and (4) adding footnotes to clarify which information is required.³⁰ These changes will reduce the overall estimated hour reporting burden of the collection on industry by more than forty percent.³¹

10. *Collecting 2013 Data.* OMB's conditional approval necessitates changing the years of the data collected from two years of data (mainly 2010 and 2012) to a single year, and changing that to more recent (2013) data.³² This amendment allows the Commission to obtain data from the most recent

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remaining mandatory questions for *Purchasers* are as follows: II.E.1-3, II.E.12, II.E.15, II.F.1-2, II.F.11, and II.F.14.

³⁰ See Appendix A (revised questionnaire); Appendix B (revised instructions); see also Appendix A, Question II.A.5 (explaining that the mapping and *Node* reporting requirements vary depending on whether or not the *Competitive Provider* is a cable company). The requirements applicable to this question are further explained in the revised instructions. See Appendix B at 14.

³¹ See Revised Supporting Statement, Response to Item A.12, Comprehensive Market Data Collection for Interstate Special Access Services, Information Collection Request (ICR) Package, OMB, http://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=201311-3060-001# (last visited Sept. 15, 2014).

³² Now that the Commission will collect 2013 data, we have made a corresponding change applicable to FCC Form 477 ("Local Telephone Competition and Broadband Reporting") filers that must affirmatively certify whether or not
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calendar year as originally intended in the *Data Collection Order*.³³ This action also addresses the Coalition's concerns over the reporting burden associated with the collection of 2010 data, and its request that the Commission just collect 2013 data.³⁴ It also effectively grants the Coalition's request to "narrow the scope of quantitative data to be provided by purchasers of special access."³⁵ While ITTA opposed the Coalition Petition for seeking reduced reporting requirements for certain classes of respondents, this amendment applies equally to all types of respondents and does not benefit a particular group.³⁶

11. *Other Issues Raised by Petitions for Reconsideration.* The changes required by OMB's conditional approval largely address the petitions filed by the Coalition and Blooston. For example, the Coalition sought a blanket exemption for *Purchasers* with (1) less than \$5 million annually in special access facilities in price cap areas or (2) 200 or fewer special access facilities.³⁷ Blooston similarly sought an exemption from the collection for Part 101 point-to-point, non-common carrier microwave licensees that "are simply consumers of dedicated special access services."³⁸ By revising the definition of *Purchasers* to exclude entities spending less than \$5 million on *Dedicated Services* in 2013 in price cap areas, we significantly reduce the estimated pool of respondents that are *Purchasers*, and therefore, likely significantly reduce the number of entities represented by the Coalition and Blooston that are required to respond to the collection.³⁹ Moreover, in addition to changing the year of the data collected to 2013, almost all but a handful of the questions for *Purchasers* are now optional, further limiting the amount of data obtained on a mandatory basis, and thus further decreasing the estimated reporting burden for *Purchasers*.⁴⁰

12. To the extent petitioners and commenters seek additional exemptions or reductions in the reporting requirements, we deny their requests. The changes made pursuant to OMB's conditional approval provide ample relief by significantly decreasing the overall estimated reporting burden of the collection. Additional modifications would further limit the amount of data collected on purchases at the

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they are covered by the scope of the collection. See, e.g., *Data Collection Implementation Order*, 28 FCC Rcd at 13197-98, paras. 16-18 (clarifying the obligations of "FCC Form 477 Filers Reporting Broadband Connections"). Instead of requiring a certification for entities that were required to report broadband connections to end user locations in price cap areas for 2012, it will apply to those entities that were required to report broadband connections to end user locations in price cap areas for 2013.

³³ See *Data Collection Order*, 27 FCC Rcd at 16330, para. 27 ("We choose calendar year 2012 because it is the most recent calendar year for which data will be available once Paperwork Reduction Act approval is obtained for the information collection adopted in this order.").

³⁴ See Coalition Petition at 9-10 (highlighting the burdens associated with having to "retroactively try to identify and capture [those] data").

³⁵ *Id.* at 8-9.

³⁶ ITTA Opposition at 2 ("[T]o the extent the Commission is inclined to narrow the scope of the data request in any manner, it must do so for all respondents impacted by the data collection for reasons of regulatory parity.").

³⁷ Coalition Petition at 1.

³⁸ Blooston Petition at 1, 5. In its supporting comments, UTC also urged the Commission to exempt Part 90 licensees in the Wireless Broadband Services frequency band, 3650-3700 MHz. UTC Comments at 1.

³⁹ See Revised Supporting Statement, Response to Item B.1, Comprehensive Market Data Collection for Interstate Special Access Services, Information Collection Request (ICR) Package, OMB, http://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=201311-3060-001# (last visited Sept. 15, 2014).

⁴⁰ The only remaining mandatory questions directed at *Purchasers* are as follows: (1) Questions II.E.1-3, II.E.12, and II.E.15 for *Purchasers* that are mobile wireless service providers; and (2) Questions II.F.1-2, II.F.11, and II.F.14 for other *Purchasers*. See Appendix A. This amendment further addresses the concerns of MTPCS over having to report expenditures broken out by various categories related to terms and conditions in Question II.E.4 and related questions as those questions are now optional. MTPCS Comments at 4-6.

retail level.⁴¹ And there is evidence in the record that wholesale and retail customers face differing competitive options and that backhaul purchases by mobile wireless providers may represent a unique product market.⁴² The Commission therefore needs the remaining data sought on a mandatory basis from customers to analyze the retail, as well as the wholesale, market.⁴³

13. *Responses Due by December 15, 2014.* The deadline for responding to the data collection is ninety days from the release of this order, i.e., December 15, 2014. The Commission first provided notice that a collection was forthcoming in its August 2012 *Pricing Flexibility Suspension Order*.⁴⁴ The Commission then provided respondents with an “initial version” of the questions in its *Data Collection Order*, and clarifications and instructions were provided by the Bureau in September 2013.⁴⁵ The eight month review process by OMB provided even more time for respondents to assess the collection requirements, identify the necessary information, and prepare for responding. Throughout this implementation process, the Commission staff has encouraged parties not to wait until the announcement of the filing deadline to start preparing for a response. We do understand that any efforts to date by respondents to gather 2010 and/or 2012 data are supplanted by the change to using 2013 data, but collecting the most recent calendar year will likely make it easier for respondents to identify the necessary information over the next ninety days and eliminate the burdens associated with reporting data from earlier years. We therefore find a ninety-day window for filing responses is appropriate.

IV. PROCEDURAL MATTERS

14. *Responding to the Data Collection.* In addition to the attached instructions discussing the data specifications, we will post additional instructions on the submission process on the Commission’s website. The Bureau will separately announce the launch of an electronic interface for the submission of information. Submissions will involve the uploading of documents in response to various questions and interrogatories and the electronic delivery of data. We will provide a database container file for submitting data that will include validation scripts to verify that the filer is providing the data in the appropriate format.

15. *Confidential Information.* The data collection seeks information on facilities, billing, revenue, and expenditures considered confidential by businesses. The Bureau will release separately a

⁴¹ Both the Coalition and Blooston sought relief for entities purchasing *Dedicated Services* at the retail, and not wholesale, level, i.e., mobile wireless carriers that purchase *Dedicated Service* for cell site backhaul and business and government agencies that purchase *Dedicated Services* from *Providers*. Coalition Petition at 1; Blooston Petition at 1.

⁴² See *Pricing Flexibility Suspension Order*, 27 FCC Rcd at 10609-10, paras. 93-95; see also Peter Bluhm with Dr. Robert Loube, *Competitive Issues in Special Access Markets*, National Regulatory Research Institute, at 42-43 (issued Jan. 21, 2009) (finding that competitive carriers that purchase as inputs to their retail enterprise service offerings and mobile wireless providers purchasing special access to backhaul wireless traffic from cell sites have different purchasing patterns), available at http://www.naruc.org/Publications/09%200121%20NARUC%20NRRRI_spcl_access_mkts_jan09-02%20_2_.pdf (last visited Sept. 15, 2014).

⁴³ Moreover, we disagree with the positions of the Coalition, Blooston, and UTC on the value of information collected from entities with point-to-point microwave or other dedicated wireless point-to-point links, which can serve as a competitive substitute to the *Dedicated Services* provided by *Providers*. See Coalition Petition at 10; Blooston Petition at 5. Similarly, understanding the provision and purchase of *Dedicated Services* between affiliated companies is relevant to the Commission’s inquiry. See Coalition Petition at 11.

⁴⁴ See *Pricing Flexibility Suspension Order*, 27 FCC Rcd at 10559, para. 1.

⁴⁵ See *Data Collection Order*, 27 FCC Rcd at 16331, para. 30, Appendix A; *Data Collection Implementation Order*, 28 FCC Rcd at 13189.

Protective Order outlining the procedures for designating and accessing information deemed confidential and highly confidential.⁴⁶

16. *Paperwork Reduction Act Analysis.* This Order on Reconsideration further implements the information collection requirement adopted by the Commission in the *Data Collection Order*. OMB has conditionally approved the collection pursuant to the PRA, Public Law 104-13, and the actions taken here are consistent with, and reflect, OMB's conditional approval.⁴⁷ Accordingly, this Order on Reconsideration does not result in any new or substantive or material modification to a collection that would require additional OMB approval. Consistent with the *Data Collection Order*, the information collection requirement will become effective upon publication of a notice in the Federal Register announcing OMB's approval and an effective date of the requirements.⁴⁸

17. *Supplemental Final Regulatory Flexibility Analysis.* As required by the Regulatory Flexibility Act of 1980, as amended, the Bureau has prepared a Supplemental Final Regulatory Flexibility Analysis (Supplemental FRFA) as set forth in Appendix C, addressing the actions taken in this Order on Reconsideration.⁴⁹

18. *Congressional Review Act.* The Commission previously sent a copy of the *Data Collection Order* to Congress and the Government Accountability Office pursuant to the CRA and will supplement that filing with a copy of this Order on Reconsideration.⁵⁰

19. *Ex Parte Presentations.* This is a permit-but-disclose proceeding and subject to the requirements of section 1.1206(b) of the rules.⁵¹ Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentations must contain a summary of the substance of the presentation and not merely a listing of the subjects discussed. More than a one-sentence or two-sentence description of the views and arguments presented is generally required.⁵²

V. ORDERING CLAUSES

20. Accordingly, IT IS ORDERED pursuant to sections 1, 4(i), 4(j), 5, 201-205, 211, 215, 218, 219, 303(r), 332, 403, 405, and 503 of the Communications Act of 1934, as amended (the Act), 47 U.S.C. §§ 151, 154(i), 154(j), 155, 201, 202, 203, 204, 205, 211, 215, 218, 219, 303(r), 332, 403, 405, 503, and section 706 of the Telecommunications Act of 1996, 47 U.S.C. § 1302, sections 0.91, 0.291, and 1.429 of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, 1.429 and the authority delegated to the Bureau in the *Data Collection Order*, that this Order on Reconsideration IS ADOPTED, effective 30 days after publication of the text or summary thereof in the Federal Register.

21. IT IS FURTHER ORDERED that the deadline for responding to the data collection is December 15, 2014.

22. IT IS FURTHER ORDERED that, pursuant to the authority contained in section 405 of the Act, 47 U.S.C. § 405, and section 1.429 of the Commission's rules, 47 C.F.R. § 1.429, the Petition for

⁴⁶ See *Wireline Competition Bureau Seeks Comment on Protective Order for Special Access Data Collection*, WC Docket No. 05-25, RM-10593, Public Notice, 28 FCC Rcd 9170 (Wireline Comp. Bur. 2013).

⁴⁷ See Notice of Office of Management and Budget Action, OMB Control No. 3060-1197 (Aug. 15, 2014), available at http://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=201311-3060-001# (last visited Sept. 15, 2014).

⁴⁸ See *Data Collection Order*, 27 FCC Rcd at 16358, para. 106.

⁴⁹ 5 U.S.C. § 604.

⁵⁰ See 5 U.S.C. § 801(a)(1)(A) (requiring Federal agencies to send a report each House of the Congress and the Comptroller General before a rule can take effect).

⁵¹ 47 C.F.R. § 1.1206(b).

⁵² *Id.*

Blanket Exemption or, in the Alternative, Petition for Reconsideration filed by the Small Purchasers Coalition on December 9, 2013, IS GRANTED IN PART AND DENIED IN PART to the extent described herein.

23. IT IS FURTHER ORDERED that, pursuant to the authority contained in section 405 of the Act, 47 U.S.C. § 405, and section 1.429 of the Commission's rules, 47 C.F.R. § 1.429, the Petition for Reconsideration filed by the Blooston Private Microwave Licensees on December 6, 2013, IS GRANTED IN PART AND DENIED IN PART to the extent described herein..

24. IT IS FURTHER ORDERED that the Bureau SHALL SEND a copy of this Order on Reconsideration, including the Supplemental Final Regulatory Flexibility Analysis, to the Chief Counsel for Advocacy of the Small Business Administration.

FEDERAL COMMUNICATIONS COMMISSION

Julie A. Veach
Chief
Wireline Competition Bureau

APPENDIX A

Mandatory Data Collection¹

September 2014
Approved by OMB
3060-1197

I. DEFINITIONS

The following definitions apply for purposes of this collection only. They are not intended to set or modify precedent outside the context of this collection.

Affiliated Company means a company, partnership, corporation, limited liability company, or other business entity that is affiliated with an entity that provides and/or purchases *Dedicated Service*. Two entities are affiliated if one of them, or an entity that controls one of them, directly or indirectly holds a greater than 10 percent ownership interest in, or controls, the other one.

Best Efforts Business Broadband Internet Access Service means a best efforts Internet access data service with a minimum advertised bandwidth connection of at least 1.5 megabits per second (Mbps) in both directions (upstream/downstream) that is marketed to enterprise customers (including small, medium, and large businesses). For purposes of this data collection, *Best Efforts Business Broadband Internet Access Services* do not include mobile wireless services, as that term is used in the *16th Annual Mobile Wireless Competition Report*.²

Circuit-Based Dedicated Service (CBDS) means a *Dedicated Service* that is circuit-based. Examples of *CBDS* include time-division multiplexing-based, *DS1* and *DS3* services.

Competitive Provider means a competitive local exchange carrier (CLEC), interexchange carrier, cable operator, wireless provider or any other entity that is subject to the Commission's jurisdiction under the Communications Act of 1934, as amended, and either provides a *Dedicated Service* or provides a *Connection* over which a *Dedicated Service* could be provided. A *Competitive Provider* does not include an *ILEC* operating within its incumbent service territory.

Connection means a wired "line" or wireless "channel" that provides a dedicated communication path between a *Location* and the first *Node* on a *Provider's* network. Multiple dedicated communication paths serving one or more *End Users* at the same *Location* should be counted as a single *Connection*. A *Connection* may be a *UNE*, including an *Unbundled Copper Loop* if modified to provide a *Dedicated Service*. A *Connection* must have the capability of being used to provide one or more *Dedicated Services*; however, a *Connection* can be used to provide other services as well. For example, a dedicated communication path that is currently being used to provide a mass market broadband service but has the capability to provide a *Dedicated Service* is considered a *Connection* for the purpose of this data collection.

Contract-Based Tariff means a *Tariff*, other than a *Tariff Plan*, that is based on a service contract entered into between a customer and an *ILEC* which has obtained permission to offer contract-based tariff

¹ The instructions included in Appendix B provide additional information on how to respond to these questions.

² See *Implementation of Section 6002(b) of the Omnibus Budget Reconciliation Act of 1993, Annual Report and Analysis of Competitive Market Conditions with Respect to Mobile Wireless, Including Commercial Mobile Services*, WT Docket No. 11-186, Sixteenth Report, 28 FCC Rcd 3700, 3729-30, paras. 3-5 (2013).

services pursuant to 47 C.F.R. § 69.701 *et seq.* of the Commission's pricing flexibility rules or a comparable tariffed intrastate service contract between a customer and an *ILEC*.

Dedicated Service transports data between two or more designated points, *e.g.*, between an *End User's* premises and a point-of-presence, between the central office of a local exchange carrier (LEC) and a point-of-presence, or between two *End User* premises, at a rate of at least 1.5 Mbps in both directions (upstream/downstream) with prescribed performance requirements that include bandwidth-, latency-, or error-rate guarantees or other parameters that define delivery under a *Tariff* or in a service-level agreement. *Dedicated Service* includes, but is not limited to, *CBDS* and *PBDS*. For the purpose of this data collection, *Dedicated Service* does not include "best effort" services, *e.g.*, mass market broadband services such as DSL and cable modem broadband access.

Disconnection means the process by which a *Provider*, per a customer request, terminates billing on one or more of a customer's *Dedicated Service* circuits.

DS1 and *DS3*, except where specified, refer to DS1s and DS3s that are not *UNEs*.³ *DS1s* and *DS3s* are *Dedicated Services*.

End User means a business, institutional, or government entity that purchases a communications service for its own purposes and does not resell such service. A mobile wireless service provider is considered an *End User* when it purchases communications services to make connections within its own network, *e.g.*, backhaul to a cell site.

End User Channel Termination means, as defined in 47 C.F.R. § 69.703(a)(2), a dedicated channel connecting a LEC end office and a customer premises, offered for purposes of carrying special access traffic.

Incumbent Local Exchange Carrier (ILEC) means, for the purpose of this data collection, a LEC that provides a *Dedicated Service* in study areas where it is subject to price cap regulation under sections 61.41-61.49 of the Commission's rules, 47 C.F.R. §§ 61.41-61.49.

Indefeasible Right of Use (IRU) means an indefeasible long-term leasehold interest for a minimum total duration of ten years that gives the grantee the right to access and exclusively use specified strands of fiber or allocated bandwidth to provide a service as determined by the grantee.⁴ An *IRU* confers on the grantee substantially all of the risks and rewards of ownership. *IRUs* typically include the following elements: (i) payment of a substantial fee up front to enter into the *IRU* contract;⁵ (ii) conveyance of tax obligations commensurate with the risks and rewards of ownership to the grantee (*e.g.* as opposed to the lesser tax burdens associated with other forms of leases); (iii) terms for payment to the grantor for ancillary services, such as maintenance fees; (iv) all additional rights and interests necessary to enable the *IRU* to be used by the grantee in the manner agreed to; and (v) no unreasonable limit on the right of the

³ See 47 U.S.C. § 251; see also 47 C.F.R. §§ 51.5 (defining network element), 51.319 (outlining specific unbundling requirements).

⁴ The ten year duration is measured at the time a grantee entered into the *IRU* agreement.

⁵ To enter into an *IRU* contract, grantees are usually required to pay the total amount due under the terms of that contract. However, some *IRU* contracts require a smaller initial payment, with installment payments throughout the duration of the contract. At a minimum, a grantee typically pays at least 25 percent of the total amount due under the *IRU* contract upfront (excluding operations and maintenance fees), with commitments to make regularly scheduled installment payments, to qualify as an *IRU*. See Michael J. Lichtenstein & Charles A. Rohe, *The Treatment of IRUs in Bankruptcy Proceedings*, 11 J. Bankr. L. & Prac. 83, 86 (2001).

grantee to use the asset as it wishes (*e.g.*, the grantee shall be permitted to splice into the *IRU* fiber, though such splice points must be mutually agreed upon by grantor and the grantee of the *IRU*).

Location means a building, other man-made structure, a cell site on a building, a free-standing cell site, or a cell site on some other man-made structure where the *End User* is connected. A *Node* is not a *Location*. For the purposes of this data collection, cell sites are to be treated as *Locations* and not as *Nodes*.

Metropolitan Statistical Area (MSA) is a geographic area as defined by 47 C.F.R. §§ 22.909(a), 69.703(b).

Node is an aggregation point, a branch point, or a point of interconnection on a *Provider's* network, including a point of interconnection to other *Provider* networks. Examples include LEC central offices, remote terminal locations, splice points (including, for example, at manholes), controlled environmental vaults, cable system headends, cable modem termination system (CMTS) locations, and facility hubs.

Non-MSA is the portion of an *ILEC's* study area that falls outside the boundaries of an *MSA*.⁶

Non-Rate Benefit means a benefit to the customer other than a discount on the *One Month Term Only Rate*, *e.g.*, a credit towards penalties or non-recurring charges or the ability to move circuits without incurring a penalty.

One Month Term Only Rate means, for purposes of this data collection, the non-discounted monthly recurring tariffed rate for *DS1*, *DS3* and/or *PBDS* services.

Packet-Based Dedicated Service (PBDS) means a *Dedicated Service* that is packet-based. Examples of *PBDS* include Multi-Protocol Label Switched (MPLS) services; permanent virtual circuits, virtual private lines and similar services; ATM and Frame Relay service; (Gigabit) Ethernet Services and Metro Ethernet Virtual Connections; and Virtual Private Networks (VPN). *PBDS* includes those categories of packet-based and optical transmission services for which the Commission has granted forbearance relief from dominant carrier regulation.⁷

Phase I Pricing Flexibility means regulatory relief for the pricing of *End User Channel Terminations* pursuant to 47 C.F.R. §§ 69.711(b), 69.727(a) of the Commission's rules.

Phase II Pricing Flexibility means regulatory relief for the pricing of *End User Channel Terminations* pursuant to 47 C.F.R. §§ 69.711(c), 69.727(b) of the Commission's rules.

⁶ See 47 C.F.R. § 69.707(b).

⁷ See Petition of the Verizon Telephone Companies for Forbearance under 47 U.S.C. § 160(c) from Title II and Computer Inquiry Rules with Respect to Their Broadband Services, WC Docket No. 04-440 (filed Dec. 20, 2004); Letter from Edward Shakin, Vice President and Associate General Counsel, Verizon, to Marlene H. Dortch, Secretary, FCC, WC Docket. No. 04-440, at 2-3 (filed Feb. 7, 2006); FCC News Release, *Verizon Telephone Companies' Petition for Forbearance from Title II and Computer Inquiry Rules with Respect to their Broadband Services Is Granted by Operation of Law* (rel. Mar. 20, 2006); *Petition of AT&T Inc. for Forbearance Under 47 U.S.C. § 160(c) from Title II and Computer Inquiry Rules with Respect to Its Broadband Services*, *Petition of BellSouth Corporation for Forbearance Under Section 47 U.S.C. § 160(c) from Title II and Computer Inquiry Rules with Respect to Its Broadband Services*, Memorandum Opinion and Order, 22 FCC Rcd 18705 (2007); *Petition of the Embarq Local Operating Companies for Forbearance Under 47 U.S.C. § 160(c) from Application of Computer Inquiry and Certain Title II Common-Carriage Requirements, et al.*, Memorandum Opinion and Order, 22 FCC Rcd 19478 (2007); *Qwest Petition for Forbearance Under 47 U.S.C. § 160(c) from Title II and Computer Inquiry Rules with Respect to Broadband Services*, Memorandum Opinion and Order, 23 FCC Rcd 12260 (2008).

Prior Purchase-Based Commitment means a type of *Volume Commitment* where the commitment is based on either:

- (i) a certain percentage or number of the customer's purchased in-service circuits or lines as measured at the time of making the *Volume Commitment* or measured during a period of time prior to making the *Volume Commitment*, e.g., based on the customer's billing records for the current month or prior month(s); or
- (ii) a certain percentage or dollar amount of *Revenues* generated by the customer's purchases as measured at the time of making the *Volume Commitment* or during a period of time prior to making the *Volume Commitment*.

Providers collectively refers to both *ILECs* and *Competitive Providers*.

Purchasers means *Competitive Providers* and *End Users* that are subject to the Commission's jurisdiction under the Communications Act of 1934, as amended, and that purchased *Dedicated Services* of \$5 million or more in 2013 in areas where the *ILEC* is subject to price cap regulation.

Revenues means intrastate and interstate billed amounts without any allowance for uncollectibles, commissions or settlements.

Tariff means an intrastate or interstate schedule of rates and regulations filed by common carriers. This term includes both *Tariff Plans* and *Contract-Based Tariffs*.

Tariff Plan means a *Tariff*, other than a *Contract-Based Tariff*, that provides a customer with either a discount from any *One Month Term Only Rate* for the purchase of *DS1* and/or *DS3* services or a *Non-Rate Benefit* that could be applied to these services.

Term Commitment means a commitment to purchase a *Dedicated Service* for a period of time, greater than a month, in exchange for a circuit-specific discount and/or a *Non-Rate Benefit*.

Transport Service means a dedicated circuit that connects a designated *Competitive Provider's* premises to the wire center that serves the *Competitive Provider's* customer. Such an arrangement may or may not include channel mileage. See 47 C.F.R. § 69.709(a).

Transport Provider means a *Provider* that supplies *Transport Service*.

Unbundled Copper Loop means a copper wire local loop provided by *ILECs* to requesting telecommunications carriers on a non-discriminatory basis pursuant to 47 C.F.R. § 51.319(a)(1) that can be used by a *Competitive Provider* to provide a *Dedicated Service*, e.g., Ethernet over Copper. An *Unbundled Copper Loop* is typically a 2- or 4- wire loop that the *ILEC* has conditioned to remove intervening equipment such as bridge taps, load coils, repeaters, low pass filters, range extenders, etc. between a *Location* and the serving wire center to allow for the provision of advanced digital services by a *Competitive Provider*. These loops are commonly referred to as dry copper, bare copper, or xDSL-compatible loops. An *Unbundled Copper Loop* is a type of *UNE*.

Unbundled Network Element (UNE) means a local loop provided by an *ILEC* to a requesting telecommunications carrier on a non-discriminatory basis pursuant to 47 C.F.R. § 51.319(a).

Upgrade means that a customer transitions one or more circuits to a higher capacity circuit.

Volume Commitment means a commitment to purchase a specified volume, e.g., a certain number of circuits or *Revenues*, to receive a discount on *Dedicated Services* and/or a *Non-Rate Benefit*.

II. MANDATORY DATA COLLECTION QUESTIONS

A. Competitive Providers must respond to the following:⁸

II.A.1. Indicate whether you are an *Affiliated Company*. If you are an *Affiliated Company*, you must identify the entities that provide and/or purchase *Dedicated Service* with which you have an affiliation (name/FRN).

II.A.2. Do you (i) own a *Connection*; (ii) lease a *Connection* from another entity under an *IRU* agreement; or (iii) obtain a *Connection* as a *UNE* from an *ILEC* to provide a *Dedicated Service*?

Yes No

a. If yes, are any of these *Connections* to a *Location* within an area where the *ILEC* is subject to price cap regulation or within an area where the Commission has granted *Phase I* or *Phase II Pricing Flexibility*?

Yes No

If you answered “no” to question II.A.2 or II.A.2.a, then you are not required to respond to the remaining questions in II.A or the questions in II.D.

Facilities Information

II.A.3. Provide the total number of *Locations* to which you had a *Connection* during 2013 where your company: (i) owned the *Connection*; (ii) leased the *Connection* from another entity under an *IRU* agreement; or (iii) obtained the *Connection* as a *UNE* from an *ILEC* in the form of *DS1s*, *DS3s*, or *Unbundled Copper Loops* to provide a *Dedicated Service*.

II.A.4. Provide the information requested below for each *Location* to which your company had a *Connection* during 2013 that you: (i) owned; (ii) leased from another entity under an *IRU* agreement; or (iii) obtained as a *UNE* from an *ILEC* to provide a *Dedicated Service*.

- a. A unique ID for the *Location*;
- b. The actual situs address for the *Location* (*i.e.*, land where the building or cell site is located);
- c. The geocode for the *Location* (*i.e.*, latitude and longitude) if kept in the normal course of business, otherwise providing this information is optional;
- d. The *Location* type (*e.g.*, building, other man-made structure, cell site in or on a building, free-standing cell site, or a cell site on some other man-made structure like a water tower, billboard, etc.);
- e. Whether the *Connection* provided to the location uses facilities leased from another entity under an *IRU* or obtained as a *DS1/DS3 UNE* or *Unbundled Copper Loop*, and in each case, the name of the lessor of the majority of the fiber strands and/or copper loop;
- f. Whether any of the *Connection* to the *Location* was provided using fiber;
- g. The total sold bandwidth of the *Connection* provided by you to the *Location* in Mbps;
- h. The total bandwidth to the *Location* sold directly by you to an *End User*;
- i. The total sold fixed wireless bandwidth provided by you to the *Location*; and
- j. The total bandwidth sold by you to any cell sites at the *Location*.
- k. The total bandwidth provided to you or an *Affiliated Company* for internal use.

⁸ As discussed in more detail in the instructions, *Competitive Providers* are not required to answer question subparts denoted as “Optional” but can provide information in response to such question subparts on a voluntary basis.

II.A.5. Provide a map showing the fiber routes that you (a) own or (b) lease pursuant to an *IRU* agreement that constitute your network, including the fiber *Connections* to *Locations*. In addition, include the locations of all *Nodes* used to interconnect with third party networks, and the year that each *Node* went live.⁹

II.A.6. We will provide you with a selected list of the *Locations* you reported in response to question II.A.4. For each identified *Location*, state the month and year that you first provided a *Connection* to that *Location*, whether you originally supplied the *Location* over a *UNE*, and if so, when (if at all) you switched to using a *Connection* that you own or lease as an *IRU*. If the *Location* was first served by your *Connection* on or before January 2008, and the date the *Location* was first served is unknown, then enter 00/0000.

II.A.7. For each *ILEC* wire center where your company is collocated, provide the actual situs address, the geocode, and the CLLI code.

II.A.8. Explain your business rule(s) used to determine whether to build a *Connection* to a particular *Location*. Provide underlying assumptions.

- a. Describe the business rules and other factors that determine where you build your *Connections*. Examples of such rules/factors are minimum *Term Commitments* or minimum capacity commitments by the buyer; maximum build distances from the building to your core network; and/or number of competitors in the area. Include, also, any factors that would prevent you from building a *Connection* to an otherwise suitable *Location*. These could be factors that are under your control or those that are not.
- b. Explain how, if at all, business density is incorporated into your business rule, and if so, how you measure business density.
- c. In areas where your business rule has been most successful, explain why. Provide examples of geographic regions (if any) where you generally were or are able to successfully deploy *Connections*, and where you generally have experienced or currently experience serious difficulties in deploying *Connections*, and, if you are able to provide examples of both kind of regions, indicate what distinguishes these different regions.

II.A.9. Provide the following information:

- a. The current situs address of your U.S. headquarters (*i.e.*, the address of the land where the headquarters is located);
- b. The year that this site became your headquarters;
- c. Year established and situs address for any prior U.S. headquarters' location for your company, going as far back as 1995, if different from the headquarters' location listed in response to question II.A.9.a;
- d. Going as far back as 1995, the date of acquisition and the situs address for the U.S. headquarters location of any entity that owned, or leased under an *IRU* agreement, *Connections* to five or more *Locations* in any *MSA* at the time you acquired the entity in a merger where you or your subsidiary was the surviving entity.
- e. The name of any *Affiliated Company* that owned, or leased under an *IRU* agreement, *Connections* to five or more *Locations* in any *MSA* at the time you became affiliated with the *Affiliated Company*, going as far back as 1995.

⁹ For additional details on the requirements applicable to cable companies and other *Competitive Providers*, see the instructions. For example, cable companies in their local franchise areas are only required to provide maps showing their transport fiber network and not the feeder fiber links that connect the *Location* to their transport network. In addition, cable companies are only required to report headend *Nodes* that they have upgraded to provide metro Ethernet service, or its functional equivalent.

- f. For each *Affiliated Company* listed in response to question II.A.9.e, provide:
- i. The year of affiliation;
 - ii. The situs address for each *Affiliated Company's* U.S. headquarters at the time of affiliation;
 - iii. The year that the *Affiliated Company* established the situs address listed in response to question II.A.9.f.i for its U.S. headquarters; and
 - iv. The year established and situs address for any prior U.S. headquarters' location designated by the *Affiliated Company*, going as far back as 1995 or the year of affiliation, whichever is most recent, if different from the headquarters' location listed in response to question II.A.9.f.i.

II.A.10. Provide data, maps, information, marketing materials, and/or documents identifying those geographic areas where you, or an *Affiliated Company*, advertised or marketed *Dedicated Service* over existing facilities, via leased facilities, or by building out new facilities as of December 31, 2013, or planned to advertise or market such services within twenty-four months of those dates.

II.A.11. Identify the five most recent Requests for Proposals (RFPs) for which you were selected as the winning bidder to provide each of the following: (a) *Dedicated Services*; (b) *Best Efforts Business Broadband Internet Access Services*; and, to the extent different from (a) or (b), (c) some other form of high-capacity data services to business customers.¹⁰ (The following remaining parts of this question are optional.) In addition, identify the five largest RFPs (by number of connections) for which you submitted an unsuccessful competitive bid in 2013 for each of (a) *Dedicated Services*; (b) *Best Efforts Business Broadband Internet Access Services*; and, to the extent different from (a) or (b), (c) some other form of high-capacity data services to business customers.¹¹ For each RFP identified, provide a description of the RFP, the area covered, the price offered, and other competitively relevant information. Lastly, identify the business rules you rely upon to determine whether to submit a bid in response to an RFP.

Billing Information

II.A.12. For all *Dedicated Services* provided using transmission paths that you (i) own; (ii) lease from another entity under an *IRU* agreement; or (iii) obtain as a *UNE* from an *ILEC* to provide a *Dedicated Service*, submit the following information by circuit element by circuit billed for each month from January 1 to December 31 for the year 2013.

- a. The closing date of the monthly billing cycle in mm/dd/yyyy format;
- b. The name and six-digit 499-A Filer ID of the customer, where applicable, or other unique ID if customer does not have a 499-A Filer ID;
- c. The *Location* ID from question II.A.4.a that is used to link the circuit elements to the terminating *Location* of the circuit (where applicable);
- d. The circuit ID common to all elements purchased in common for a particular circuit;
- e. The type of circuit (*PBDS*, or *DS1* or *DS3*, etc.) and its bandwidth;
- f. A unique billing code for the circuit element (*see* question II.A.14);
- g. The number of units billed for this circuit element (note that the bandwidth of the circuit must not be entered here);
- h. The dollar amount of non-recurring charges billed for the first unit of this circuit element;
- i. The dollar amount of non-recurring charges billed for additional units of this circuit element (if different from the amount billed for the initial unit);

¹⁰ To be clear, we expect Competitive Providers that have won RFPs in each service category to identify up to five RFPs in each category, not a total of five RFPs across the three categories.

¹¹ To be clear, we expect Competitive Providers that have submitted unsuccessful competitive bids for RFPs in each service category to identify up to five RFPs in each category, not a total of five RFPs across the three categories.

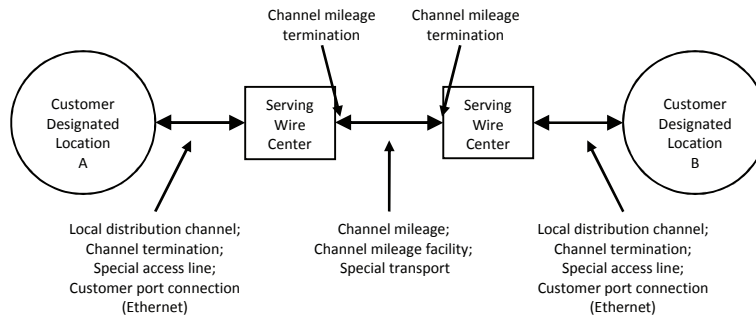
- j. The monthly recurring dollar charge for the first unit of the circuit element billed;
- k. The monthly recurring dollar charge for additional units (if different from the amount billed for the initial unit);
- l. Per unit charge for the circuit element;
- m. The total monthly dollar amount billed for the circuit element;
- n. The *Term Commitment* associated with this circuit in months;
- o. Indicate whether this circuit element is associated with a circuit that contributes to a *Volume Commitment*; and
- p. The adjustment ID (or multiple adjustment IDs) linking this circuit element to the unique out-of-cycle billing adjustments in question II.A.13.a (below) if applicable.

II.A.13. For each adjustment, rebate, or true-up for billed *Dedicated Services*, provide the information requested below.

- a. A unique ID number for the billing adjustment, rebate, or true-up (*see* question II.A.12.p above) and a unique ID number for the *Tariff* or contract from which the adjustment originates;
- b. The beginning date of the time period covered by the adjustment or true-up;
- c. The ending date of the time period covered by the adjustment or true-up;
- d. The scope of the billing adjustment, *i.e.*, whether the adjustment applies to a single circuit element on a single circuit, more than one circuit element on a single circuit, more than one circuit element across multiple circuits, or an overall adjustment that applies to every circuit element on every circuit purchased by the customer;
- e. The dollar amount of the adjustment or true-up; and
- f. A brief description of the billing adjustment, rebate or true-up, *e.g.*, term discount, revenue target rebate, etc.

II.A.14. For each unique billing code, please provide the following information below.

- a. The billing code for the circuit element;
- b. Select the phrase that best describes the circuit element from the list. Names of some common rate elements are shown on the generalized circuit diagram below:



- i. Channel mileage facility, channel mileage, interoffice channel mileage, special transport (a transmission path between two serving wire centers associated with customer designated locations; a serving wire center and an international or service area boundary point; a serving wire center and a hub, or similar type of connection);
- ii. Channel mileage termination, special transport termination (the termination of channel mileage facility or similar transmission path);
- iii. Channel termination, local distribution channel, special access line, customer port connection (Ethernet) (a transmission path between a customer designated location and the associated wire center);

- iv. Clear channel capability (not shown) (an arrangement which allows a customer to transport, for example, 1.536 Mbps of information on a 1.544 Mbps line rate with no constraint on the quantity or sequence of one and zero bits);
 - v. Cross-connection (not shown) (semi-permanent switching between facilities, sometimes combined with multiplexing/demultiplexing);
 - vi. Multiplexing (not shown) (channelizing a facility into individual services requiring a lower capacity or bandwidth); and
 - vii. Class of service and/or committed information rate (not shown) (for Ethernet, the performance characteristics of the network and bandwidth available for a customer port connection).
- c. If none of the possible entries describes the circuit element, enter a short description.

Revenues, Terms and Conditions Information

II.A.15. What were your *Revenues* from the sale of *CBDS* in 2013? Report *Revenues* in total, separately by *DS1*, *DS3*, and other *CBDS* sales, and separately by customer category, *i.e.*, sales to *Providers* and *End Users*.

II.A.16. What were your *Revenues* from the sale of *PBDS* in 2013? Report *Revenues* in total, separately by customer category, *i.e.*, sales to *Providers* and *End Users*. If kept in the normal course of business also report revenues separately by bandwidth for the following categories, otherwise providing this information is optional:

- a. less than or equal to 1.5 Mbps;
- b. greater than 1.5, but less than or equal to 50 Mbps;
- c. greater than 50, but less than or equal to 100 Mbps;
- d. greater than 100, but less than or equal to 1 Gbps; and
- e. greater than 1 Gbps.

II.A.17. What percentage of your *Revenues* from the sale of *DS1*, *DS3*, and *PBDS* services in 2013 were generated from an agreement or *Tariff* that contains a *Prior Purchase-Based Commitment*?

II.A.18. If you offer *Dedicated Services* pursuant to an agreement or *Tariff* that contains either a *Prior Purchase-Based Commitment* or a *Non-Rate Benefit*, then explain how, if at all, those sales are distinguishable from similarly structured *ILEC* sales of *DS1s*, *DS3s*, and/or *PBDS*.

II.A.19. Provide the business justification for the *Term* or *Volume Commitments* associated with any *Tariff* or agreement you offer or have in effect with a customer for the sale of *Dedicated Services*.

B. ILECs must respond to the following:¹²

II.B.1. Indicate whether you are an *Affiliated Company*. If you are an *Affiliated Company*, you must identify the entities that provide and/or purchase *Dedicated Service* with which you have an affiliation (name/FRN).

¹² As discussed in more detail in the instructions, *ILECs* are not required to answer question subparts denoted as “Optional” but can provide information in response to such question subparts on a voluntary basis.

Facilities Information

II.B.2. Provide the total number of *Locations* to which you provided a *Connection* in your company's study areas during 2013 where your company: (i) owned the *Connection*; or (ii) leased the *Connection* from another entity under an *IRU* agreement.

II.B.3. Provide the information requested below for each *Location* to which your company had a *Connection* during 2013 that you (i) owned or (ii) leased from another entity under an *IRU* agreement:

- a. A unique ID for the *Location*;
- b. The actual situs address for the *Location* (*i.e.*, land where the building or cell site is located);
- c. The geocode for the *Location* (*i.e.*, latitude and longitude) if kept in the normal course of business, otherwise providing this information is optional;
- d. The *Location* type (*e.g.*, building, other man-made structure, cell site in or on a building, free-standing cell site, or a cell site on some other man-made structure like a water tower, billboard, etc.);
- e. Whether any of the *Connection* to the *Location* was provided using fiber;
- f. The total sold bandwidth of the *Connection* provided by you to the *Location* in Mbps;
- g. The total bandwidth to the *Location* sold by you as *UNEs* in the form of *DS1s* and/or *DS3s*;
- h. The total bandwidth to the *Location* sold directly by you to an *End User*;
- i. The total sold fixed wireless bandwidth provided by you to the *Location*; and
- j. The total bandwidth sold by you to any cell sites at the *Location*.

Billing Information

II.B.4. For all *Dedicated Services* provided using transmission paths that you (i) own or (ii) lease from another entity under an *IRU* agreement, submit the following information by circuit element by circuit billed for each month from January 1 to December 31 for the year 2013.

- a. The closing date of the monthly billing cycle in mm/dd/yyyy format;
- b. The name and six-digit 499A Filer ID of the customer, where applicable, or other unique ID if customer does not have a 499A Filer ID;
- c. The *Location* ID from question II.B.3.a that is used to link the circuit elements to the terminating *Location* of the circuit (where applicable);
- d. The circuit ID common to all elements purchased in common for a particular circuit;
- e. The type of circuit, (*DS1* sold as a *UNE*, *DS3* sold as a *UNE*, *PBDS*, non-*UNE DS1s* or *DS3s*, etc.) and the bandwidth of the circuit;
- f. The serving wire center / mileage rating point Common Language Location Identification (CLLI) of one end of the circuit (MRP1);
- g. The serving wire center / mileage rating point CLLI of the other end of the circuit (MRP2);
- h. The latitude of MRP1;
- i. The longitude of MRP1;
- j. The latitude of MRP2;
- k. The longitude of MRP2;
- l. End of the circuit (1=MRP1 or 2=MRP2) associated with this circuit element;
- m. The billing code for the circuit element (*see* question II.B.6);
- n. The density pricing zone for the circuit element;¹³

¹³ See 47 C.F.R. § 69.123 (density pricing zones for special access and switched transport).

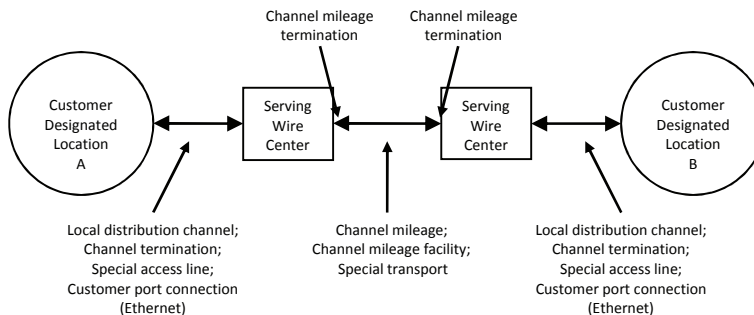
- o. The number of units billed for this circuit element (note that the bandwidth of the circuit must not be entered here);
- p. The dollar amount of non-recurring charges billed for the first unit of this circuit element;
- q. The dollar amount of non-recurring charges billed for additional units of this circuit element (if different from the amount billed for the initial unit);
- r. The monthly recurring dollar charge for the first unit of the circuit element billed;
- s. The monthly recurring dollar charge for additional units (if different from the amount billed for the initial unit);
- t. Per unit charge for the circuit element;
- u. The total monthly dollar amount billed for the circuit element;
- v. The *Term Commitment* associated with this circuit in months;
- w. Indicate whether this circuit element is associated with a circuit that contributes to a *Volume Commitment*;
- x. Indicate whether this circuit element was purchased pursuant to a *Contract-Based Tariff*; and
- y. The adjustment ID (or multiple adjustment IDs) linking this circuit element to the unique out-of-cycle billing adjustments in question II.B.5.a (below) if applicable.

II.B.5. For each adjustment, rebate, or true-up for billed *Dedicated Services*, provide the information requested below.

- a. A unique ID for the billing adjustment or true-up (see question II.B.4.y above);
- b. A unique ID number for the contract or *Tariff* from which the adjustment originates;
- c. The beginning date of the time period covered by the adjustment or true-up;
- d. The ending date of the time period covered by the adjustment or true-up;
- e. The scope of the billing adjustment, *i.e.*, whether the adjustment applies to a single circuit element on a single circuit, more than one circuit element on a single circuit, more than one circuit element across multiple circuits, or an overall adjustment that applies to every circuit element on every circuit purchased by the customer;
- f. The dollar amount of the adjustment or true-up;
- g. Whether the adjustment is associated with a *Term Commitment*, and if so, the length of the term specified in the contract or *Tariff* necessary to achieve the rebate;
- h. Whether the adjustment is associated with a *Volume Commitment*, and if so, the number of circuits and/or dollar amount specified in the contract or *Tariff* necessary to achieve the rebate; and
- i. If the adjustment is for some other reason, a brief description of the reason for the adjustment.

II.B.6. For each unique billing code, please provide the following information below.

- a. The billing code for the circuit element;
- b. The phrase that best describes the circuit element from the list. Names of some common rate elements are shown on the generalized circuit diagram below:



- i. Channel mileage facility, channel mileage, interoffice channel mileage, special transport (a transmission path between two serving wire centers associated with customer designated locations; a serving wire center and an international or service area boundary point; a serving wire center and a hub, or similar type of connection);
 - ii. Channel mileage termination, special transport termination (the termination of channel mileage facility or similar transmission path);
 - iii. Channel termination, local distribution channel, special access line, customer port connection (Ethernet) (a transmission path between a customer designated location and the associated wire center);
 - iv. Clear channel capability (not shown) (an arrangement which allows a customer to transport, for example, 1.536 Mbps of information on a 1.544 Mbps line rate with no constraint on the quantity or sequence of one and zero bits);
 - v. Cross-connection (not shown) (semi-permanent switching between facilities, sometimes combined with multiplexing/demultiplexing);
 - vi. Multiplexing (not shown) (channelizing a facility into individual services requiring a lower capacity or bandwidth); and
 - vii. Class of service and/or committed information rate (not shown) (for Ethernet, the performance characteristics of the network and bandwidth available for a customer port connection).
- c. If none of the possible entries describes the rate element, enter a short description.

II.B.7. List the CLLI code for each one of your wire centers that was subject to price cap regulation as of December 31, 2013, *i.e.*, those wire centers in your incumbent territory where the Commission had not granted you pricing flexibility. For those *MSAs* and *Non-MSAs* where the Commission granted you *Phase I* or *Phase II Pricing Flexibility* as of December 31, 2013, list the CLLI codes for the wire centers associated with each *MSA* and *Non-MSA* for 2013, the name of the relevant *MSA* and *Non-MSA*, and the level of pricing flexibility granted for the *MSA* and *Non-MSA*, *i.e.*, *Phase I* and/or *Phase II Pricing Flexibility*.

Revenues, Terms and Conditions Information

II.B.8. What were your *Revenues* from the sale of *CBDS* services in 2013? Report *Revenues* in total, separately by *DS1*, *DS3*, and other *CBDS* sales, and separately by customer category, *i.e.*, sales to *Competitive Providers* and *End Users*.

II.B.9. What were your *Revenues* from the sale of *PBDS* services in 2013? Report *Revenues* in total, separately by customer category, *i.e.*, sales to *Competitive Providers* and *End Users*. If kept in the normal course of business also report separately by bandwidth for the following categories, otherwise providing this information is optional:

- a. less than or equal to 1.5 Mbps;
- b. greater than 1.5, but less than or equal to 50 Mbps;
- c. greater than 50, but less than or equal to 100 Mbps;
- d. greater than 100, but less than or equal to 1 gigabyte per second (Gbps); and
- e. greater than 1 Gbps.

II.B.10. What were your *Revenues* from the *One Month Term Only Rate* charged for *DS1*, *DS3*, and/or *PBDS* services in 2013? Report *Revenues* in total, separately by *DS1*, *DS3*, and *PBDS* sales as applicable, and separately by customer category, *i.e.*, sales to *Competitive Providers* and *End Users*.

II.B.11. How many customers were purchasing *DS1*, *DS3*, and/or *PBDS* services pursuant to your *One Month Term Only Rates* as of December 31, 2013? Report customer numbers in total, separately for *DS1*,

DS3, and *PBDS* services as applicable, and separately by customer category, *i.e.*, the number of *DS1*, *DS3*, and *PBDS* service customers that were *Competitive Providers* and *End Users*.

II.B.12. Separately list all *Tariff Plans* and *Contract-Based Tariffs* that can be applied to the purchase of *DS1*, *DS3* and/or *PBDS* services and provide the information requested below for each plan.

- a. This plan is a:
 Tariff Plan *Contract-Based Tariff* (select one)
- b. Plan name:
- c. *Tariff* and Section Number(s):
- d. This plan contains:
 Term Commitment(s) *Volume Commitment(s)*
 Non-Rate Benefit option(s) (select all that apply)
- e. If the plan contains options for *Non-Rate Benefits*, explain the available *Non-Rate Benefits*.
- f. This plan can be applied to the purchase of:
 DS1 services *DS3* services *PBDS* Other (select all that apply)
- g. In what geographic areas is this plan available, *e.g.*, nationwide or certain *MSAs*?
 - i. Is plan available in *MSAs*, *Non-MSAs*, or both types of areas?
 - ii. If plan is available in *Non-MSAs*, indicate the states where the *Non-MSA* areas are located?
- h. To receive a discount or *Non-Rate Benefit* under this plan, must the customer make a *Prior Purchase-Based Commitment*?
 Yes No
- i. Do purchases of *DS1* or *DS3* services in areas outside of the study area(s) where you are subject to price cap regulation (*e.g.*, purchases from an *Affiliated Company* that is a CLEC) count towards meeting any *Volume Commitment* to receive a discount or *Non-Rate Benefit* under this plan?
 Yes No N/A (no *Volume Commitment*)
- j. Do *DS1* or *DS3* purchases in areas where you are subject to price cap regulation and where pricing flexibility has not been granted count towards meeting any *Volume Commitment* to receive a discount or *Non-Rate Benefit* under this plan?
 Yes No N/A (no *Volume Commitment*)
- k. Do *DS1* or *DS3* purchases in areas where you have been granted *Phase I Pricing Flexibility* count towards meeting any *Volume Commitment* to receive a discount or *Non-Rate Benefit* under this plan?
 Yes No N/A (no *Volume Commitment*)
- l. Do *DS1* or *DS3* purchases in areas where you have been granted *Phase II Pricing Flexibility* count towards meeting any *Volume Commitment* to receive a discount or *Non-Rate Benefit* under this plan?
 Yes No N/A (no *Volume Commitment*)
- m. Do non-tariffed *PBDS* purchases by the customer count towards meeting any *Volume Commitment* to receive a discount or *Non-Rate Benefit* under this plan?
 Yes No N/A (no *Volume Commitment*)

- n. Do tariffed *PBDS* purchases by the customer count towards meeting any *Volume Commitment* to receive a discount or *Non-Rate Benefit* under this plan?
 Yes No N/A (no *Volume Commitment*)
- o. Do purchases by the customer for services other than *DSIs*, *DS3s*, and *PBDS* count towards meeting any *Volume Commitment* to receive a discount or *Non-Rate Benefit* under this plan?
 Yes No N/A (no *Volume Commitment*)
- p. Is the discount or *Non-Rate Benefit* available under this plan conditioned on the customer limiting its purchase of *UNEs*, e.g., customer must keep its purchase of *UNEs* below a certain percentage of the customer's total spend?
 Yes No
- q. What were your *Revenues* from the provision of *Dedicated Service* under this plan in 2013?
- r. What is the business justification for any *Term* or *Volume Commitments* associated with this plan?
- s. How many customers were subscribed to this plan as of December 31, 2013? Report customer numbers in total, separately for *DSI*, *DS3*, and *PBDS* services as applicable, and separately by customer category, i.e., the number of *DSI*, *DS3*, and/or *PBDS* customers that were *Competitive Providers* and *End Users*.
- i. If there were five or fewer customers subscribed to this plan as of December 31, 2013, indicate the number of subscribers to this plan that were new customers (as opposed to an existing or prior customer) at the time they subscribed to this plan.
 - ii. For those subscribers to this plan that were existing or prior customers at the time they committed to purchasing services under this plan, explain how the purchase commitment made under this plan compares to the customer's previous purchase commitment. For example, indicate what percentage of the previous purchase commitment, the new purchase commitment equals.
- t. Of those customers subscribed as of December 31, 2013, how many in 2013 failed to meet any *Volume Commitment* or *Term Commitment* required to retain a discount or *Non-Rate Benefit* they originally agreed to when entering into this plan?

II.B.13. Indicate whether you have any non-tariffed agreement with an *End User* or *Competitive Provider* that, directly or indirectly, provides a discount or a *Non-Rate Benefit* on the purchase of tariffed *DSIs*, *DS3s*, and/or *PBDS*, restricts the ability of the *End User* or *Competitive Provider* to obtain *UNEs*, or negatively affects the ability of the *End User* or *Competitive Provider* to purchase *Dedicated Services*. If so, identify each agreement, including the parties to the agreements, the effective date, end date, and a summary of the relevant provisions.

C. Certain Entities that provide Best Efforts Business Broadband Internet Access Services must respond to the following:

II.C.1. If you provide *Best Efforts Business Broadband Internet Access Services* to 15,000 or more customers or 1,500 or more business broadband customers in areas where the *ILEC* is subject to price cap regulation, then answer the following questions:

- a. Did you submit data in connection with the State Broadband Initiative (SBI) Grant Program for 2013?
 Yes No

If you answered “no” to questions II.C.1.a, then you do not need to answer any further questions in this section.

- b. Did the data you submitted in connection with the SBI Grant Program in 2013 accurately and completely identify the areas in which you offered *Best Efforts Business Broadband Internet Access Services* and exclude those areas where you did not offer such services as of December 31, 2013?
- Yes No
- i. If yes, then provide the list of prices for those *Best Efforts Business Broadband Internet Access Services* that you were marketing in each census block submitted in connection with the SBI Grant Program as of December 31, 2013. If there is a price variation within your service footprint, indicate which prices are associated with which census blocks.
- ii. If no, then provide a list of all the census blocks in which you offered *Best Efforts Business Broadband Internet Access Services* as of December 31, 2013, and a list of the prices for those *Best Efforts Business Broadband Internet Access Services* that you were marketing in each census block as of December 31, 2013. If there is a price variation within your service footprint, indicate which prices are associated with which census blocks.

D. All Providers must respond to the following:

II.D.1. Describe your company’s short term and long-range promotional and advertising strategies and objectives for winning new – or retaining current – customers for *Dedicated Services*. In your description, please describe the size (*e.g.*, companies with 500 employees or less, etc.), geographic scope (*e.g.*, national, southeast, Chicago, etc.), and type of customers your company targets or plans to target through these strategies.

II.D.2. Identify where your company’s policies are recorded on the following *Dedicated Service*-related processes: (a) initiation of service; (b) service *Upgrades*; and (c) service *Disconnections*. For instance, identify where your company records recurring and non-recurring charges associated with the processes listed above. If recorded in a *Tariff*, provide the specific *Tariff* section(s). If these policies are recorded in documents other than *Tariffs*, list those documents and state whether they are publicly available. If they are publicly available, explain how to find them. For documents that are not publicly available, state whether they are conveyed to customers orally or in writing.

E. Purchasers that are mobile wireless service providers must respond to the following:¹⁴

II.E.1. How many cell sites do you have on your network?

II.E.2. Provide the information requested below for each cell site on your network as of December 31, 2013.

- a. A unique ID for the cell site;
- b. The actual situs address of the cell site (*i.e.*, land where the cell site is located) if the cell site is located in or on a building;
- c. The geocode for the cell site (*i.e.*, latitude and longitude);

¹⁴ As discussed more fully in the instructions, *Purchasers* that are mobile wireless service providers are only required to answer Questions II.E.1-3, II.E.12, and II.E.15. For the remaining questions in this section, the respondent can provide responses on a voluntary basis and questions are denoted herein as “Optional.”

- d. The CLLI code of the incumbent LEC wire center that serves the cell site, where applicable and if kept in the normal course of business;
- e. Whether the cell site is in or on a building, is a free-standing cell site, or is on some other type of man-made structure, *e.g.*, a water tower, billboard, etc.;
- f. If the cell site is served by a *CBDS*, indicate the equivalent number of *DSIs* used;
- g. If the cell site is served by a *PBDS*, indicate the total bandwidth of the circuit or circuits in Mbps;
- h. If the cell site is served by a wireless *Connection*, indicate the total bandwidth of the circuit or circuits in Mbps;
- i. The name of the *Provider(s)* that supplies your *Connection* to the cell site; and
- j. If you self-provide a *Connection* to the cell site, the provisioned bandwidth of that self-provided *Connection*.

Expenditures Information

II.E.3. What were your expenditures, *i.e.*, dollar volume of purchases, on *Dedicated Services* for 2013? Report expenditures in total, separately for *CBDS* and *PBDS* purchases, and separately for purchases from *ILECs* and *Competitive Providers*.

II.E.4. (Optional) Provide your company's expenditures, *i.e.*, dollar volume of purchases, for *DSIs*, *DS3s*, and/or *PBDS* purchased from *ILECs* pursuant to a *Tariff* in 2013. For each of the following categories, report expenditures in total and separately for *DSIs*, *DS3s* and *PBDS*:

- a. All *DSIs*, *DS3s*, and *PBDS*;
- b. *DSIs*, *DS3s*, and *PBDS* purchased at *One Month Term Only Rates*;
- c. *DSIs*, *DS3s*, and *PBDS* purchased under *Tariff Plans*;
- d. *DSIs*, *DS3s*, and *PBDS* purchased under *Contract-Based Tariffs*;
- e. *DSIs*, *DS3s*, and *PBDS* purchased under *Tariff Plans* that contained a *Term Commitment* but not a *Volume Commitment*;
- f. *DSIs*, *DS3s*, and *PBDS* purchased under *Tariff Plans* that contained a *Prior Purchase-Based Commitment*;
- i. Of the total (and for the separate *DSI*, *DS3*, and *PBDS* totals where applicable), indicate the average discount from the *One Month Term Only Rate* incorporated in the expenditures.

For purposes of calculating the percentages described above, an example would be a *Tariff Plan* that requires a purchase of 20 *DSIs* and 10 *DS3s* and generates expenditures of \$2,000 for calendar-year 2013. If those same circuits were purchased at *One Month Term Only Rates* of \$100 per *DSI* and \$200 per *DS3*, then total expenditures would instead be \$4,000. Since the *Tariff Plan* under this scenario generated 50% of the expenditures that would be generated from *One Month Term Only Rates*, the discount would be 50%.

- g. *DSIs*, *DS3s*, and *PBDS* purchased under *Contract-Based Tariffs* that contained a *Term Commitment* but not a *Volume Commitment*; and
- h. *DSIs*, *DS3s*, and *PBDS* purchased under *Contract-Based Tariffs* that contained a *Prior Purchase-Based Commitment*;
- i. Of the total (and for the separate *DSI* and *DS3* totals if available), indicate the average discount from the *One Month Term Only Rate* incorporated in the expenditures.

An example of how to calculate this percentage can be found at question II.E.4.f.i.

- i. What percentage of your expenditures in 2013 were subject to a *Term Commitment* of five or more years?

II.E.5. (Optional) What were your expenditures, *i.e.*, dollar volume of purchases, on *DSIs*, *DS3s*, and/or *PBDS* purchased from *Competitive Providers* pursuant to a *Tariff* in 2013? Report expenditures in total and separately for *DSIs*, *DS3s* and *PBDS*, as applicable, for the following categories:

- a. All *DSIs*, *DS3s*, and *PBDS*;
- b. *DSIs*, *DS3s*, and *PBDS* purchased at *One Month Term Only Rates*;
- c. *DSIs*, *DS3s*, and *PBDS* purchased under *Tariffs* that contained a *Term Commitment* but not a *Volume Commitment*;
- d. *DSIs*, *DS3s*, and *PBDS* purchased under *Tariffs* that contained a *Prior Purchase-Based Commitment*;
- i. Of the total (and for the separate *DSI*, *DS3*, and *PBDS* totals where applicable), indicate the average discount from the *One Month Term Only Rate* incorporated in the expenditures.

An example of how to calculate this percentage can be found at question II.E.4.f.i

- e. What percentage of your expenditures in 2013 were subject to a *Term Commitment* of five or more years?

II.E.6. (Optional) What were your expenditures, *i.e.*, dollar volume of purchases, on *DSIs*, *DS3s*, and/or *PBDS* purchased from *ILECs* and *Competitive Providers* pursuant to an agreement (not a *Tariff*) in 2013? Report expenditures in total, separately for purchases from *ILECs* and *Competitive Providers*, and separately for *DSIs*, *DS3s* and *PBDS*, as applicable, for the following categories:

- a. All *DSIs*, *DS3s*, and *PBDS*;
- b. *DSIs*, *DS3s*, and *PBDS* purchased at a non-discounted rate;
- c. *DSIs*, *DS3s*, and *PBDS* purchased under a non-tariffed agreement that contained a *Term Commitment* but not a *Volume Commitment*;
- d. *DSIs*, *DS3s*, and *PBDS* purchased under a non-tariffed agreement that contained a *Prior Purchase-Based Commitment*;
- i. Of the total (and for the separate *DSI*, *DS3*, and *PBDS* totals where applicable), indicate the average discount from the non-discounted rate incorporated in the expenditures.

An example of how to calculate this percentage can be found at question II.E.4.f.i

II.E.7. (Optional) What were your expenditures with *ILECs* and *Competitive Providers*, *i.e.*, dollar volume of purchases, on *PBDS* purchased under a *Tariff* in 2013?

- a. Separately report purchases for the following service bandwidth categories if you keep such information in the normal course of business:
 - i. less than or equal to 1.5 Mbps;
 - ii. greater than 1.5, but less than or equal to 50 Mbps;
 - iii. greater than 50, but less than or equal to 100 Mbps;
 - iv. greater than 100, but less than or equal to 1 Gbps; or
 - v. greater than 1 Gbps.

II.E.8. (Optional) What were your expenditures with *ILECs* and *Competitive Providers*, *i.e.*, dollar volume of purchases, on non-tariffed *PBDS* in 2013?

- a. Separately report purchases for the following service bandwidth categories if you keep such information in the normal course of business:
 - i. less than or equal to 1.5 Mbps;
 - ii. greater than 1.5, but less than or equal to 50 Mbps;
 - iii. greater than 50, but less than or equal to 100 Mbps;
 - iv. greater than 100, but less than or equal to 1 Gbps; or
 - v. greater than 1 Gbps.

Terms and Conditions Information

II.E.9. (Optional) Explain whether the terms and conditions of any *Tariff* or contract to which you are a party for the purchase of *Dedicated Services* or the policies of any of your *Providers* constrain your ability to:

- a. Decrease your purchases from your current *Provider(s)*;
- b. Purchase services from another *Provider* currently operating in the geographic areas in which you purchase services;
- c. Purchase non-tariffed services, such as Ethernet services, from your current *Provider* of tariffed *DS1*, *DS3*, and/or *PBDS* services or from other *Providers* operating in the geographic areas in which you purchase tariffed services;
- d. Contract with *Providers* that are considering entering the geographic areas in which you purchase tariffed services;
- e. Move circuits, for example, moving your *DS1* and/or *DS3 End-User Channel Terminations* to connect to another *Transport Provider*; or
- f. Otherwise obtain *Dedicated Services* or change *Providers*.

Relevant terms and conditions, among others, may include: (a) early termination penalties; (b) shortfall provisions; (c) overlapping/supplemental discounts plans with different termination dates; (d) requirements to include all services, including new facilities, under a *Tariff Plan* or *Contract-Based Tariff*; or (e) requiring purchases in multiple geographic areas to obtain maximum discounts.

In your answer, highlight contracts where you contend that a term or condition is a particularly onerous constraint by comparison with more typical provisions in other contracts. Also, at a minimum, list: (a) the *Provider* and indicate whether the *Provider* is an *ILEC* or a *Competitive Provider*; (b) a description of the term or condition; (c) the geographic area in which the services are provided; (d) the name of the vendor providing the service; and (e) where relevant, the specific *Tariff* number(s) and section(s), or if the policy at issue is recorded in documents other than *Tariffs*, list those documents and how you obtained them.

If you allege that a term, condition, or *Provider's* policy negatively affects your ability to obtain *Dedicated Services*, state whether you have brought a complaint to the Commission, a state commission or court about this issue and the outcome. If you have not brought a complaint, explain why not.

II.E.10. (Optional) If you purchase, or purchased, *Transport Service* and *End User Channel Terminations* from the same *Provider*, explain your experience with changing *Transport Service* from one *Provider* to another between January 1 and December 31, 2013 while keeping your *End User Channel Terminations* with the original *Provider*. Where appropriate, identify the *Provider(s)* in your responses below and indicate whether they are an *ILEC* or a *Competitive Provider*.

- a. How many times did you change *Transport Service* while keeping your *End User Channel Terminations* with the original *Provider*? An estimate of the number of circuits moved to a new *Transport Provider*, or the number of such changes requested, is sufficient.
- b. What was the length of time, on average, it took for the original *Provider* to complete the process of connecting your last-mile *End-user Channel Terminations* to another *Transport Provider*? An estimate is sufficient.
- c. Were you given the opportunity to negotiate the amount of time it would take to complete the process of connecting your *End User Channel Terminations* to another *Transport Provider* on a case-by-case basis? In answering this question, also describe and provide citations to the *ILEC's* or *Competitive Provider's* policies, rules or, where relevant, *Tariff* provisions, if known, explaining the transition process.

- d. How did connecting to a new *Transport Provider* impact the rate you paid for the *End User Channel Terminations* you continued to purchase from the original *Provider*?
- e. Did connecting to a new *Transport Provider* typically impact the rate you continued to pay for *Transport Service* from the original *Provider* while the change in *Transport Providers* remained pending? If so, how? What was the average percentage change in rates? For example, did you ever pay a *One Month Term Only Rate* during that time?

II.E.11. (Optional) Describe any circumstances since January 1, 2013, in which you have purchased circuits pursuant to a *Tariff*, solely for the purpose of meeting a *Prior Purchase-Based Commitment* required for a discount or *Non-Rate Benefit* from your *Provider* (i.e., you would not have purchased the circuit but for the requirement that you meet a *Volume Commitment* required for a discount or *Non-Rate Benefit* from your *Provider*). In your description, provide at least one example, which at a minimum, lists:

- a. The name of the *Provider* providing the circuits at issue;
- b. A description of the *Prior Purchase-Based Commitment*;
- c. The *Tariff* and section number(s) of the specific terms and conditions described;
- d. The number of circuits you would not have purchased but for the *Prior Purchase-Based Commitment* requirement to receive a discount or *Non-Rate Benefit*;
 - i. Of the circuits reported in II.E.11.d, how many did you not use at all?
- e. A comparison of the dollar amount of the unnecessary circuit(s) purchased versus the dollar amount of penalties your company would have had to pay under the *Prior Purchase-Based Commitment* had it not purchased and/or maintained the circuit(s), and a description of how that comparison was calculated.
- f. How many circuits were activated under the identified *Tariff* plan and not used when you initially entered into the plan? What were these unused circuits as a percent of the total circuits currently purchased under this *Tariff* plan? Indicate the percent of the total circuits currently purchased under this *Tariff* plan that exceed your *Prior Purchase-Based Commitment*.
- g. For the *Prior Purchase-Based Commitment*, indicate whether you are able to buy any *DS1s* or *DS3s* from the *Provider* outside of the identified *Tariff* plan, or are you required to make all purchases from the *Provider* pursuant to the identified *Tariff* plan?

II.E.12. For each year for the past five years, state the number of times and in what geographic area(s) you have switched from purchasing *End-User Channel Terminations* from one *Provider* of *Dedicated Services* to another.

II.E.13. (Optional) Explain the circumstances since January 1, 2013 under which you have paid *One Month Term Only Rates* for *DS1*, *DS3*, and/or *PBDS* services and the impact, if any, it had on your business and your customers. In your response, indicate any general rules you follow, if any, concerning the maximum number of circuits and maximum amount of time you will pay *One Month Term Only Rates*, and your business rationale for any such rules.

II.E.14. (Optional) Separately list all *Tariffs* under which your company purchases *DS1s*, *DS3s*, and/or *PBDS* and provide the information requested below for each plan.

- a. This plan is a:
 - Tariff Plan*
 - Contract-Based Tariff* (select one)
- b. Plan name:
- c. *Provider* name:
- d. *Tariff* and Section Number(s):

- e. *Tariff* type:
- Interstate Intrastate
- f. This plan contains:
- Term Commitment(s)* *Volume Commitment(s)*
 - Non-Rate Benefit* option(s) (select all that apply)
- g. If the plan contains *Non-Rate Benefits*, identify the *Non-Rate Benefits* that were relevant to your decision to purchase services under this plan.
- h. This plan can be applied to the purchase of:
- DS1* services *DS3* services *PBDS* Other (select all that apply)
- i. In what geographic areas do you purchase *DS1s*, *DS3s*, and/or *PBDS* under this plan, e.g., nationwide, certain states, or certain *MSAs*?
- j. To receive a discount or *Non-Rate Benefit* under this plan, does your company make a *Prior Purchase-Based Commitment*?
- Yes No
- k. If this is an *ILEC* plan, do *DS1*, *DS3*, or tariffed *PBDS* purchases your company makes outside the study area(s) of the *ILEC* (e.g., purchases from an *Affiliated Company* of the *ILEC* that is providing out-of-region service as a *CLEC*) count towards meeting any *Volume Commitment* to receive a discount or *Non-Rate Benefit* under this plan?
- Yes No N/A (no *Volume Commitment*, not an *ILEC* plan)
- i. If you answered yes, in what geographic areas outside the study area(s) of the *ILEC*, do you purchase these *DS1s*, *DS3s* and/or tariffed *PBDS*?
- ii. For each geographic area identified, state whether your company would have purchased from a different *Provider*, if at all, had it not been for the discounts or *Non-Rate Benefits* received under this plan? In your response, indicate whether the *Provider* that you would have purchased from has *Connections* serving that geographic area and the *Provider's* name.
- l. If this is an *ILEC* plan, do *DS1*, *DS3*, and/or tariffed *PBDS* purchases your company makes from the *ILEC* in price cap areas where the Commission has not granted the *ILEC* pricing flexibility count towards meeting any *Volume Commitment* to receive a discount or *Non-Rate Benefit* under this plan?
- Yes No N/A (no *Volume Commitment*, not an *ILEC* plan)
- i. If you answered yes, then identify the price cap areas where you purchase *DS1s*, *DS3s*, and/or tariffed *PBDS* that count towards meeting any *Volume Commitment* to receive a discount or *Non-Rate Benefit* under this plan?
- m. If this is an *ILEC* plan, do *DS1*, *DS3* and/or tariffed *PBDS* purchases your company makes from the *ILEC* in areas where the Commission has granted *Phase I Pricing Flexibility* count towards meeting any *Volume Commitment* to receive a discount or *Non-Rate Benefit* under this plan?
- Yes No N/A (no *Volume Commitment*, not an *ILEC* plan)
- i. If you answered yes, in what geographic areas subject to pricing flexibility do you purchase *DS1s*, *DS3s*, and/or tariffed *PBDS* that count towards meeting any *Volume Commitment* to receive a discount or *Non-Rate Benefit* under this plan?
- ii. For each geographic area identified, state whether your company would have purchased from a different *Provider*, if at all, had it not been for the requirements of

the *Tariff Plan*? In your response, indicate whether the *Provider* that you would have purchased from has *Connections* serving that geographic area and the *Provider's* name.

- n. If this is an *ILEC* plan, do *DS1*, *DS3* and/or tariffed *PBDS* purchases your company makes from the *ILEC* in areas where the Commission has granted *Phase II Pricing Flexibility* count towards meeting any *Volume Commitment* to receive a discount or *Non-Rate Benefit* under this plan?
- Yes No N/A (no *Volume Commitment*, not an *ILEC* plan)
- i. If you answered yes, in what geographic areas subject to pricing flexibility do you purchase *DS1s*, *DS3s*, and/or tariffed *PBDS* that count towards meeting any *Volume Commitment* to receive a discount or *Non-Rate Benefit* under this plan?
- ii. For each geographic area identified, state whether your company would have purchased from a different *Provider*, if at all, had it not been for the requirements of the *Tariff Plan*? In your response, indicate whether the *Provider* that you would have purchased from has *Connections* serving that geographic area and the *Provider's* name.
- o. If this is an *ILEC* plan, do non-tariffed *PBDS* purchases your company makes from this *ILEC* count towards meeting any *Volume Commitment* to receive a discount or *Non-Rate Benefit* under this plan?
- Yes No N/A (no *Volume Commitment*, not an *ILEC* plan)
- i. If you answered yes, in what geographic areas do you purchase non-tariffed *PBDS* that counts towards meeting any *Volume Commitment* to receive a discount or *Non-Rate Benefit* under this plan.
- ii. For each geographic area identified, state whether your company would have purchased non-tariffed *PBDS* from a different *Provider*, if at all, had it not been for the requirements of the plan? In your response, indicate whether the *Provider* that you would have purchased from has *Connections* serving that geographic area and the *Provider's* name.
- p. If this is an *ILEC* plan, do purchases you make for services other than *DS1s*, *DS3s*, and *PBDS* from this *ILEC* count towards meeting any *Volume Commitment* to receive a discount or *Non-Rate Benefit* under this plan?
- Yes No N/A (no *Volume Commitment*, not an *ILEC* plan)
- i. If you answered yes, identify the other services purchased and the geographic areas where you purchase these services that count towards meeting any *Volume Commitment* to receive a discount or *Non-Rate Benefit* under this plan.
- ii. For each geographic area identified, state whether your company would have purchased those other services from a different *Provider*, had it not been for the requirements of the plan? In your response, indicate whether the *Provider* that you would have purchased from has *Connections* serving that geographic area and the *Provider's* name.
- q. Is the discount or *Non-Rate Benefit* available under this plan conditioned on the customer limiting its purchase of *UNEs*, e.g., the customer must keep its purchase of *UNEs* below a certain percentage of the customer's total spend? If yes, then provide additional details about the condition.

II.E.15. Indicate whether you have any non-tariffed agreement with an *ILEC* that, directly or indirectly, provides a discount or a *Non-Rate Benefit* on the purchase of tariffed *DS1*, *DS3*, and/or *PBDS* services, restricts your ability to obtain *UNEs*, or negatively affects your ability to purchase *Dedicated Services*. If so, identify each agreement, including the parties to the agreement, the effective date, end date, and a summary of the relevant provisions.

F. Purchasers that are not mobile wireless service providers must respond to the following:¹⁵

II.F.1. What is the principal nature of your business, *e.g.*, are you a CLEC, cable system operator, fixed wireless service provider, wireless Internet service provider, interconnected VoIP service provider, etc.?

Expenditures Information

II.F.2. What were your expenditures, *i.e.*, dollar volume of purchases, on *Dedicated Services* for 2013? Report expenditures in total, separately for *CBDS* and *PBDS* purchases, and separately for purchases from *ILECs* and *Competitive Providers*.

II.F.3. (Optional) Provide your company's expenditures, *i.e.*, dollar volume of purchases, for *DS1s*, *DS3s*, and/or *PBDS* purchased from *ILECs* pursuant to a *Tariff* in 2013. For each of the following categories, report expenditures in total and separately for *DS1s*, *DS3s* and *PBDS*:

- a. All *DS1s*, *DS3s*, and *PBDS*;
- b. *DS1s*, *DS3s*, and *PBDS* purchased at *One Month Term Only Rates*;
- c. *DS1s*, *DS3s*, and *PBDS* purchased under *Tariff Plans*;
- d. *DS1s*, *DS3s*, and *PBDS* purchased under *Contract-Based Tariffs*;
- e. *DS1s*, *DS3s*, and *PBDS* purchased under *Tariff Plans* that contained a *Term Commitment* but not a *Volume Commitment*;
- f. *DS1s*, *DS3s*, and *PBDS* purchased under *Tariff Plans* that contained a *Prior Purchase-Based Commitment*;
- i. Of the total (and for the separate *DS1*, *DS3*, and *PBDS* totals where applicable), indicate the average discount from the *One Month Term Only Rate* incorporated in the expenditures.

For purposes of calculating the percentages described above, an example would be a *Tariff Plan* that requires a purchase of 20 *DS1s* and 10 *DS3s* and generates expenditures of \$2,000 for calendar-year 2013. If those same circuits were purchased at *One Month Term Only Rates* of \$100 per *DS1* and \$200 per *DS3*, then total expenditures would instead be \$4,000. Since the *Tariff Plan* under this scenario generated 50% of the expenditures that would be generated from *One Month Term Only Rates*, the discount would be 50%.

- g. *DS1s*, *DS3s*, and *PBDS* purchased under *Contract-Based Tariffs* that contained a *Term Commitment* but not a *Volume Commitment*; and
- h. *DS1s*, *DS3s*, and *PBDS* purchased under *Contract-Based Tariffs* that contained a *Prior Purchase-Based Commitment*;
- i. Of the total (and for the separate *DS1* and *DS3* totals if available), indicate the average discount from the *One Month Term Only Rate* incorporated in the expenditures.

An example of how to calculate this percentage can be found at question II.F.3.f.i.

¹⁵ As discussed more fully in the instructions, *Purchasers* that are not mobile wireless service providers are only required to answer Questions II.F.1-2, II.F.11, and II.F.14. For the remaining questions in this section, the respondent can provide responses on a voluntary basis and questions are denoted herein as "Optional."

- i. What percentage of your expenditures in 2013 were subject to a *Term Commitment* of five or more years?

II.F.4. (Optional) What were your expenditures, *i.e.*, dollar volume of purchases, on *DS1s*, *DS3s*, and/or *PBDS* purchased from *Competitive Providers* pursuant to a *Tariff* in 2013? Report expenditures in total and separately for *DS1s*, *DS3s* and *PBDS*, as applicable, for the following categories:

- a. All *DS1s*, *DS3s*, and *PBDS*;
- b. *DS1s*, *DS3s*, and *PBDS* purchased at *One Month Term Only Rates*;
- c. *DS1s*, *DS3s*, and *PBDS* purchased under *Tariffs* that contained a *Term Commitment* but not a *Volume Commitment*;
- d. *DS1s*, *DS3s*, and *PBDS* purchased under *Tariffs* that contained a *Prior Purchase-Based Commitment*;
 - i. Of the total (and for the separate *DS1*, *DS3*, and *PBDS* totals where applicable), indicate the average discount from the *One Month Term Only Rate* incorporated in the expenditures.

An example of how to calculate this percentage can be found at question II.F.3.f.i

- e. What percentage of your expenditures in 2013 were subject to a *Term Commitment* of five or more years?

II.F.5. (Optional) What were your expenditures, *i.e.*, dollar volume of purchases, on *DS1s*, *DS3s*, and/or *PBDS* purchased from *ILECs* and *Competitive Providers* pursuant to an agreement (not a *Tariff*) in 2013? Report expenditures in total, separately for purchases from *ILECs* and *Competitive Providers*, and separately for *DS1s*, *DS3s* and *PBDS*, as applicable, for the following categories:

- a. All *DS1s*, *DS3s*, and *PBDS*;
- b. *DS1s*, *DS3s*, and *PBDS* purchased at a non-discounted rate;
- c. *DS1s*, *DS3s*, and *PBDS* purchased under a non-tariffed agreement that contained a *Term Commitment* but not a *Volume Commitment*;
- d. *DS1s*, *DS3s*, and *PBDS* purchased under a non-tariffed agreement that contained a *Prior Purchase-Based Commitment*;
 - i. Of the total (and for the separate *DS1*, *DS3*, and *PBDS* totals where applicable), indicate the average discount from the non-discounted rate incorporated in the expenditures.

An example of how to calculate this percentage can be found at question II.F.3.f.i

II.F.6. (Optional) What were your expenditures with *ILECs* and *Competitive Providers*, *i.e.*, dollar volume of purchases, on *PBDS* purchased under a *Tariff* in 2013?

- a. Separately report purchases for the following service bandwidth categories if you keep such information in the normal course of business:
 - i. less than or equal to 1.5 Mbps;
 - ii. greater than 1.5, but less than or equal to 50 Mbps;
 - iii. greater than 50, but less than or equal to 100 Mbps;
 - iv. greater than 100, but less than or equal to 1 Gbps; or
 - v. greater than 1 Gbps.

II.F.7. (Optional) What were your expenditures with *ILECs* and *Competitive Providers*, *i.e.*, dollar volume of purchases, on non-tariffed *PBDS* in 2013?

- a. Separately report purchases for the following service bandwidth categories if you keep such information in the normal course of business:
 - i. less than or equal to 1.5 Mbps;
 - ii. greater than 1.5, but less than or equal to 50 Mbps;
 - iii. greater than 50, but less than or equal to 100 Mbps;

- iv. greater than 100, but less than or equal to 1 Gbps; or
- v. greater than 1 Gbps.

Terms and Conditions Information

II.F.8. (Optional) Explain whether the terms and conditions of any *Tariff* or contract to which you are a party for the purchase of *Dedicated Services* or the policies of any of your *Providers* constrain your ability to:

- a. Decrease your purchases from your current *Provider(s)*;
- b. Purchase services from another *Provider* currently operating in the geographic areas in which you purchase services;
- c. Purchase non-tariffed services, such as Ethernet services, from your current *Provider* of tariffed *DS1*, *DS3*, and/or *PBDS* services or from other *Providers* operating in the geographic areas in which you purchase tariffed services;
- d. Contract with *Providers* that are considering entering the geographic areas in which you purchase tariffed services;
- e. Move circuits, for example, moving your *DS1* and/or *DS3 End-User Channel Terminations* to connect to another *Transport Provider*; or
- f. Otherwise obtain *Dedicated Services* or change *Providers*.

Relevant terms and conditions, among others, may include: (a) early termination penalties; (b) shortfall provisions; (c) overlapping/supplemental discounts plans with different termination dates; (d) requirements to include all services, including new facilities, under a *Tariff Plan* or *Contract-Based Tariff*; or (e) requiring purchases in multiple geographic areas to obtain maximum discounts.

In your answer, highlight contracts where you contend that a term or condition is a particularly onerous constraint by comparison with more typical provisions in other contracts. Also, at a minimum, list: (a) the *Provider* and indicate whether the *Provider* is an *ILEC* or a *Competitive Provider*; (b) a description of the term or condition; (c) the geographic area in which the services are provided; (d) the name of the vendor providing the service; and (e) where relevant, the specific *Tariff* number(s) and section(s), or if the policy at issue is recorded in documents other than *Tariffs*, list those documents and how you obtained them.

If you allege that a term, condition, or *Provider's* policy negatively affects your ability to obtain *Dedicated Services*, state whether you have brought a complaint to the Commission, a state commission or court about this issue and the outcome. If you have not brought a complaint, explain why not.

II.F.9. (Optional) If you purchase, or purchased, *Transport Service* and *End User Channel Terminations* from the same *Provider*, explain your experience with changing *Transport Service* from one *Provider* to another between January 1 and December 31, 2013 while keeping your *End User Channel Terminations* with the original *Provider*. Where appropriate, identify the *Provider(s)* in your responses below and indicate whether they are an *ILEC* or a *Competitive Provider*.

- a. How many times did you change *Transport Service* while keeping your *End User Channel Terminations* with the original *Provider*? An estimate of the number of circuits moved to a new *Transport Provider*, or the number of such changes requested, is sufficient.
- b. What was the length of time, on average, it took for the original *Provider* to complete the process of connecting your last-mile *End-user Channel Terminations* to another *Transport Provider*? An estimate is sufficient.
- c. Were you given the opportunity to negotiate the amount of time it would take to complete the process of connecting your *End User Channel Terminations* to another *Transport Provider* on a case-by-case basis? In answering this question, also describe and provide

citations to the *ILEC's* or *Competitive Provider's* policies, rules or, where relevant, *Tariff* provisions, if known, explaining the transition process.

- d. How did connecting to a new *Transport Provider* impact the rate you paid for the *End User Channel Terminations* you continued to purchase from the original *Provider*?
- e. Did connecting to a new *Transport Provider* typically impact the rate you continued to pay for *Transport Service* from the original *Provider* while the change in *Transport Providers* remained pending? If so, how? What was the average percentage change in rates? For example, did you ever pay a *One Month Term Only Rate* during that time?

II.F.10. (Optional) Describe any circumstances since January 1, 2013, in which you have purchased circuits pursuant to a *Tariff*, solely for the purpose of meeting a *Prior Purchase-Based Commitment* required for a discount or *Non-Rate Benefit* from your *Provider* (i.e., you would not have purchased the circuit but for the requirement that you meet a *Volume Commitment* required for a discount or *Non-Rate Benefit* from your *Provider*). In your description, provide at least one example, which at a minimum, lists:

- a. The name of the *Provider* providing the circuits at issue;
- b. A description of the *Prior Purchase-Based Commitment*;
- c. The *Tariff* and section number(s) of the specific terms and conditions described;
- d. The number of circuits you would not have purchased but for the *Prior Purchase-Based Commitment* requirement to receive a discount or *Non-Rate Benefit*;
 - i. Of the circuits reported in II.F.10.d, how many did you not use at all?
- e. A comparison of the dollar amount of the unnecessary circuit(s) purchased versus the dollar amount of penalties your company would have had to pay under the *Prior Purchase-Based Commitment* had it not purchased and/or maintained the circuit(s), and a description of how that comparison was calculated.
- f. How many circuits were activated under the identified *Tariff* plan and not used when you initially entered into the plan? What were these unused circuits as a percent of the total circuits currently purchased under this *Tariff* plan? Indicate the percent of the total circuits currently purchased under this *Tariff* plan that exceed your *Prior Purchase-Based Commitment*.
- g. For the *Prior Purchase-Based Commitment*, indicate whether you are able to buy any *DS1s* or *DS3s* from the *Provider* outside of the identified *Tariff* plan, or are you required to make all purchases from the *Provider* pursuant to the identified *Tariff* plan?

II.F.11. For each year for the past five years, state the number of times and in what geographic area(s) you have switched from purchasing *End-User Channel Terminations* from one *Provider* of *Dedicated Services* to another.

II.F.12. (Optional) Explain the circumstances since January 1, 2013 under which you have paid *One Month Term Only Rates* for *DS1*, *DS3*, and/or *PBDS* services and the impact, if any, it had on your business and your customers. In your response, indicate any general rules you follow, if any, concerning the maximum number of circuits and maximum amount of time you will pay *One Month Term Only Rates*, and your business rationale for any such rules.

II.F.13. (Optional) Separately list all *Tariffs* under which your company purchases *DS1s*, *DS3s*, and/or *PBDS* and provide the information requested below for each plan.

- a. This plan is a:
 - Tariff Plan* *Contract-Based Tariff* (select one)
- b. Plan name:
- c. *Provider* name:

- d. *Tariff* and Section Number(s):
- e. *Tariff* type:
 Interstate Intrastate
- f. This plan contains:
 Term Commitment(s) *Volume Commitment(s)*
 Non-Rate Benefit option(s) (select all that apply)
- g. If the plan contains *Non-Rate Benefits*, identify the *Non-Rate Benefits* that were relevant to your decision to purchase services under this plan.
- h. This plan can be applied to the purchase of:
 DS1 services *DS3* services *PBDS* Other (select all that apply)
- i. In what geographic areas do you purchase *DS1s*, *DS3s*, and/or *PBDS* under this plan, e.g., nationwide, certain states, or certain *MSAs*?
- j. To receive a discount or *Non-Rate Benefit* under this plan, does your company make a *Prior Purchase-Based Commitment*?
 Yes No
- k. If this is an *ILEC* plan, do *DS1*, *DS3* or tariffed *PBDS* purchases your company makes outside the study area(s) of the *ILEC* (e.g., purchases from an *Affiliated Company* of the *ILEC* that is providing out-of-region service as a *CLEC*) count towards meeting any *Volume Commitment* to receive a discount or *Non-Rate Benefit* under this plan?
 Yes No N/A (no *Volume Commitment*, not an *ILEC* plan)
- i. If you answered yes, in what geographic areas outside the study area(s) of the *ILEC*, do you purchase these *DS1s*, *DS3s*, and/or tariffed *PBDS*?
- ii. For each geographic area identified, state whether your company would have purchased from a different *Provider*, if at all, had it not been for the discounts or *Non-Rate Benefits* received under this plan? In your response, indicate whether the *Provider* that you would have purchased from has *Connections* serving that geographic area and the *Provider's* name.
- l. If this is an *ILEC* plan, do *DS1*, *DS3*, and/or tariffed *PBDS* purchases your company makes from the *ILEC* in price cap areas where the Commission has not granted the *ILEC* pricing flexibility count towards meeting any *Volume Commitment* to receive a discount or *Non-Rate Benefit* under this plan?
 Yes No N/A (no *Volume Commitment*, not an *ILEC* plan)
- i. If you answered yes, then identify the price cap areas where you purchase *DS1s*, *DS3s*, and/or tariffed *PBDS* that count towards meeting any *Volume Commitment* to receive a discount or *Non-Rate Benefit* under this plan?
- m. If this is an *ILEC* plan, do *DS1*, *DS3*, and/or tariffed *PBDS* purchases your company makes from the *ILEC* in areas where the Commission has granted *Phase I Pricing Flexibility* count towards meeting any *Volume Commitment* to receive a discount or *Non-Rate Benefit* under this plan?
 Yes No N/A (no *Volume Commitment*, not an *ILEC* plan)
- i. If you answered yes, in what geographic areas subject to pricing flexibility do you purchase *DS1s*, *DS3s*, and/or tariffed *PBDS* that count towards meeting any *Volume Commitment* to receive a discount or *Non-Rate Benefit* under this plan?

- ii. For each geographic area identified, state whether your company would have purchased from a different *Provider*, if at all, had it not been for the requirements of the *Tariff Plan*? In your response, indicate whether the *Provider* that you would have purchased from has *Connections* serving that geographic area and the *Provider's* name.
- n. If this is an *ILEC* plan, do *DS1*, *DS3*, and/or tariffed *PBDS* purchases your company makes from the *ILEC* in areas where the Commission has granted *Phase II Pricing Flexibility* count towards meeting any *Volume Commitment* to receive a discount or *Non-Rate Benefit* under this plan?
- Yes No N/A (no *Volume Commitment*, not an *ILEC* plan)
- i. If you answered yes, in what geographic areas subject to pricing flexibility do you purchase *DS1s*, *DS3s*, and/or tariffed *PBDS* that count towards meeting any *Volume Commitment* to receive a discount or *Non-Rate Benefit* under this plan?
- ii. For each geographic area identified, state whether your company would have purchased from a different *Provider*, if at all, had it not been for the requirements of the *Tariff Plan*? In your response, indicate whether the *Provider* that you would have purchased from has *Connections* serving that geographic area and the *Provider's* name.
- o. If this is an *ILEC* plan, do non-tariffed *PBDS* purchases your company makes from this *ILEC* count towards meeting any *Volume Commitment* to receive a discount or *Non-Rate Benefit* under this plan?
- Yes No N/A (no *Volume Commitment*, not an *ILEC* plan)
- i. If you answered yes, in what geographic areas do you purchase non-tariffed *PBDS* that counts towards meeting any *Volume Commitment* to receive a discount or *Non-Rate Benefit* under this plan.
- ii. For each geographic area identified, state whether your company would have purchased non-tariffed *PBDS* from a different *Provider*, if at all, had it not been for the requirements of the plan? In your response, indicate whether the *Provider* that you would have purchased from has *Connections* serving that geographic area and the *Provider's* name.
- p. If this is an *ILEC* plan, do purchases you make for services other than *DS1s*, *DS3s*, and *PBDS* from this *ILEC* count towards meeting any *Volume Commitment* to receive a discount or *Non-Rate Benefit* under this plan?
- Yes No N/A (no *Volume Commitment*, not an *ILEC* plan)
- i. If you answered yes, identify the other services purchased and the geographic areas where you purchase these services that count towards meeting any *Volume Commitment* to receive a discount or *Non-Rate Benefit* under this plan.
- ii. For each geographic area identified, state whether your company would have purchased those other services from a different *Provider*, had it not been for the requirements of the plan? In your response, indicate whether the *Provider* that you would have purchased from has *Connections* serving that geographic area and the *Provider's* name.
- q. Is the discount or *Non-Rate Benefit* available under this plan conditioned on the customer limiting its purchase of *UNEs*, e.g., the customer must keep its purchase of *UNEs* below a certain percentage of the customer's total spend? If yes, then provide additional details about the condition.

II.F.14. Indicate whether you have any non-tariffed agreement with an *ILEC* that, directly or indirectly, provides a discount or a *Non-Rate Benefit* on the purchase of tariffed *DS1*, *DS3*, and/or *PBDS* services, restricts your ability to obtain *UNEs*, or negatively affects your ability to purchase *Dedicated Services*. If so, identify each agreement, including the parties to the agreement, the effective date, end date, and a summary of the relevant provisions.

G. Non-Providers, Non-Purchasers, and other entities not covered by the scope of this inquiry but that were instructed to respond to this data collection must respond to the following:

II.G.1. If you must respond to this data collection because you were required to file the FCC Form 477 to report the provision of “broadband connections to end user locations” for Year 2013 but are not (a) a *Provider* or a *Purchaser* as defined in this data collection or (b) an entity that provides *Best Efforts Business Broadband Internet Access Services* to 15,000 or more customers or 1,500 or more business broadband customers in areas where the *ILEC* is subject to price cap regulation, then indicate as such below and complete the certification accompanying this data collection.

I am not a *Provider*.

I am not a *Purchaser*.

I do not provide *Best Efforts Business Broadband Internet Access Services* to 15,000 or more customers or 1,500 or more business broadband customers in areas where the *ILEC* is subject to price cap regulation.

(select all that apply)

CERTIFICATION

I have examined the response and certify that, to the best of my knowledge, all statements of fact, data, and information contained therein are true and correct.

Signature: _____

Printed Name: _____

Title: _____

Date: _____

* Respondents are reminded that failure to comply with these data reporting requirements may subject them to monetary forfeitures of up to \$160,000 for each violation or each day of a continuing violation, up to a maximum of \$1,575,000 for any single act or failure to act that is a continuing violation.¹⁶ False statements or misrepresentations to the Commission may be punishable by fine or imprisonment under Title 18 of the U.S. Code.

¹⁶ 47 U.S.C. § 503(b)(2); 47 C.F.R. § 1.80(b). Part 1.80(b) of the Commission's rules was recently amended to increase penalty amounts to account for inflation. *See Amendment of Section 1.80(B) of the Commission's Rules, Adjustment of Civil Monetary Penalties to Reflect Inflation*, Order, 28 FCC Rcd 10785 (Enf. Bur. 2013); *see also* 78 Fed. Reg. 49370 (Aug. 14, 2013).

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Estimated Burden Hours Per Response: 134 hours

APPENDIX B

INSTRUCTIONS FOR DATA COLLECTION
FOR SPECIAL ACCESS PROCEEDING
WC DOCKET NO. 05-25, RM-10593

<u>TABLE OF CONTENTS</u>	Page #
I. INTRODUCTION.....	1
II. FILING REQUIREMENTS AND GENERAL INSTRUCTIONS	1
A. Purpose of Data Collection	1
B. Authority for Data Collection	1
C. Who Must Respond to this Data Collection?.....	2
D. Responding to the Data Collection	4
E. Geographic Scope of Submitted Data and Information.....	4
F. When to File.....	4
G. Certification of Filing Accuracy	5
H. Confidentiality	5
I. Retention of Records	5
J. Paperwork Reduction Act Notices.....	5
III. ADDITIONAL INSTRUCTIONS AND DATA TABLE SPECIFICATIONS	6
EXPLANATORY ATTACHMENT	9
QUESTIONS DIRECTED AT COMPETITIVE PROVIDERS.....	9
Question II.A.1: Affiliated Company	9
Question II.A.2: Facilities Requiring Additional Information.....	10
Facilities Information.....	10
Question II.A.3: Locations Data for Competitive Providers.....	10
Question II.A.4: Locations Data for Competitive Providers.....	11
Question II.A.5: Fiber Network Map.....	13
Question II.A.6: Sampling History of Competitive Connections by Location	15
Question II.A.7: Collocations by Wire Center.....	16
Question II.A.8: Business Rules for Deployment.....	17
Question II.A.9: Headquarters	17
Question II.A.10: Marketing Plans	19
Question II.A.11: Information on Requests for Proposals (RFPs).....	19
Billing Information	21
Question II.A.12-14: Billing Information Overview	21
Question II.A.12: Prices by Circuit Element from Competitive Provider	21
Question II.A.13: Billing Adjustments	27
Question II.A.14: Billing Code Descriptions.....	30

Revenues, Terms and Conditions Information 31

Question II.A.15: Sales Revenues for CBDS 31

Question II.A.16: Sales Revenues for PBDS 32

Question II.A.17: Percentage of Revenues Generated from Agreement or Tariff
Containing a Prior Purchase-Based Commitment 32

Question II.A.18: How do your terms and conditions compare with ILEC offerings? ... 32

Question II.A.19: Business Justification for Term and Volume Commitments 32

QUESTIONS DIRECTED AT ILECS 33

Question II.B.1: Affiliated Company..... 33

Facilities Information..... 33

Question II.B.2: ILEC Locations Data for ILECs 33

Question II.B.3: Locations Data for ILECs 34

Billing Information 36

Question II.B.4-6: Billing Information Overview 36

Question II.B.4: Prices by Circuit Element from ILECs 36

Question II.B.5: Billing Adjustments 43

Question II.B.6: Billing Code Descriptions..... 47

Question II.B.7: Wire Centers - CLLI Codes - Regulatory Treatment..... 48

Revenues, Terms and Conditions Information 49

Question II.B.8: Sales Revenues for CBDS..... 49

Question II.B.9: Sales Revenues for PBDS 49

Question II.B.10: Revenues from One Month Term Only Rates..... 49

Question II.B.11: Number of Customers with One Month Term Only Rates 50

Question II.B.12: All Applicable Tariff Plans and Contract-Based Tariffs..... 50

Question II.B.13: Non-Tariffed Agreements 52

QUESTIONS DIRECTED AT ENTITIES PROVIDING BEST EFFORTS 52

Question II.C.1: Census Blocks and Price Lists for 2013 52

QUESTIONS DIRECTED AT ALL PROVIDERS 55

Question II.D.1: Short Term and Long-Range Strategies..... 55

Question II.D.2: Location of Recorded Policies 55

QUESTIONS DIRECTED AT PURCHASERS THAT ARE MOBILE WIRELESS
SERVICE PROVIDERS 55

Question II.E.1: Total Number of Cell Sites..... 55

Question II.E.2: Cell Site Locations 56

Expenditures Information 57

Question II.E.3: Total Expenditures on Dedicated Services..... 57

Question II.E.4: Expenditures with ILECs under Tariffs 57

Question II.E.5: Expenditures with Competitive Providers under Tariffs..... 58

Question II.E.6: Expenditures with ILECs and Competitive Providers Pursuant to Non-
Tariffs..... 58

Question II.E.7: Expenditures under Tariffs for PBDS 59

Question II.E.8: Expenditures under Non-Tariffs for PBDS 60

Terms and Conditions Information..... 60

Question II.E.9: Terms and Conditions Constraints 60

Question II.E.10: Changing Transport Providers..... 60

Question II.E.11: Purchases Solely for the Purpose of Meeting a Prior Purchase-Based
Commitment 60

Question II.E.12: Switching Providers 60

Question II.E.13: Paying One Month Term Only Rates 60

Question II.E.14: Tariffs under which you Purchase Service..... 61

Question II.E.15: Non-Tariffed Agreements 63

QUESTIONS DIRECTED AT OTHER PURCHASERS 64

Question II.F.1: Principal Nature of Business 64

Expenditures Information 64

Question II.F.2: Total Expenditures on Dedicated Services 64

Question II.F.3: Expenditures with ILECs under Tariffs..... 64

Question II.F.4: Expenditures with Competitive Providers under Tariffs 65

Question II.F.5: Expenditures with ILECs and Competitive Providers Pursuant to Non-
Tariffs..... 66

Question II.F.6: Expenditures under Tariffs for PBDS 67

Question II.F.7: Expenditures under Non-Tariffs for PBDS 67

Terms and Conditions Information..... 67

Question II.F.8: Terms and Conditions Constraints 67

Question II.F.9: Changing Transport Providers..... 67

Question II.F.10: Purchases Solely for the Purpose of Meeting a Prior Purchase-Based
Commitment 67

Question II.F.11: Switching Providers..... 67

Question II.F.12: Paying One Month Term Only Rates 67

Question II.F.13: Tariffs under which you Purchase Service 68

Question II.F.14: Non-Tariffed Agreements..... 71

QUESTION DIRECTED AT NON-PROVIDERS, NON-PURCHASERS, AND OTHER
ENTITIES NOT COVERED BY THE DATA COLLECTION..... 71

Question II.G.1: Not Required to Submit Data..... 71

I. INTRODUCTION

On December 18, 2012, the Commission released an Order calling for the mandatory collection of data, information and documents from entities that provide and purchase special access services in price cap areas.

¹ Larger entities providing best efforts business broadband Internet access services are also required to respond to the data collection. With the data, the Commission will conduct a comprehensive analysis of special access markets to determine where relief from special access regulation is appropriate and otherwise update its rules to ensure that they reflect the state of competition today and promote competition. **Italicized terms in these instructions are defined in Section I of the Mandatory Data Collection, which is available on the FCC's website.**²

II. FILING REQUIREMENTS AND GENERAL INSTRUCTIONS

A. Purpose of Data Collection

This collection will enable the Commission to obtain the data, information, and documents needed to conduct a comprehensive evaluation of competition in the special access market. In conjunction with the market analysis proposed by the Commission in the Further Notice, the data, information, and documents acquired through this collection will aid the Commission in “evaluating whether the pricing flexibility rules result in just and reasonable special access rates and what regulatory changes may be needed.”³

B. Authority for Data Collection

This collection of information stems from the Commission's authority under sections 1, 4(i), 4(j), 5, 201-205, 211, 215, 218, 219, 303(r), 332, 403, and 503 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 154(i), 154(j), 155, 201, 202, 203, 204, 205, 211, 215, 218, 219, 303(r), 332, 403, 503, and section 706 of the Telecommunications Act of 1996, 47 U.S.C. § 1302.

¹ See *Special Access for Price Cap Local Exchange Carriers*, WC Docket No. 05-25; *AT&T Corporation Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services*, WC Docket No. 05-25, RM-10593, Report and Order and Further Notice of Proposed Rulemaking, 27 FCC Rcd 16318 (2012) (*Special Access Data Collection Order*). For purposes of these Instructions, our use of the term “data” includes data and information.

² See *Special Access for Price Cap Local Exchange Carriers*, WC Docket No. 05-25; *AT&T Corporation Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services*, WC Docket No. 05-25, RM-10593, Order, 28 FCC Rcd 13189, App. B (Wireline Comp. Bur. 2013) (*Data Collection Implementation Order*).

³ See *Special Access Data Collection Order*, 27 FCC Rcd at 16341, para. 56.

C. Who Must Respond to this Data Collection?

All *Providers* and *Purchasers* of *Dedicated Service* in areas where the incumbent local exchange carrier (ILEC) is subject to price cap regulation (*i.e.*, price cap areas)⁴ must respond to this data collection unless specifically excluded.⁵ By *Providers*, we mean any entity subject to the Commission's jurisdiction under the Communications Act of 1934, as amended, that provides *Dedicated Service* in a price cap area or provides a *Connection* that is capable of providing a *Dedicated Service* in a price cap area. By *Purchasers*, we mean any entity subject to the Commission's jurisdiction that purchases *Dedicated Service* in a price cap area. Entities that provide *Best Efforts Business Broadband Internet Access Services* in an area where the ILEC is subject to price cap regulation are also required to respond to this data collection unless they have fewer than 15,000 customers and fewer than 1,500 business broadband customers as of December 18, 2012.⁶

Covered Providers. Types of *Providers* that must respond if they provide a *Dedicated Service* or have *Connections* with the capability of providing a *Dedicated Service* could include, but are not limited to, incumbent local exchange carriers, competitive local exchange carriers, interexchange carriers, cable system operators, fixed wireless service providers (including wireless Internet service providers (WISPs)), terrestrial and satellite mobile wireless service providers, electric utilities, local government entities, certain providers of information services and third party network providers.

To help ensure that our analysis includes all *Providers* that have *Connections* capable of providing a *Dedicated Service*, any entity required to report broadband connections to end user locations on the FCC Form 477 ("Local Telephone Competition and Broadband Reporting") for 2013 must respond to this collection, *i.e.*, required to file the FCC Form 477 on March 1, 2014, to report connections as of December 31, 2013. If a FCC Form 477 filer does not (i) provide a *Dedicated Service* in a price cap area; (ii) provide a *Connection* capable of providing a *Dedicated Service* in a price cap area; or (iii) provide a *Best Efforts Business Broadband Internet Access Service*, then it will only need to certify as such when responding to this data collection.

For example, a carrier providing or purchasing a *Dedicated Service* in an interstate rate-of-return area and that reported broadband connections to end user locations in the Form 477 for Year 2013 would have to respond to this data collection only to indicate that it is not a *Provider*, *Purchaser*, or entity that provides *Best Efforts Business Broadband Internet Access Services* in a price cap area.

For guidance on determining whether you are a *Provider* with *Connections* "capable" of providing *Dedicated Service*, see the additional instructions provided for identifying reportable *Locations* with

⁴ A map depicting the study areas where an incumbent local exchange carrier (ILEC) subject to price cap regulation is located is available on the FCC's website. See Map: Regulatory Type at the Holding Company Level by Study Area, FCC, <http://www.fcc.gov/maps/regulatory-type-holding-company-level-study-area> (last visited Sept. 9, 2013). The Commission is currently updating this map based on a collection of study area boundaries. If the new study area boundary data are not available to respondents in time for them to take into account in formulating responses to the special access data collection, we will consider reliance on the currently available study area boundary data to be reasonable.

⁵ *Special Access Data Collection Order*, 27 FCC Rcd at 16327, para. 20; see also Instructions at 3-4 (discussing "Entities Specifically Excluded from the Data Collection").

⁶ *Special Access Data Collection Order*, 27 FCC Rcd at 16327-28, para. 22 n.52 ("For purposes of this exemption, the number of customers and business broadband customers shall be determined as of the date of release of this Report and Order.").

Connections in “Section III. Additional Instructions and Data Table Specifications,” Question II.A.3 (directed at *Competitive Providers*) and Question II.B.2 (directed at *ILECs*).

Covered Purchasers. Types of *Purchasers* that must respond if they buy a *Dedicated Service* in a price cap area include, but are not limited to, ILECs, competitive local exchange carriers, interexchange carriers (CLECs), cable system operators, wireless providers, satellite service providers, international service providers to and from points in the United States, interconnected and non-interconnected VoIP providers, and certain information service providers such as Internet access providers.

Responses are mandatory for covered *Purchasers* and *Providers* and covered entities providing *Best Efforts Business Broadband Internet Access Service*. Failure to respond to this collection may result in monetary penalties.⁷

Entities Specifically Excluded from the Data Collection. Entities falling into only one or more of the categories listed below are specifically excluded from the collection even if they purchase *Dedicated Service* in a price cap area. These exclusions do not apply, however, to entities that hold licenses, authorizations or registrations under any other Part of the Commission’s rules not listed below, or that provide a *Dedicated Service* or a *Best Efforts Business Broadband Internet Access Service* in a price cap area.⁸

- *Purchasers* that purchased less than \$5 million in *Dedicated Services* in 2013 (in areas where the *ILEC* is subject to price cap regulation);
- *End Users* that provide an information service;
- Equipment authorization holders regulated under Parts 2 and 15 of the Commission’s rules;
- Accounting authorization holders in the maritime and maritime mobile-satellite radio services regulated under Part 3 of the Commission’s rules;
- Experimental radio authorization holders regulated under Part 5 of the Commission’s rules;
- Commercial radio operators regulated under Part 13 of the Commission’s rules;
- Antenna structure registration holders regulated under Part 17 of the Commission’s rules;
- Television and radio broadcasters regulated under Part 73 of the Commission’s rules;
- Holders of authorizations issued pursuant to Part 74 of the Commission’s rules such as experimental radio, auxiliary, special broadcast and other program distribution service authorizations;
- Maritime service authorization holders regulated under Part 80 of the Commission’s rules;
- Aviation service authorization holders regulated under Part 87 of the Commission’s rules;
- Private land mobile radio service authorization holders regulated under Part 90 of the Commission’s rules except for holders of authorizations under Part 90 for the provision of

⁷ 47 U.S.C. § 503(b)(2); 47 C.F.R. § 1.80(b); *Amendment of Section 1.80(b) of the Commission’s Rules, Adjustment of Forfeiture Maxima to Reflect Inflation*, Order, 23 FCC Rcd 9845 (2008).

⁸ For example, an entity holding an earth station license issued under Part 25 of the Commission’s rules that also has an experimental license issued under Part 15 (a listed exclusion category), is not excluded from the collection if it purchased *Dedicated Service* in a price cap area during the relevant reporting periods. Likewise, an entity holding an antenna structure registration under Part 17 (a listed exclusion category) is not excluded from the collection if it provided a covered *Best Efforts Business Broadband Internet Access Service* in a price cap area.

point-to-point fixed microwave services and authorizations in the Wireless Broadband Services frequency band, 3650-3700 MHz;

- Personal radio service authorization holders regulated under Part 95 of the Commission's rules; and
- Amateur radio service authorization holders regulated under Part 97 of the Commission's rules.

These exclusions only apply to the categorically excluded entity and do not extend to other entities within the same corporate structure or entities that are otherwise affiliated with the excluded entity. For example, if an entity holding a television broadcast authorization is affiliated with a cable company that provides *Dedicated Service*, the affiliated cable company must still respond to the data collection even though the television broadcasting entity is not required to respond. In addition, for clarity, we point out that these categorical exclusions do not include common carriers (wired or wireless), mobile wireless service providers, cable system operators even if they only provide video program services, international service providers, satellite service providers, or entities that hold FCC authorizations for the provision of fixed point-to-point microwave services.

Note that even if you fall within one of these specific exclusion categories but were required to report broadband connections to end users on the Form 477 for 2013, you are still required to respond to this data collection only to indicate that you are not a *Provider, Purchaser*, or entity that provides *Best Efforts Business Broadband Internet Access Services* in a price cap area.

D. Responding to the Data Collection

The Commission will create a secure Special Access Web Portal for the electronic submission of responses.⁹ Filers will login using an FCC Registration Number (FRN) and password and download a data container that will include record specifications for compiling data responses and software tools to verify that data is submitted in the appropriate format.¹⁰ Filers will subsequently login using its FRN and password and electronically submit responses to the data collection. The Wireline Competition Bureau (Bureau) will provide additional details on the electronic filing process in advance of the submission deadline.

E. Geographic Scope of Submitted Data and Information

With limited exceptions, we are requesting data on a nationwide basis for those geographic areas where the ILEC is subject to price cap regulation. However, for administrative ease, respondents can submit data that includes both price cap and non-price cap areas.

F. When to File

Responses are due by **December 15, 2014**.

⁹ Alternatively, for submissions containing too much data to reliably upload, respondents can make arrangements with the Bureau for the manual submission of hard drives or other data storage devices containing their responses.

¹⁰ Responses must conform to the specifications provided in the data container. We submitted the instructions and record format specifications to OMB as part of the application package seeking approval for the information collection.

G. Certification of Filing Accuracy

Each submission must include a completed certification of filing accuracy. The certification must include the name and signature of a company official (*e.g.*, corporate officer, managing partner, or sole proprietor) who certifies that he or she has examined the information contained in the data request submission and that, to the best of his/her knowledge, information, and belief, all statements of fact, data, and information contained in the submission are true and correct. Persons making false statements or misrepresentations to the Commission can be punished by fine or imprisonment under Title 18 of the U.S. Code. A sample certification is contained in the Mandatory Data Collection.¹¹ **Filers will electronically submit the certification when submitting the Filer Identification Information electronically filed with each submission, see “Section III: Additional Instructions and Data Table Specifications.”**

H. Confidentiality

Respondents are required to submit data and information on revenues, prices, expenditures, subscribers, and facilities for the collection that is highly sensitive and not routinely made available to the public. In advance of the filing deadline, the Bureau will issue a Protective Order detailing the procedures for requesting confidentiality and accessing confidential and highly confidential data and information.¹²

I. Retention of Records

Respondents are required to retain, for a period of three years or until the Commission issues a notice relieving respondents of this requirement, any records, data, documents, documentation, or other information prepared, used, or relied upon by the respondents for their responses to this data collection.¹³

J. Paperwork Reduction Act Notices

This document contains information collection and recordkeeping requirements and will not become effective until approval has been given by the OMB. Covered parties are not required to respond to the information collection and recordkeeping requirements contained herein until a notice of approval has been published in the Federal Register.

The time needed to complete and file responses to the data collection will vary depending on individual circumstances. There is significant variation among *Providers* and *Purchasers* in the number of questions to be answered and the amount of responsive data and information they are required to furnish. We have estimated that each response to this collection of information will take an average of 134 hours. This estimate is a national average and does not necessarily represent a “typical” case. Our estimate includes the time to read the instructions, look through existing records, gather and maintain required data, enter the data in the online interface, and submit it electronically. If you have any comments on this estimate, or on how we can improve the collection and reduce the burden it causes you, please write the Federal Communications Commission, Office of Managing Director, AMD-PER, Washington, DC 20554, Paperwork Reduction Act Project (3060-1197). We will also accept your PRA comments via the Internet if you send an email to PRA@fcc.gov.

Please DO NOT SEND COMPLETED DATA COLLECTION RESPONSES TO THIS ADDRESS. You are not required to respond to a collection of information sponsored by the Federal government, and the

¹¹ See *Data Collection Implementation Order*, App. B.

¹² See *Wireline Competition Bureau Seeks Comment on Protective Order for Special Access Data Collection*, WC Docket No. 05-25, RM-10593, Public Notice, 28 FCC Rcd 9170 (Wireline Comp. Bur. 2013).

¹³ See *Special Access Data Collection Order*, 27 FCC Rcd at 16340, para. 54.

government may not sponsor this collection, unless it displays a currently valid OMB control number and/or we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060-1197.

THIS NOTICE IS REQUIRED BY THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104-13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507.

III. ADDITIONAL INSTRUCTIONS AND DATA TABLE SPECIFICATIONS

To access the FCC website interface to submit responses to this data collection, each filer is required to provide an FRN that is unique to the filer and password, *i.e.*, no two filers can submit responses using the same FRN.¹⁴ No filer can submit more than one response to the data collection questions; subsequent corrective filings are permitted however. When submitting a response, each filer must provide the information identified below and the requisite certification.¹⁵

¹⁴ For instructions on how to obtain an FRN, *see* <https://fjallfoss.fcc.gov/coresWeb/publicHome.do>.

¹⁵ Contact [FCC Contact] to discuss the manual submission of your database container file on hard drive(s) if it is excessively large and cannot reasonably be submitted electronically to the FCC using the SSH File Transfer Protocol, *i.e.*, if the file is more than 11 gigabytes in size. The Filer Identification Information and Certification is required even for manual submissions.

Filer Identification Information	
Name of Filer	[Text populated from CORES database]
Filer's FCC Registration Number (FRN)	[Integer populated from CORES database]
Name of Contact for Filer	[Text]
Contact Phone Number	[Text]
Contact Address	[Text]
Contact Email Address	[Text]
Counsel of Record Name	[Text]
Counsel of Record Phone Number	[Text]
Counsel of Record Address	[Text]
Counsel of Record Email Address	[Text]
Holding Company FRN	[Integer]
Holding Company Name	[Text populated from CORES database]

Filer Identification Information cont.	
Type of Filer (select all that apply)	<input type="checkbox"/> <i>Competitive Provider</i> Type of <i>Competitive Provider</i> (select all that apply): <input type="checkbox"/> Cable system operator <input type="checkbox"/> CLEC <input type="checkbox"/> IXC <input type="checkbox"/> Wireless provider <input type="checkbox"/> Other
	<input type="checkbox"/> <i>ILEC</i>
Type of Filer cont. (select all that apply)	<input type="checkbox"/> Entity that provides <i>Best Efforts Business Broadband Internet Access Service</i> to 15,000 or more customers or 1,500 or more business broadband customers in price cap areas
	<input type="checkbox"/> <i>Purchaser</i> Type of <i>Purchaser</i> (select all that apply): <input type="checkbox"/> Mobile wireless service provider <input type="checkbox"/> Other
	<input type="checkbox"/> None of the above <i>(i.e., you are not a Provider, Purchaser, or an entity that provides Best Efforts Business Broadband Internet Access Service to 15,000 or more customers or 1,500 or more business broadband customers in price cap areas)</i>

Counsel of Record. If you are represented by counsel and want to designate such counsel for the service of notices and other documents, then complete the “Counsel of Record” fields in the Filer Identification Information.

Holding Company. Parties can either submit a single response reporting aggregate information at the ultimate parent/holding company level for all subsidiaries, affiliates, and intermediate holding companies

or submit separate responses for individual subsidiaries, affiliates, and intermediate holding companies. In addition, list the name and FRN for all companies covered by the submission in the “Explanatory Attachment” and identify the companies whose information is being reported in response to a particular section of the data collection.¹⁶ For example, the responses to Section II.A include information from ABC CLEC Co. and DEF CLEC Co. and the responses to Section II.E include information from ABC Wireless Co.

If filing separate responses, identify the name and FRN of the filer’s ultimate parent/holding company or controlling entity. All reporting affiliates or commonly controlled entities must list the identical ultimate parent/holding company name or controlling entity and FRN so the FCC can internally link the responses to a single ultimate parent/holding company or controlling entity. In addition, the ultimate parent/holding company or controlling entity must separately file a letter in the Commission’s Electronic Comment Filing System (ECFS) in WC Docket No. 05-25 identifying its FRN and the FRN and name of all of its subsidiaries that are separately filing responses to this data collection; send a copy of this letter via email to [FCC contact].

Corrective Resubmissions. If you need to make a corrective resubmission, contact [FCC contact name] to make arrangements. Include with your corrective resubmission an explanation of the nature of the correction, *i.e.*, explaining what information you are correcting and why.

Certification	
I have examined the response and certify that, to the best of my knowledge, all statements of fact, data, and information contained therein are true and correct.	
Signature	
Name	
Title	
Date	
Respondents are reminded that failure to comply with these data reporting requirements may subject them to monetary forfeitures of up to \$150,000 for each violation or each day of a continuing violation, up to a maximum of \$1,500,000 for any single act or failure to act that is a continuing violation. 47 U.S.C. § 503(b)(2); 47 C.F.R. § 1.80(b); <i>Amendment of Section 1.80(b) of the Commission’s Rules, Adjustment of Forfeiture Maxima to Reflect Inflation</i> , Order, 23 FCC Rcd 9845 (2008). False statements or misrepresentations to the Commission may be punishable by fine or imprisonment under Title 18 of the U.S. Code.	

¹⁶ See Instructions at 9.

The following is a chart showing the types of filers and the corresponding sections of data collection questions that must be completed by each filer type. Filers falling within multiple categories must respond to all applicable sections. For example, a *Competitive Provider* that purchases *Dedicated Services* must respond to the data collection questions directed at *Competitive Providers* and *Purchasers*.

Type of Filer	Sections of the Data Collection that Must be Completed
<i>Competitive Provider</i>	Sections II.A and II.D if answer to Questions II.A.2 or II.A.2.a is “yes”
<i>ILEC</i>	Sections II.B and II.D
Entity that provides <i>Best Efforts Business Broadband Internet Access Service</i> to 15,000 or more customers or 1,500 or more business broadband customers in price cap areas	Section II.C
<i>Purchaser</i> that is a mobile wireless service provider	Section II.E
<i>Purchaser</i> that is not a mobile wireless service provider	Section II.F
None of the above	Section II.G

EXPLANATORY ATTACHMENT

To the extent you need to explain certain assumptions or procedures taken in collecting and reporting the information requested in this data collection, especially for the responses to the facilities and billing information questions, include a separate document with your submission, in Word or .pdf format, containing *all* of your explanations.¹⁷ You must separately upload the Explanatory Attachment as a Word or .pdf document through the Special Access Web Portal; you will not include this document in the data container.

QUESTIONS DIRECTED AT COMPETITIVE PROVIDERS

Question II.A.1: Affiliated Company

If you are an *Affiliated Company*, then you must identify each entity you are affiliated with that provides and/or purchases *Dedicated Service* in Table II.A.1 within the data container. If you are not an *Affiliated Company*, then you must still type “Not Applicable” in the Affiliate_Name field and “0000000000” in the Name_FRN field. You will receive an error message upon validation of the data container if you do not put any information into Table II.A.1.

Field Name	Description	Type	Example
Affiliate_ID	Sequential number	Integer	1
Affiliate_Name	Name of entity with which you are affiliated	Text	Local Fiber Incorporated
Name_FRN	Entity’s FCC Registration Number (with leading zeros)	Integer	0008402202

¹⁷ See, e.g., *Data Collection Implementation Order*, App. B, Questions II.A.4 (asking for information on *Locations*) and II.A.12 (asking for billing information).

Question II.A.2: Facilities Requiring Additional Information

Field Name	Description	Type	Example
Connection	Do you own a <i>Connection</i> ; lease a <i>Connection</i> under an <i>IRU</i> agreement; or obtain a <i>Connection</i> as a <i>UNE</i> to provide a <i>Dedicated Service</i> ? (Y=Yes, N=No)	Text	Y
Price_Cap?	Are any of the <i>Connections</i> – that you own; lease as an <i>IRU</i> ; or obtain as a <i>UNE</i> to provide a <i>Dedicated Service</i> – to a <i>Location</i> in a price cap area? (Y=Yes, N=No, NA=Not Applicable)	Text	Y

Facilities Information*Question II.A.3: Locations Data for Competitive Providers*

Competitive Providers are required to report the total number of *Locations* to which they had a *Connection* during 2013 where the *Competitive Provider* either: (i) owned the *Connection*; (ii) leased the *Connection* from another entity under an *IRU*; or (iii) obtained the *Connection* as a *UNE* to provide a *Dedicated Service*. The definition of *Connection* is crafted to assist the Commission with sizing the broader market for *Dedicated Services* by including transmission facilities used to provide a *Dedicated Service* and facilities that are “capable” of providing a *Dedicated Service*.

To help *Competitive Providers* identify reportable *Locations*, we provide the following guidance:

- Respondents must only report *Connections* to non-residential *Locations*. A *Location* is where an *End User* is connected, and an *End User* means a business, institutional, or government entity that purchases service for its own purposes, not for resale. Accordingly, residential locations connected by facilities are not reported.
- *Competitive Providers*, except for cable system operators reporting *Locations* within their Franchise Areas (FAs), must report all *Locations* with idle and in-service *Connections* during the relevant reporting period regardless of the type of service provided over the *Connection*.
- If you are a cable system operator and reporting *Locations* within your FA, you must report those *Locations* with *Connections* that were connected to a *Node* (i.e., headend) during the relevant reporting period that was upgraded or built to provide Metro Ethernet (or its equivalent) service regardless of the type of service provided over the *Connection* or whether the *Connection* is idle or in-service.¹⁸ In addition, for *Locations* with *Connections* that were not connected to a *Node* during the relevant reporting period that is capable of providing Metro Ethernet (or its equivalent), report only in-service *Connections* that were used to provide a *Dedicated Service* or a service that incorporates a *Dedicated Service* within the offering as part of a managed solution or bundle of services sold to the customer;¹⁹ do not report *Connections* that were used to provide a

¹⁸ Metro Ethernet is an Ethernet metropolitan area network service offering that involves centrally positioning one or more gigabit Ethernet (GbE) or 10 gigabit Ethernet (10 GbE) switches in a metro area. It offers the advantage of carrying all traffic in native Ethernet format, with no requirement for introducing SDH/SONET, frame relay, ATM or other Physical Layer or Data Link Layer protocols that can increase both complexity and cost, while adding overhead. See *Webster's New World Telecom Dictionary* (2010); see also Ralph Santitoro, Metro Ethernet Forum White Paper, *Metro Ethernet Services – A Technical Overview* (2006), available at http://metroethernetforum.org/White_Papers/metro-ethernet-services.pdf (providing a comprehensive technical overview of Ethernet services) (last visited Sept. 9, 2013).

¹⁹ Examples of services incorporating a *Dedicated Service* could include: the Converged Business Network solution offered by Level 3; High-Speed Dedicated Internet Access from XO or a business Ethernet solution from TW Telecom. See *Converged Business Network*, Level 3 Communications Inc. (Level 3),

(continued....)

service that is substantially similar to services provided to residential customers, e.g., one or two line telephone service or best-efforts Internet access and subscription television services.²⁰

- For *Locations* with *Connections* obtained as a *UNE* to provide a *Dedicated Service* during 2013, all *Competitive Providers* must include those *UNEs* obtained to provide a service that incorporated a *Dedicated Service* within the offering as part of a managed solution or bundle of services sold to the customer.²¹

Table II.A.3
Record Format for Total *Locations*

Field Name	Description	Type	Example
Year	Indicator of the calendar year of the data	Integer	2013
Locations	Total <i>Locations</i> served during year	Integer	15

Instructions for Table II.A.3, Record Format for Total *Locations* (*Competitive Providers*):

- **Locations:** The number of *Locations* is the count of unique *Locations* to which your company had a *Connection* in place during the year entered in Year. The number of *Locations* listed here must equal the number of unique *Locations* enumerated in Question II.A.4.

Question II.A.4: Locations Data for Competitive Providers

The purpose of this question is to obtain additional information on the individual *Locations* with *Connections* that make up the total reported in response to Question II.A.3.

Table II.A.4
Record Format for Each *Location*

Field Name	Description	Type	Example
Location_ID	Sequential <i>Location</i> number (same Location_ID will also be reported in the II.A.12 question related to billing).	Integer	1
Year	Indicator of the calendar year of the data	Integer	2013
Street_address	Actual situs for the <i>Location</i> (i.e., land where building or cell site is located)	Text	445 Twelfth St SW

(Continued from previous page) _____

<http://www.level3.com/en/products-and-services/data-and-internet/converged-business-network/> (discussing Level 3's Converged Business Network offering that combines Internet, data and voice services over a single access circuit) (last visited Sept. 9, 2013); Dedicated Internet Access, XO Communications, LLC, <http://www.xo.com/services/network/dia/Pages/overview.aspx> (discussing dedicated Internet access) (last visited Sept. 9, 2013); Business Ethernet, tw telecom, Inc., <http://www.twtelecom.com/telecom-solutions/voice-solutions/business-ethernet-services/> (discussing business Ethernet services) (last visited Sept. 9, 2013).

²⁰ See, e.g., Business Internet + Voice, Comcast Corp. (Comcast), <http://business.comcast.com/smb/bundle> (discussing a Comcast Business Class bundled service offering that includes business voice, web hosting, email, and Internet access at monthly rates) (last visited Sept. 9, 2013); Cox Business Internet, Cox Communications, Inc., http://ww2.cox.com/business/oklahomacity/data/business-internet.cox?campcode=gntile_b_data_internet (last visited Sept. 9, 2013); Business Internet, Bright House Networks, <http://business.brighthouse.com/products-and-services/data-and-internet/broadband-internet.html> (last visited Sept. 9, 2013); Optimum: TV, Phone and Internet Services for your Business, Cablevision Systems Corp., <http://www.optimumbusiness.com/> (last visited Sept. 9, 2013).

²¹ See *supra* note 19 (providing example of services incorporating a *Dedicated Service*).

**Table II.A.4
Record Format for Each *Location***

Field Name	Description	Type	Example
City	City of the <i>Location</i>	Text	Washington
State	Two-letter state postal abbreviation of the <i>Location</i>	Text	DC
ZIP	5-digit ZIP code (with leading zeros) of the <i>Location</i>	Text	20554
ZIP4	4-digit add-on code (with leading zeros) of the <i>Location</i>	Text	0000
Lat	Latitude	Float	38.8835
Long	Longitude	Float	-77.0280
Loc_type	The type of <i>Location</i> is a 1=building; 2=other man-made structure; 3=cell site in or on a building; 4=free-standing cell site; 5=cell site on some other man-made structure, e.g., water tower; or 6=unknown.	Integer	1
IRU_Supplier	If <i>Connections</i> to this <i>Location</i> are obtained under an <i>IRU</i> , enter the name of the entity from which the majority of capacity is obtained.	Text	DEF Co.
UNE_Supplier	If <i>Connections</i> to this <i>Location</i> are obtained as a <i>DSL/DS3 UNE</i> , enter the name of the entity from which the <i>UNE</i> is obtained.	Text	DEF Co.
UCL_Supplier	If <i>Connections</i> to this <i>Location</i> are obtained as an <i>Unbundled Copper Loop</i> , enter the name of the entity from which the <i>UCL</i> is obtained.	Text	DEF Co.
Medium	Are any of the <i>Connections</i> to this <i>Location</i> provided over fiber? (Y/N)	Text	Y
Sold_bandwidth_total	Total bandwidth (in Mbps) of <i>Connections</i> provided to the <i>Location</i> as sold.	Float	1.544
Sold_bandwidth_enduser	Total bandwidth (in Mbps) of <i>Connections</i> provided to <i>End Users</i> at the <i>Location</i> as sold.	Float	1.544
Sold_bandwidth_tfw	Total bandwidth (in Mbps) of <i>Connections</i> provided to the <i>Location</i> using terrestrial fixed wireless as sold.	Float	1.544
Sold_bandwidth_Mobile	Total bandwidth (in Mbps) of <i>Connections</i> to cell sites at the <i>Location</i> as sold.	Float	1.544
Bandwidth_Internal	Total bandwidth used internally.	Float	1.544

Instructions for Table II.A.4, Record Format for Each *Location* (*Competitive Providers*):

- **Location_ID:** This is a sequential integer ranging from 1 to the total number of unique *Locations* to which your company had a *Connection* during the year reported. This field is linked to the billing information reported in Question II.A.12 so that you must identify in Table II.A.4 every Location ID referenced in response to the billing information question.
- **Year:** Report the year during which your company had a *Connection* to the *Location*, i.e., 2013.
- The data fields used to identify the actual situs address must be space-delimited in standardized Postal Service form. See <http://pe.usps.gov/cpim/ftp/pubs/Pub28/pub28.pdf>.
- **Latitude and Longitude:** This information is only required if kept in the normal course of business. Otherwise, you can provide this information on a voluntary basis using the location address from a known geocoding platform like Bing maps, Google, Yahoo, batchgeo.com, Texas A&M Geoservices or other geocoding solution. Enter values in decimal degrees to the nearest

± 0.0005 , *i.e.*, each coordinate must end in $\#.###\#0$ or $\#.###\#5$. Coordinates must be in the WGS84 or NAD83 geographic coordinate system.

- **IRU Supplier:** Because multiple dedicated communication paths serving one or more *End Users* at the same *Location* must be counted as a single *Connection* (see definition of *Connection*), if you lease multiple *IRUs* to this *Location* from different *Providers*, identify the *Provider* that supplies the majority of the capacity you lease per an *IRU*. If only one *Provider* supplies the *IRU(s)*, then identify that *Provider* as the supplier. If you do not know the name of the supplier of your *Connections* via *IRU* agreement(s), and cannot reasonably identify the supplier for each *IRU*, you can alternatively enter “unknown” in this field and indicate in the Explanatory Attachment the total number of *Connections* to *Locations* you obtain as an *IRU* and the general percentage of *IRU* leasing arrangements you have with particular types of suppliers, *e.g.*, 45% of our *IRUs* are with *ILECs*, 55% with *Competitive Providers* or non-*ILECs*.
- **Sold bandwidth fields:** These data fields call for the reporting of total bandwidth sold. Report the downstream or upstream bandwidth of *Dedicated Services* sold across all sold *Connections* of the type requested at the *Location* as of December 31 of the year. Report the upstream or downstream bandwidth for symmetric services. For asymmetric services, report the average of the upstream and downstream bandwidths. For example, for a DS1 record 1.544, for three DS1s record 4.632, while for a 10 Gbit Ethernet service, 10,240, and for a fractional DS1 sold as a 384 Kbps service record 0.375. In the case where a *Connection* is in place but no bandwidth was provided as of December 31 of the year, enter the total bandwidth sold at the last known date during the relevant reporting period. For example, a customer or customers at the *Location* purchased service through October of the year but then terminated the service so that there was no service sold as of December 31; in that instance, report the total bandwidth sold in October. Exclude services other than *Dedicated Service* provided to the *Location* from your response. In the case where no *Dedicated Service* was sold to the *Location*, enter zero.
- **Bandwidth Internal:** If you are using bandwidth on this *Connection* to the *Location* for your own internal purposes, *i.e.*, self-provisioning service to yourself or an *Affiliated Company*, then report the total bandwidth used internally as of December 31 of the year. Report the upstream or downstream bandwidth for symmetric services. For asymmetric services, report the average of the upstream and downstream bandwidths. For example, for a DS1 record 1.544, for three DS1s record 4.632, while for a 10 Gbit Ethernet service, 10,240, and for a fractional DS1 sold as a 384 Kbps service record 0.375. In the case where a *Connection* is in place but no bandwidth was used internally as of December 31 of the year, enter the total bandwidth used internally at the last known date during the relevant reporting period. In the case where no bandwidth was used for internal use, enter zero.

Question II.A.5: Fiber Network Map

Fiber Map. Competitive Providers, not including cable companies operating within their local franchise areas (LFAs), must provide a map of the fiber routes that constitute their network. Include those fiber “spans” (*i.e.*, lengths of fiber with terminating equipment on both ends) within your network that you (i) own or (ii) lease pursuant an *IRU* agreement. The map must show the fiber routes that constitute your network, including the “middle-mile” transport fiber network and any fiber routes to *Locations*. For *Competitive Providers* that are cable companies operating within their LFAs, provide a map of the fiber routes constituting your “middle mile” interoffice transport network. Include those fiber “spans” (*i.e.*, lengths of fiber with terminating equipment on both ends) within your network that you (i) own or (ii) lease pursuant an *IRU* agreement. The map need not show the “last mile” fiber routes to *Locations*, *i.e.*, the feeder links.

You can file either a single map showing your network throughout your service territories in the United States or file separate maps showing the network on a regional/local basis. Filers are not required to include their long haul connections between service territories, *e.g.*, interLATA connections between

points of presence (POP) such as the connections between a POP in Los Angeles, California and POP in New York City.

Nodes. Competitive Providers, not including cable companies operating within their LFAs, identify all *Nodes* on your network that are points of interconnection with the networks of other *Providers* and indicate the year that the *Node* was first used for interconnecting with another *Provider*. In lieu of identifying *Nodes* used for interconnection, you can submit to the Commission the interconnection data on file with the Central Location Online Entry System (CLONES) database for your operations.²² The certification submitted in connection with your submission will attest that the CLONES data are current and accurately depict your network interconnection points and the “live” dates to the best of your knowledge. For *Competitive Providers* that are cable companies operating within their LFAs, indicate only those *Nodes* that are headends that have been upgraded to provide a Metro Ethernet (or its equivalent) service and the year the upgrade was completed.

Mapping information must be provided as a separate ESRI Shapefile using a line feature class containing the data for each feature as noted below.

Shapefile Record Format for Fiber Network			
Field Name	Description	Type	Example
Provider	Provider Name	Text	ABC Co.
DBA	“Doing-business-as” name	Text	Superfone, Inc.
FRN	Provider FCC Registration Number (with leading zeros)	Text	0008402202
ID	Sequential record number	Integer	1

Instructions for Shapefile Record Format for Fiber Network Map:

- The shapefile must have an assigned projection w/accompanying .prj file.
- The shapefile must use an unprojected (geographic) WGS84 geographic coordinate system.
- The shapefile must conform to the 1:24,000 U.S. Geological Survey National Map standard.
- The ID field is a sequential integer ranging from 1 to the total number of line features.
- Maps must be accompanied by metadata or a plain text “readme” file that contains a comprehensive explanation of the methodology employed to generate the map layer including any necessary assumptions and an assessment of the accuracy of the finished product.
- The shapefile must be submitted as a WinZip archive with a name containing the company name and FRN (e.g., CompanyName_12345678_Fiber.zip).
- Cable system operators must include the FCC-assigned Physical System Identifier (PSID) associated with each system identified.

Node information must be provided as a delimited text file, e.g., .csv, that contains the following information.

²² See System and Tools, Iconectiv, <https://codecenter.commonlanguage.com/systems.asp?#clones> (providing information about CLONES) (last visited Sept. 9, 2013).

Record Format for *Nodes*

Field Name	Description	Type	Example
Provider	Provider Name	Text	ABC Co.
DBA	“Doing-business-as” name	Text	Superfone, Inc.
FRN	Provider FCC Registration Number (with leading zeros)	Text	0008402202
ID	Sequential record number	Integer	1
Lat	Latitude	Float	38.8835
Long	Longitude	Float	-77.0280
Headend	Is this <i>Node</i> a headend that has been upgraded to provide a Metro Ethernet (or its equivalent) service? (Y=Yes; N=No)	Text	N
NodeYear	Date <i>Node</i> went “live” or when headend was upgraded to Metro Ethernet (or its equivalent) service	Integer	1996

Instructions for Record Format for *Nodes*:

- **Latitude** and **Longitude**: Enter values in decimal degrees to the nearest ± 0.0005 , *i.e.*, each coordinate must end in *###0* or *###5*. Coordinates must be in the WGS84 or NAD83 geographic coordinate system. The shapefile must be submitted as a WinZip archive with a name containing the company name and FRN (*e.g.*, *CompanyName_12345678_Fiber.zip*).
- **NodeYear**: If on or after 1995 the *Node* was first used for interconnecting with another *Provider* or in the case of cable system operators, was upgraded to provide Metro Ethernet (or its equivalent) service, then provide the year. If before 1995, then provide the year or enter 1000 if unknown. We encourage respondents to provide actual dates for as far back as they are able.

Uploading Documents. All files and documents responding to this question must be submitted to the FCC through the Special Access Web Portal (in the “Essay Questions – File Upload” section). You will not include this information in the data container.

The web portal contains two areas for uploading documents and files. One is for uploading the “Confidential” version of the document or file where you will indicate information deemed Confidential and redact information that is Highly Confidential based on the Protective Order issued for the data collection. The second area is for uploading the “Highly Confidential” version of the document or file noting both Confidential and Highly Confidential information without any redactions. You must upload at least one document or file in each area or you will receive an error message during the submission process. If the document or file does not contain Confidential or Highly Confidential information, *e.g.*, all information is publicly available, then upload the document or file in each area without the relevant Confidential/Highly Confidential notations or redactions in the case of the Confidential upload area.

Question II.A.6: Sampling History of Competitive Connections by Location

Based on your response to Question II.A.4, we will provide you with a list of *Locations* to which your company had a *Connection* in 2013. For each *Location* listed, provide the month and year – in the format set forth in Table II.A.6 – that you first served the *Location* with a *Connection* that you (i) owned; (ii) leased under an *IRU*; or (iii) obtained as a *UNE* to provide *Dedicated Service*.

We will derive the sample list of *Locations* as follows. A random sample will be drawn from the *Locations* entered in Table II.A.4 equal to the maximum of: (i) *p* percent of the *Locations* to which your

company had a *Connection* in 2013 rounded up to the nearest integer or (ii) the number two.²³ *Competitive Providers* with one such *Location* will not need to answer this question. The percentage *p* will be selected to ensure that about 1,600 sampling units are drawn; based on a current estimate that *Competitive Providers* serve on their own facilities 200,000 *Locations*, the value of *p* is expected to be on the order of 0.8 percent. This sample size is expected to provide ranges for estimates of proportions of the national population that are with 95% confidence expected to include the true value of the estimated proportion within $\pm 2.5\%$ of the estimate. For example, if the sample produces an estimate of 50% of the national population, the true value of the proportion would be in the range (47.5%, 52.5%) with 95% confidence. The four served *Locations* nearest each of the sampled served *Locations* will be added to the random sample of served *Locations*, and the resulting list, with duplicates removed, will be given to you.

To be clear, you will not include an answer to this question within the data container or otherwise with your initial submission to the data collection. The record format for when you do subsequently respond to this sampling question is provided below:

Record Format for History of Competitive Connections by Location			
Field Name	Description	Type	Example
...	... The carrier's record ID for a number of locations will be returned...
First_served	The month and year this <i>Location</i> was first served	Date	12/2009

Question II.A.7: Collocations by Wire Center

For each *ILEC* wire center where your company is collocated, provide the information listed below.

Table II.A.7 Record Format for Collocations by Wire Center			
Field Name	Description	Type	Example
ID	Sequential record number	Integer	1
Street_address	Actual situs (<i>i.e.</i> , land where building is located) address of the collocation site	Text	1025 N Irving Street
City	City of address	Text	Arlington
State	Two-letter state postal abbreviation of address	Text	VA
ZIP	5-digit ZIP code (with leading zeros) of address	Text	22201
ZIP4	4-digit add-on code (with leading zeros) of address	Text	0005
Lat	Latitude	Float	38.8840
Long	Longitude	Float	-77.0965
CLLI	Telcordia-specified eight-character CLLI	Alphanumeric	ARTNVAAR

Instructions for Table II.A.7, Record Format for Collocations by Wire Center:

- Leave cells blank in the case of data that is not applicable for that record.

²³ Forcing a minimum of two sampling units per *Competitive Provider* allows for unambiguous estimates of the stratified sample's standard deviation.

- The ID field is a sequential integer ranging from 1 to the total number of wire centers.
- Address data fields must be space-delimited in standardized Postal Service form. *See* <http://pe.usps.gov/cpim/ftp/pubs/Pub28/pub28.pdf>.
- Latitude and Longitude: You can derive the coordinate fields for the location address from a known geocoding platform like Bing maps, Google, Yahoo, batchgeo.com, Texas A&M Geoservices or other geocoding solution. Enter values in decimal degrees to the nearest ±0.0005, *i.e.*, each coordinate must end in #.###0 or #.###5. Coordinates must be in the WGS84 or NAD83 geographic coordinate system.
- For the CLLI code, enter the first eight digits of the CLLI code of the ILEC wire center / end office in which your equipment is collocated.

Question II.A.8: Business Rules for Deployment

You must upload a .pdf text searchable (not a picture/image) document responding to this question through the Special Access Web Portal in the “Essay Questions – File Upload” section; you will not include these documents in the data container.

The web portal contains two areas for uploading documents. One is for uploading the “Confidential” version of the document where you will indicate information deemed Confidential and redact information that is Highly Confidential based on the Protective Order issued for the data collection. The second area is for uploading the “Highly Confidential” version of the document noting both Confidential and Highly Confidential information without any redactions. You must upload at least one document in each area or you will receive an error message during the submission process. If the document does not contain Confidential or Highly Confidential information, e.g., all information is publicly available, then upload the document in each area without the relevant Confidential/Highly Confidential notations or redactions in the case of the Confidential upload area.

Question II.A.9: Headquarters

Competitive Providers, except for cable system operators, must answer this question. Cable operators must still report “Not Applicable” as instructed below to avoid receiving an error message when validating the data container.

This question asks for the location of a *Competitive Provider’s* current and prior U.S. headquarters, going as far back as 1995. In addition, *Competitive Providers* must identify the headquarters of *Affiliated Companies* and entities acquired through merger that no longer exist if the affiliated or acquired entity owned (or leased under an *IRU* agreement) *Connections* to five or more *Locations* in a given *MSA* at the time of affiliation/acquisition, going as far back as 1995.

By “U.S. headquarters,” we mean the principal place where the company’s high level officers direct, control and coordinate the company’s activities.²⁴ For purposes of this question, we do not consider regional field offices to be the U.S. headquarters for a company.

**Table II.A.9.a-c
Record Format for U.S. Headquarters**

Field Name	Description	Type	Example
Street_address	Situs address of the U.S. headquarters (<i>i.e.</i> , land were building is located)	Text	1025 N Irving Street

²⁴ High level officers could include the president, chief executive officer, chief financial officer, vice president, general counsel, etc.

**Table II.A.9.a-c
Record Format for U.S. Headquarters**

Field Name	Description	Type	Example
City	City name for U.S. headquarters	Text	Springfield
State	State name for U.S. headquarters	Text	Texas
ZIP	5 digit ZIP code for U.S. headquarters	Text	22201
ZIP4	4-digit add-on code (with leading zeros) of address	Text	0005
Year_Head	Year when U.S. headquarters established	Year	2000

Instructions for Table II.A.9.a-c, Record Format for U.S. Headquarters:

- In the initial row of the table, you will identify your current U.S. headquarters and the year established in the Year_Head field. Cable system operators must type “Not Applicable” in the Street_Address field and complete the remaining fields with zeros. You will receive an error message upon validation of the data container if you do not put any information into these data fields.
- In subsequent rows of the table, you will identify your prior U.S. headquarters going as far back as 1995 if different from the location of your current headquarters.

**Table II.A.9.d
Record Format for Headquarters of Acquired Entities**

Field Name	Description	Type	Example
AcqEntity_Name	Name of acquired entity	Text	Local Fiber Incorporated
Street_address	Situs address for the U.S. headquarters of acquired entity at time of merger	Text	1025 N Irving Street
City	City name for U.S. headquarters	Text	Springfield
State	State name for U.S. headquarters	Text	Texas
ZIP	5 digit ZIP code for U.S. headquarters	Text	22201
ZIP4	4-digit add-on code (with leading zeros) of address	Text	0005
Year_Head	Year when entity merged, <i>i.e.</i> , when transaction closed	Year	2000

Instructions for Table II.A.9.d, Record Format for Headquarters of Acquired Entities:

- If you did not acquire an entity during the relevant reporting period or are a cable system operator, then you must still type “Not Applicable” in the AcqEntity_Name field and complete the remaining fields with zeros. You will receive an error message upon validation of the data container if you do not put any information into these data fields.

**Table II.A.9.e-f
Record Format for Headquarters for *Affiliated Companies***

Field Name	Description	Type	Example
AffCompany_Name	Name of <i>Affiliated Company</i>	Text	Local Fiber Incorporated
Year of Affiliation	Year you became affiliated with the <i>Affiliated Company</i>	Year	2007

Table II.A.9.e-f
Record Format for Headquarters for *Affiliated Companies*

Field Name	Description	Type	Example
Street_address	Situs address of the U.S. headquarters for <i>Affiliated Company</i>	Text	1025 N Irving Street
City	City name for U.S. headquarters	Text	Springfield
State	State name for U.S. headquarters	Text	Texas
ZIP	5 digit ZIP code for current U.S. headquarters	Text	22201
ZIP4	4-digit add-on code (with leading zeros) of address	Text	0005
Year_Head	Year when U.S. headquarters of <i>Affiliated Company</i> was established	Year	2000

Instructions for Table II.A.9.e-f, Record Format for Headquarters for *Affiliated Companies*:

- In the initial row of the table, you will identify an *Affiliated Company* and the current U.S. headquarters of the *Affiliated Company*.
- If the *Affiliated Company* had a prior U.S. headquarters – going back to 1995 or the year of affiliation, whichever is earlier, then on the next row identify the same company name in the AffCompany_Name field and provide information on the prior headquarters. If there is more than one prior headquarters for the *Affiliated Company*, going back to 1995 or the year of affiliation, whichever is earlier, then identify the prior headquarters in the subsequent rows.
- Follow same reporting process for other *Affiliated Companies* in the subsequent rows of the table.
- If you did not become affiliated with an *Affiliated Company* during the relevant reporting period, then you must still type “Not Applicable” in the AffCompany_Name field and complete the remaining fields with zeros. You will receive an error message upon validation of the data container if you do not put any information into these data fields.

Question II.A.10: Marketing Plans

You must upload all Word, Excel, and .pdf documents responding to this question through the Special Access Web Portal in the “Essay Questions – File Upload” section; you will not include these documents in the data container.

The web portal contains two areas for uploading documents. One is for uploading the “Confidential” version of the document where you will indicate information deemed Confidential and redact information that is Highly Confidential based on the Protective Order issued for the data collection. The second area is for uploading the “Highly Confidential” version of the document noting both Confidential and Highly Confidential information without any redactions. You must upload at least one document in each area or you will receive an error message during the submission process. If the document does not contain Confidential or Highly Confidential information, e.g., all information is publicly available, then upload the document in each area without the relevant Confidential/Highly Confidential notations or redactions in the case of the Confidential upload area.

Question II.A.11: Information on Requests for Proposals (RFPs)

You are only required to provide information on RFP bids won. Respondents can provide information on unsuccessful RFP bids and business rules relied upon to submit bids on a voluntary basis.

**Table II.A.11 Part 1
Record Format for RFPs**

Field Name	Description	Type	Example
RFP_Type	Number 1-6 as follows: 1= Most recent RFP won for the provision of <i>Dedicated Services</i> 2= Most recent RFP won for the provision of <i>Best Efforts Business Broadband Internet Access Services</i> 3= Most recent RFP won for the provision of other high-capacity data services to business customers 4= Largest RFPs where you unsuccessfully submitted bids in the 2013 timeframe for the provision of <i>Dedicated Services</i> 5= Largest RFPs where you unsuccessfully submitted bids in the 2013 timeframe for the provision of <i>Best Efforts Business Broadband Internet Access Services</i> 6= Largest RFPs where you unsuccessfully submitted bids in the 2013 timeframe for the provision of other high-capacity data services to business customers	Integer	1
RFP_Number	Sequential number 1-5	Integer	1
RFP_Name	Name of RFP	Text	ADA Greenfield
RFP_Description	Describe the RFP, including the date that the RFP was issued	Text	RFP requirements included . . .
RFP_Area_Covered	Identify the geographic areas covered by the RFP	Text	Network required to cover 26 counties in Michigan
RFP_Bid_Details	Details on your bid, including price offered	Text	Offered dedicated service for X amount.
Other_RFP_Details	Detail other competitively relevant information on RFP and/or bid	Text	Our bid offer included cost of leasing facilities in X areas from X where we did not own facilities.

Question II.A.11 Part 2. Question II.A.11 also asks *Competitive Providers* to identify the business rules relied upon to determine whether to submit a bid in response to an RFP. Even though this part of the question is optional, you must still upload a .pdf text searchable (not a picture/image) document either providing information on a voluntary basis or simply saying “Not Applicable” the Special Access Web Portal in the “Essay Questions – File Upload” section; you will not include this document in the data container.

The web portal contains two areas for uploading documents. One is for uploading the “Confidential” version of the document where you will indicate information deemed Confidential and redact information that is Highly Confidential based on the Protective Order issued for the data collection. The second area is for uploading the “Highly Confidential” version of the document noting both Confidential and Highly Confidential information without any redactions. You must upload at least one document in each area or you will receive an error message during the submission process. If the document does not contain Confidential or Highly Confidential information, e.g., all information is publicly available, then upload the document in each area without the relevant Confidential/Highly Confidential notations or redactions in the case of the Confidential upload area.

Billing Information

Question II.A.12-14: Billing Information Overview

These questions are interrelated. Question II.A.12 requires the filer to provide billing information for each circuit element billed to its customers. To answer this question, you must reference adjustment and billing codes that are defined by responses to Questions II.A.13 and II.A.14, respectively.

Question II.A.12: Prices by Circuit Element from Competitive Provider

This question requests billing information for transmission paths that are sold for the provision of a stand-alone *Dedicated Service*. By using the term “transmission paths,” this question is not limited to *Locations* with *Connections*, *i.e.*, “last-mile” facilities, reported in response to question II.A.4 but also includes dedicated interoffice transport facilities. Do not provide billing information for bundled services where the *Dedicated Service* component is not separately priced. Do include sales to *Affiliated Companies*.

Submit information for each circuit element of each circuit for each month from January 1, 2013 through December 31, 2013. Include a separate entry for each separately-billed element on the circuit. In the case where circuits are billed as a single unit, the data set will contain only one entry per circuit.

Table II.A.12 Part 1
Record Format for Monthly Billing Data for Circuits by Circuit Element

Field Name	Description	Type	Example
Closing_Date	Closing date of the monthly billing cycle in mm/dd/yyyy format	Date	06/30/2013
Customer_ID	Unique customer identifier used to link all circuits purchased by a customer over all geographies and time periods. To be linked with customer names and identification numbers in Table II.A.12 Part 2.	Integer	1274
Location_ID	Sequential location number from Question II.A.4.a where applicable; required for circuit elements such as channel terminations that can be associated with a particular <i>Location</i>	Integer	1
Circuit_ID	Circuit identifier common to all circuit elements purchased in common for a particular circuit	Text	HHH555XYZ
Circuit_Type	Type of circuit (<i>DS1</i> , <i>DS3</i> , <i>DS1-UNE</i> , <i>DS3-UNE</i> , other <i>CBDS</i> (<i>i.e.</i> , non- <i>DSn</i>), or <i>PBDS</i>).	Text	DS1
DSn_Bandwidth	If a <i>DS1</i> , <i>DS3</i> , <i>DS1-UNE</i> , or <i>DS3-UNE</i> , indicate the one-direction bandwidth of the circuit in Mbps.	Float	1.544
OtherCBDS_Bandwidth	If a <i>CBDS</i> circuit other than a <i>DSn</i> circuit, indicate the one-direction bandwidth of a symmetric circuit or the average one-direction bandwidth for non-symmetric circuits in Mbps.	Float	4.5
PBDS_Bandwidth	If a <i>PBDS</i> circuit, indicate the one-direction bandwidth of a symmetric circuit or the average one-direction bandwidth of non-symmetric circuits in Mbps.	Float	100
Billing_Code	Billing code (<i>e.g.</i> , USOC) used to identify the billed circuit element. (This variable will also appear in Question II.A.14 and is used to link the billed circuit elements with their descriptions.)	Text	1YZXD
Quantity	Number of billed units for this circuit element. Do not enter the bandwidth of the circuit in this field.	Float	34
Initial_NRC	Non-recurring charge (in dollars) billed for the first unit of this circuit element	Float	0
Unit_NRC	Non-recurring charge (in dollars) billed for additional units of this circuit element	Float	0
Initial_MRC	Monthly recurring charge (in dollars) for the first unit billed	Float	17.7
Unit_MRC	Monthly recurring charge (in dollars) for additional units billed (if different from the amount billed for the initial unit)	Float	0

**Table II.A.12 Part 1
Record Format for Monthly Billing Data for Circuits by Circuit Element**

Field Name	Description	Type	Example
Billed	Per unit amount (in dollars) billed for the circuit element including all "in-cycle" discounts and penalties. For circuit elements with multiple billed units (<i>i.e.</i> , quantity greater than one in II.A.12.g), enter the amount billed for a single unit	Float	507.3
Total_Billed	Total monthly amount (in dollars) billed for all units of the circuit element, including all "in-cycle" discounts and penalties	Float	12453.50
Term	Length of total time of the <i>Term Commitment</i> associated with this circuit (in months). List the total length of the current <i>Term Commitment</i> , not the remaining length of the <i>Term Commitment</i> . A circuit purchased on a month-to-month basis must be coded as 1.	Integer	36
End_Date	If this circuit has an associated <i>Term Commitment</i> , enter the month and year the term expires.	Date	03/2014
Term_Discount_IC	Indicator variable for whether any in-cycle term discounts have been rolled into the amount billed to the customer reported in the Billed field (0 = No in-cycle term discounts included in Billed amount; 1 = In-cycle term discounts included in Billed amount)	Integer	0
Volume_Commitment	Indicator variable showing whether this circuit contributes to a <i>Volume Commitment</i> (Y=Yes, N=No)	Text	N
Vol_Discount_IC	Indicator variable for whether any in-cycle volume discounts have been rolled into the amount billed to the customer reported in the Billed field (0 = No in-cycle volume discounts included in Billed amount; 1 = In-cycle volume discounts included in Billed amount)	Integer	0
Adjustment_ID_1	Unique ID number (from II.A.13) for the first billing adjustment / true-up affecting this circuit element. Leave the field blank if there are no discounts or penalties that occur during the monthly billing cycle affecting this circuit element.	Integer	1
Adjustment_ID_2	Unique ID number (from II.A.13) for the second billing adjustment / true-up affecting this circuit element, if more than one adjustment was applied to this circuit element. Leave the field blank if there are fewer than two discounts applied to this circuit element in the given billing cycle	Integer	26
...	[Continue to add columns for a total of ten (10) Adjustment_ID columns.]
Adjustment_ID_10	Unique ID number (from II.A.13) for the tenth billing adjustment / true-up affecting this circuit element, if more than one adjustment was applied to this circuit element. Leave the field blank if there are fewer than ten discounts applied to this circuit element in the given billing cycle	Integer	15

**Table II.A.12 Part 2
Record Format for Identifying Customers**

Field Name	Description	Type	Example
Customer_ID	Unique customer identifier used to link all circuits purchased by a customer over all geographies and time periods. This field will be used to link the billing information in Table II.A.12 Part 1 with the customer names and identification numbers	Integer	1274
Customer_ID_499	Where applicable, include the six-digit 499A Filer ID of the customer	Integer	822116
Customer_ID_ACNA	Where applicable, include the Access Customer Name Abbreviation (ACNA) of the customer	String	ABC
Customer_ID_OCN	Where applicable, include the Operating Company Number (OCN) of the customer	Integer	1234

**Table II.A.12 Part 2
Record Format for Identifying Customers**

Field Name	Description	Type	Example
Customer_Name	Enter the name of the customer	Text	Verizon Wireless
Provider	Indicator variable denoting whether the circuit is purchased by a <i>Provider</i> (0 = non-Provider; 1 = Provider)	Integer	1

Instructions for Table II.A.12, Parts 1 and 2.²⁵

- a. **Closing Date:** Enter the date on which the customer was billed. The date must appear in mm/dd/yyyy format. All dates must be in the ranges 01/01/2013 – 12/31/2013. Do not include data on circuits billed outside the appropriate date ranges, even if services were provided within the appropriate date ranges (e.g., service that was provided in December 2012 that was billed in January 2013). Likewise, include data on circuits billed in the appropriate date ranges, even if the service was provided outside of those ranges (e.g., service provided in December 2012 that was billed in January 2013).
- b. The following fields in Parts 1 and 2 of Table II.A.12 are used to identify the customer of the *Dedicated Service*.²⁶
- **Customer ID:** Assign a unique identifier to each customer so that all circuits purchased by the customer can be tracked over time and across locations. The identifiers must be entered in integer format. This Customer_ID will be used to link the circuit billing information (Table II.A.12, Part 1) to the customer names and identification numbers (Table II.A.12, Part 2). In Part 2, provide the customer name, an indicator for whether the customer is a *Provider*, and, where applicable, one of the following identification numbers: 499A filer ID, Access Customer Name Abbreviation (ACNA), or Operating Company Number (OCN). Note, the Customer_ID variable is required for all observations in both Part 1 and Part 2. However, only one of the three additional identification numbers (499, ACNA, OCN) need be provided, even if multiple identification numbers are available. Each Customer_ID must appear only once in Part 2, but will likely appear multiple times in Part 1.
 - **Customer ID 499:** Where applicable, include the 499A Filer ID of the customer in Part 2. The 499A Filer ID does not replace the Customer_ID variable. Both the Customer_ID and Customer_ID_499 fields are populated for any customer with a 499A Filer ID. If the customer does not have a 499A Filer ID, leave the field blank.
 - **Customer ID ACNA:** Where applicable, include the ACNA of the customer in Part 2. The ACNA does not replace the Customer_ID variable. Both the Customer_ID and Customer_ID_ACNA fields are populated for any customer with an ACNA. If the customer does not have an ACNA, leave the field blank.
 - **Customer ID OCN:** Where applicable, include the Operating Company Number (OCN) of the customer in Part 2. The OCN does not replace the Customer_ID variable. Both the Customer_ID and Customer_ID_OCN fields are populated for any customer with an OCN. If the customer does not have an OCN, leave the field blank.

²⁵ Subparts listed herein refer to subparts in Question II.A.12.

²⁶ See *Data Collection Implementation Order* § III.C (discussing changes to Questions II.A.12-14).

- Customer Name: Enter the name of the customer in Part 2. The variable must be entered as a string and be no longer than 30 characters in length.
 - Provider: Indicate whether the customer is a *Provider* in Part 2, *i.e.*, a customer that pays a pass through universal service contribution charge. Enter a 1 if the customer is a *Provider* and a 0 otherwise. In some instances, it may be difficult to identify if the customer is a *Provider* using billing information, but can often be inferred by the existence of a 499A Filer ID or by whether USF charges are passed on to the customer in their bill.
- c. Location ID: Include the Location ID reported in response to question II.A.4 for each circuit element on the circuit. The Location ID is used to link the billed circuit with the facilities information provided in Question II.A.4. That is, every Location ID referenced in response to Question II.A.12 must correspond to a Location ID reported in response to Question II.A.4.²⁷ Also, for circuits that connect two *Locations*, the Location ID may not be constant within the Circuit ID. For example, the individual circuit elements for a given Circuit ID may include two channel terminations, each terminating at a different *Location*. The Location ID must be populated for every circuit element in the data set that can be tied to a *Location*. Specifically, any termination charge must be linked to a *Location*. If the sold *Dedicated Service* is not to a *Location*, *e.g.*, the sale of dedicated interoffice transport, leave this field blank.
- d. Circuit ID: Assign a unique circuit identifier (Circuit ID) to all circuit elements purchased in common for a particular circuit. If the circuit is sold over multiple time periods, the circuit identifier must track the circuit across the multiple months and/or years it appears in the sample. We prefer that you code the Circuit IDs as sequential integers, beginning with the number “1” (similar to the Location ID). However, to the extent you have an established naming convention for your circuits, that convention may be substituted in place of sequential numbering. Code the Circuit ID as a string with a maximum of 15 characters. (Note: Because some filers may choose to use non-numeric characters in their coding, Circuit IDs must be coded as string variables, even if they have been renumbered as sequential integers.)
- e. The following fields identify the type of circuit sold (Circuit Type), and the bandwidth of the circuit. The Circuit Type must be populated for every circuit element in the data set. Only one of the three bandwidth variables needs to be populated for each circuit element, depending on the type of circuit provided.
- Circuit Type: Indicate the type of circuit sold from the following categories: *DS1*, *DS3*, *DS1-UNE*, *DS3-UNE*, other *CBDS* circuit (*i.e.*, non-DSn), or *PBDS*. For packages of DS1s and DS3s sold to a location, enter DS1 or DS3, respectively. Do not enter circuit types other than those listed above.
 - DSn Bandwidth: If the circuit is a *DS1*, *DS3*, *DS1-UNE*, or *DS3-UNE*, enter the bandwidth of the circuit in Mbps, *i.e.*, enter 1.544 for a *DS1* and enter 44.736 for a *DS3*. In the case where multiple *DSns* are provisioned over a single circuit, enter the total bandwidth. For example, the

²⁷ We note that *Competitive Providers* may report more unique Location IDs in response to Question II.A.4 than are referenced in response to Question II.A.12 because *Competitive Providers* report *Locations* with *Connections* that are both idle and in-service. *Competitive Providers* will only report billing information for those *Locations* with in-service *Connections*.

- bandwidth for a circuit with three *DSIs* must be entered as 4.632 ($= 3 \times 1.544$). For non-*DSn* circuits, leave the field blank.
- **OtherCBDS_Bandwidth**: If the circuit is a non-*DSn CBDS* circuit, enter the bandwidth of the circuit in Mbps. For symmetric services, the reported bandwidth is the one-way bandwidth of the circuit (*i.e.*, upstream or downstream). For asymmetric services, report the average of the upstream and downstream bandwidths. Round the bandwidth of the circuit to three decimal places. For example, if the service guarantees 10 Mbps transmission speeds in one direction and 5 Mbps transmission speeds in the other direction, enter 7.500 in this field. If the circuit is a *DSn* or *PBDS* circuit, leave this field blank.
 - **PBDS_Bandwidth**: If the circuit is a *PBDS* circuit, enter the bandwidth of the circuit in Mbps. For symmetric services, the reported bandwidth is the one-way bandwidth of the circuit (*i.e.*, upstream or downstream). For asymmetric services, report the average of the upstream and downstream bandwidths. For example, if the service guarantees 150 Mbps transmission speeds in one direction and 50 Mbps transmission speeds in the other direction, enter 100 in this field. Round the bandwidth of the circuit to three decimal places. For non-*PBDS* circuits, leave this field blank.
- f. **Billing_Code**: The billing code variable (Billing Code) is used to identify the individual components of billed circuits. The Billing Code is used to link the billed circuit elements with the description of those elements in Question II.A.14. Examples of Billing Codes are Uniform Service Order Codes (USOCs). However, you are not required to use USOCs to identify the circuit elements; you can create your own Billing Codes. Similar circuit elements need to have the same Billing Code in order to track similar charges across circuits. To the extent that circuits are billed by individual circuit elements, the elements and billed amounts of the elements must be disaggregated into separate line-items in the table. If circuits are billed at the overall circuit level, only one line per circuit need be populated, and all like circuits may have the same Billing_Code and Billing Code description.
- g. **Quantity**: Enter the number of billed units for this circuit element. Do not enter the bandwidth of the circuit in this field. For item codes that describe per-mile charges, the Quantity is the number of miles in the circuit that apply for that item code.
- h. **Initial_NRC**: Insofar as the per unit monthly billed amount (Question II.A.12.1) can be broken into recurring and non-recurring charges, enter the non-recurring charge (in dollars) billed for the first unit of this circuit element on this circuit. Enter the charge to two decimal places and do not include other string characters (*e.g.*, "\$").
- i. **Unit_NRC**: Insofar as the per unit monthly billed amount (Question II.A.12.1) can be broken into recurring and non-recurring charges, enter the non-recurring charge (in dollars) billed for each additional unit of this circuit element on this circuit. Enter the charge to two decimal places and do not include other string characters (*e.g.*, "\$").
- j. **Initial_MRC**: Insofar as the per unit monthly billed amount (Question II.A.12.1) can be broken into recurring and non-recurring charges, enter the monthly recurring charge (in dollars) billed for the first unit of this circuit element on this circuit. Enter the charge to two decimal places and do not include other string characters (*e.g.*, "\$").

- k. Unit_MRC: Insofar as the per unit monthly billed amount (Question II.A.12.l) can be broken into recurring and non-recurring charges, enter the monthly recurring charge (in dollars) billed for each additional unit of this circuit element on this circuit. Enter the charge to two decimal places and do not include other string characters (e.g., "\$").
- l. Billed: Per unit amount (in dollars) billed for the circuit element including all "in-cycle" discounts and penalties. "In-cycle" discounts and penalties are those adjustments that are rolled into the actual amount paid by the customer each month (see the instructions to Question II.A.13 for more information on "in-cycle" vs. "out-of-cycle" billing adjustments). If in-cycle adjustments show up as a separate line-item on the customer's bill, they must be reported as separate line-items in Table II.A.12. Do not include any "out-of-cycle" adjustments as otherwise reported in response to Question II.A.12.p. For circuit elements with multiple billed units (i.e., quantity greater than one in Question II.A.12.g), enter the amount billed for a single unit, such that the product of Quantity and Billed is the total charge on the bill. For example, if the circuit includes two "channel termination" charges that are both billed at the same rate (and have the same Billing_Code (Question II.A.12.f), Location_ID, bandwidth, etc.), the quantity (Question II.A.12.g) is equal to 2, and the per unit monthly billed amount (Question II.A.12.l) is equal to the charge for a single channel termination. Alternatively, each channel termination may be recorded separately (i.e., on two separate lines with quantity equal to 1 for each line). The multiplicative product requirement also applies to charges for mileage of the circuit, if the circuit has such a charge. For example, if the circuit is 4 miles in length, the amount entered in Quantity is 4 and the amount entered in the Billed field is the charge per 1 mile. Enter the billed amount to two decimal places, and do not include other string characters (e.g., "\$"). Fractional miles are permitted if the customer was billed for fractional mileage for any given circuit element. However, the amount entered in Billed must be converted to a whole-mile charge. For example, for a half mile circuit, the Quantity is reported as 0.5 on any per-mile circuit element, but the amount in Billed is the 1-mile charge such that the product of Quantity and Billed is equal to the total charge to the customer.
- m. Total_Billed: Total monthly amount (in dollars) billed for all units of the circuit element including all "in-cycle" discounts and penalties. "In-cycle" discounts and penalties are those adjustments that are rolled into the actual amount paid by the customer each month (see the instructions to Question II.A.13 for more information on "in-cycle" vs. "out-of-cycle" billing adjustments). If in-cycle adjustments show up as a separate line-item on the customer's bill, they must be reported as separate line-items in this table. Do not include any "out-of-cycle" adjustments as otherwise reported in Question II.A.12.p.
- n. The following questions seek to understand the *Term Commitments* under which circuits are purchased.
- Term: Length of total time of the *Term Commitment* associated with this circuit (in months). List the total length of the current *Term Commitment*, not the remaining length of the *Term Commitment*. For example, in reporting circuits for calendar month January 2013, enter 60 for a circuit that was sold in January 2010 under a 5 year commitment, even though only 24 months remain on the current term. For circuits sold on a month-to-month basis, enter 1. We anticipate that this value is identical for all circuit elements sold in common on the circuit. To the extent that the term length varies across different circuit elements, enter the appropriate *Term Commitment* for each individual circuit element.

- End Date: If the circuit has an associated total term longer than one month, enter the month and year the term expires. In the preceding example, the End Date would be coded as 12/2015, sixty months after the five-year term was agreed to in January 2010. Leave the End Date field blank for those circuits purchased on a month-to-month basis.
 - Term Discount IC: Indicate whether the per unit monthly billed amount in Question II.A.12.1 includes any in-cycle discounts that have been applied due to a *Term Commitment*. Enter a 1 if the per unit monthly billed amount includes in-cycle term discounts; enter 0 if the per unit monthly billed amount does not include in-cycle term discounts. If the term discounts for this circuit are only given through out-of-cycle adjustments as reported in Question II.A.13, enter 0. If the circuit is not sold under a *Term Commitment*, leave this field blank.
- o. Volume Commitment: Indicate whether this circuit was sold under a *Volume Commitment*. Enter 0 if the circuit was not sold under a *Volume Commitment*, and enter 1 if the circuit was sold under a commitment by the *Purchaser* to purchase either a specified number of circuits or to spend a specified *Revenue* amount.
- Vol Discount IC: Indicate whether the per unit monthly billed amount in Question II.A.12.1 includes any in-cycle discounts that have been applied due to a *Volume Commitment*, either in total number of circuits or total amount of expenditures (“spend”). Enter a 1 if the per unit monthly billed amount includes in-cycle volume discounts; enter 0 if the per unit monthly billed amount does not include in-cycle volume discounts. If the volume discounts for this circuit are only given through out-of-cycle adjustments as reported in Question II.A.13, enter 0. If the circuit is not sold under a *Volume Commitment*, leave this field blank.
- p. Adjustment ID 1; Adjustment ID 2; ... Adjustment ID 10: For each out-of-cycle billing adjustment applied to the circuit element, provide a unique adjustment ID that is used to link the circuit elements with the dollar value and descriptions of the appropriate adjustments. The table must include 10 columns for each of the ten potential Adjustment_IDs, regardless of whether all columns are used. For rate elements with fewer than ten out-of-cycle adjustments, leave the excess Adjustment_ID fields blank. If a circuit element had more than ten out-of-cycle adjustments applied to it, list the Adjustment_IDs of the ten largest adjustments. For example, if a circuit element receives five distinct adjustments, there must be five Adjustment_IDs in the first five columns. The remaining Adjustment_ID columns (i.e., columns 6 through 10) would be left blank. In addition, all adjustments must link back to the adjustment amounts and descriptions provided in response to Question II.A.13. See the instructions for Question II.A.13 for further instructions on adjustments.

Question II.A.13: Billing Adjustments

For each adjustment or true-up (including credits for meeting or penalties for not meeting contractual obligations) to billed circuit elements, provide the following information below. Provide the adjustment at the lowest level of aggregation available, and if possible, at the level of the individual circuit element. If the adjustment applies to multiple circuit elements and/or circuits, provide the total dollar amount of the billing adjustment, and include an Adjustment_ID for each circuit element reported in Question II.A.12 that can be used to link the billing adjustment (or true-up) with the appropriate circuit elements.

Note on “in-cycle” vs. “out-of-cycle” billing adjustments: Question II.A.13 is meant to capture all adjustments, penalties, and true-ups that are settled outside of the monthly billing cycle (as opposed to adjustments that are rolled into the price billed to the customer each month). Examples include lump-sum discounts for *Term* and *Volume Commitments*, early termination penalties, rebates for network outages or degraded service quality, waivers of non-recurring charges such as installation fees, etc.

For example, suppose a customer buys a single circuit with a *One Month Term Only Rate* of \$300 per month, but receives a \$100 discount on the *One Month Term Only Rate* each month for committing to a 5-year *Term Commitment*. If the *Provider* of the circuit rolls the discounted amount into the monthly bill, *i.e.*, the customer is billed \$200 every month, then the discount is considered an “in-cycle” adjustment, and the *Provider* need not report it as a separate “out-of-cycle” adjustment in Table II.A.13. The seller would only need to report the \$200 charge in Question II.A.12, along with an indicator showing a *Term Commitment* in Question II.A.12.m. (Alternatively, depending on the billing system, the discount may show up as a separate -\$100 line item in Question II.A.12 along with the \$300 *One Month Term Only Rate*.)

However, if the *Provider* charges the customer the full \$300 for the circuit every month, then returns a \$600 payment to the purchaser every 6 months, the \$600 payment must be recorded in Table II.A.13 as an out-of-cycle adjustment, and the appropriate Adjustment_ID must appear next to the affected circuit elements in Question II.A.12. Likewise, if the customer is billed at the \$200 discounted rate each month but then decides to terminate the contract early and pay an early termination fee of \$1000, the \$1000 charge is recorded as an out-of-cycle adjustment in Question II.A.13.

Table II.A.13
Record Format for Billing Adjustment Data Circuits by Circuit

Field Name	Description	Type	Example
Adjustment_ID	Unique ID number for the billing adjustment or true-up	Integer	1
Contract_ID	Unique ID number for the <i>Tariff</i> or other agreement from which the adjustment originates. Leave the field blank if the adjustment cannot be linked back to a single contract	Integer	33
Date_from	Beginning date of adjustment period (or true-up) in mm/dd/yyyy format	Date	01/01/2013
Date_to	Ending date of adjustment period (or true-up) in mm/dd/yyyy format	Date	06/30/2013
Adjustment_Scope	Code indicating scope of adjustment. Enter 1 if adjustment applies to single circuit element for single circuit, enter 2 if adjustment applies to more than one circuit element on a single circuit, enter 3 if adjustment applies to more than one circuit element across multiple circuits, enter 4 if the adjustment is an overall adjustment that applies to every circuit purchased.	Integer	2
Adjustment	Total dollar amount of billing adjustment (or true-up) for all circuit elements across all circuits covered by the adjustment. Any increase in the amount owed to the vendor (e.g., penalty) is a positive number while any decrease in the amount owed to the vendor (e.g., discount or rebate) is a negative number.	Float	-100
Adj_Term	Indicator variable denoting whether the adjustment/true-up was due to a <i>Term Commitment</i> (Y=Yes, N=No)	Text	N
Adj_Term_Length	If Adj_Term=1, enter the term length in months. If Adj_Term=0, leave blank	Integer	60
Adj_Vol	Indicator variable denoting whether the adjustment/true-up was due to a <i>Volume Commitment</i> (Y=Yes, N=No)	Text	N
Adj_Vol_Circ	If Adj_Vol=1, and the <i>Tariff</i> or other agreement required the purchase of a certain number of circuits, enter the number of circuits specified in the <i>Tariff</i> or other agreement which are necessary to qualify for the adjustment. If Adj_Vol=0, or the adjustment corresponds to a commitment to a given level of expenditures/spend, leave the field blank	Integer	500
Adj_Vol_Rev	If Adj_Vol=1, and the <i>Tariff</i> or other agreement required the purchase of a certain dollar amount of expenditures/spend, enter the dollar value of the expenditure requirement. If Adj_Vol=0 or the adjustment corresponds to a commitment to purchase a certain	Float	20,000

**Table II.A.13
Record Format for Billing Adjustment Data Circuits by Circuit**

Field Name	Description	Type	Example
	number of circuits, leave the field blank		
Adjustment_Other	If the adjustment/true-up is for some other reason, give a brief description of the reason for the adjustment	Text	Network Outage

Instructions for Table II.A.13, Record Format for Billing Adjustment Data Circuits by Circuit:

- a. The following questions identify each out-of-cycle billing adjustment with an adjustment ID and the *Tariff* or other agreement from which they originate.
 - **Adjustment_ID:** Create a unique adjustment ID for each out-of-cycle billing adjustment applied to customer purchases during the relevant timeframe. Although each Adjustment_ID may correspond to multiple circuit elements in Table II.A.12, each must appear only once in Table II.A.13. Only include adjustments which were charged/remitted to the customer during the 2013 reporting periods. For example, do not include adjustments that were charged/remitted in January 2014, even if the adjustment applied to service provided in December 2013. Likewise, report any adjustments charged/remitted in January 2013, even if those adjustments applied to service provided in December 2012.
 - **Contract_ID:** Assign a unique ID number for the *Tariff* or other agreement from which the adjustment originates. This field is used to group adjustments together by *Tariff* or other agreement. Leave the field blank if the adjustment cannot be linked back to a single contract.
- b. **Date_From:** Enter the beginning date of the adjustment period in mm/dd/yyyy format. For example, if the *Tariff* or other agreement specifies a rebate to the customer every three months, enter the beginning date of the three-month period for which the rebate applies, and not the beginning date of the *Tariff* or other agreement from which the adjustment originated. Likewise, do not enter the date on which the adjustment was charged/remitted.
- c. **Date_To:** Enter the ending date of the adjustment period in mm/dd/yyyy format. For example, if a *Tariff* or other agreement specifies a rebate be returned to the customer every three months, enter the ending date of the 3-month period for which the rebate applies, and not the ending date of the *Tariff* or other agreement from which the adjustment originated. Likewise, do not enter the date on which the adjustment was charged/remitted.
- d. **Adjustment_Scope:** Enter the scope of the adjustment according to the following codes: Enter 1 if the adjustment applies to a single circuit element on a single circuit. Enter 2 if the adjustment applies to more than one element on a single circuit. Enter 3 if the adjustment applies to more than one circuit elements across multiple circuits. Enter 4 if the adjustment is an overall adjustment that applies to every circuit purchased by the customer (as indicated by the Customer_ID in Question II.A.12). Apply the codes as described above, even if the adjustment applies to multiple time periods. For example, if a rebate is given for a single circuit element on a single circuit (as determined by the Circuit_ID in Question II.A.12), assign an Adjustment_Scope of 1, even if the adjustment period (as determined by Date_From and Date_To) extends over multiple months.

- e. Adjustment: Enter the total dollar amount of the billing adjustment for all circuit elements across all circuits and across the entire adjustment period. Any increase in the amount owed to the vendor (e.g., penalty) must be a positive number, while any decrease in the amount owed to the vendor (e.g., discount or rebate) must be a negative number. For example, suppose the *Provider* gave the customer a \$2000 rebate on 10/31/2013, and that this rebate covered 100 circuits purchased during the six-month period from 04/01/2013 to 10/01/2013. In this case, the filer must enter “-2000” in the Adjustment field with the appropriate Date_From and Date_To values. In addition, the Adjustment_Scope (see above) must be recorded as 3, and the Adjustment_ID for this specific rebate must be included next to the 100 circuits in the Adjustment_ID_# fields in Table II.A.12.
- f. These fields describe the type of adjustment applied to the circuit elements.
- Adj_Term: If the adjustment/true-up can be linked to a rebate given (or penalty charged) on a *Term Commitment*, enter 1. Enter 0 if the adjustment was not due to a *Term Commitment*.
 - Adj_Term_Length: If Adj_Term is equal to 1, enter the total term length (not the remaining term length) in months. If Adj_Term is equal to 0, leave the Adj_Term_Length variable blank.
 - Adj_Vol: Enter 1 if the adjustment/true-up can be linked to a rebate (or penalty) on a *Volume Commitment*. Enter 0 if the adjustment was not due to a *Volume Commitment*. If the *Volume Commitment* corresponds to a certain number of circuits, enter the number of circuits necessary to qualify for the discount in the Adj_Vol_Circ field. If the *Volume Commitment* corresponds to a certain level of “spend” or dollar value of services, enter the dollar amount necessary to qualify for the discount in the Adj_Vol_Rev field.
 - Adj_Vol_Circ: If Adj_Vol is equal to 1, and the *Tariff* or other agreement required the purchase of a certain number of circuits to qualify for a discount, enter the number of circuits. If Adj_Vol is equal to 0 or the *Volume Commitment* was a commitment to a given level of expenditures or “spend,” leave this field blank.
 - Adj_Vol_Rev: If Adj_Vol is equal to 1 and the *Tariff* or other agreement required the purchase of a certain dollar amount of expenditures (or “spend”) to qualify for a discount, enter the dollar value of the expenditure requirement. If Adj_Vol is equal to 0 or the *Volume Commitment* was a commitment to purchase a certain number of circuits, leave this field blank.
 - Adjustment_Other: If the adjustment/true-up was for some reason other than a *Term* or *Volume Commitment*, give a brief description of the reason in this field. Do not exceed 120 characters in your response. Leave blank if either Adj_Term or Adj_Vol is equal to 1. An example of such an adjustment may be a rebate remitted to the purchaser in compensation for an unanticipated network outage or degraded quality of service.

Question II.A.14: Billing Code Descriptions

Provide descriptions for each unique billing code referenced in Table II.A.12 Part 1. Enter one record for each unique billing code. Examples of common circuit elements are given in the diagram in Question II.A.14.b. If the billed element cannot be described by the elements listed in the diagram, provide a description of the billed element as indicated in Question II.A.14.c. For example, to the extent you bill circuits as a whole, rather than on an element-by-element basis, provide a description that describes the billed unit, see Question II.A.14.c, and assign a single unique billing code.

Table II.A.14 is used to link the descriptions of billing codes with the billed circuit elements reported in Table II.A.12 Part 1 using the Billing_Code variable in each table. Although each Billing_Code may appear multiple times in Table II.A.12 Part 1, you can only have one entry for each unique Billing_Code

reported in Table II.A.14. Additionally, every Billing_Code that appears in Table II.A.12 Part 1 must be identified in Table II.A.14.

**Table II.A.14
Record Format for Descriptions for Circuits by Circuit**

Field Name	Description	Type	Example
Billing_Code	Billing code (e.g., USOC) used to identify the billed circuit element. (This variable will also appear in Question II.A.12 and is used to link the billed circuit elements with their descriptions)	Text	1YZXD
Billing_Code_Description	Brief description of circuit element	Text	Channel Mileage
Billing_Code_Desc_Other	The description of the circuit element as it appears on the customer's bill.	Text	

Instructions for Table II.A.14, Record Format for Descriptions for Circuits by Circuit:

- a. **Billing_Code:** The billing code variable is used to identify the individual components of billed circuits. The billing code is used to link the billed circuit elements in Question II.A.12 with the description of those elements in Question II.A.14. A USOC is an example of billing code. *However, USOC codes are not required to identify the circuit elements; you can create your own billing code.* Enter the billing code as a string variable not to exceed 15 characters in length.
- b. **Billing_Code_Description:** Choose the description from the list/diagram in Question II.A.14 that best describes the circuit element. See list of circuit elements in Question II.A.14.b. Make every effort to assign the billed element to one of the categories listed here. If the item billed to the customer does not fit any of these categories, this field may be left blank and the billed element can be described in the field Billing_Code_Desc_Other. This may occur, for example, if circuits are billed as a complete package instead of on an element-by-element basis (i.e., all the elements in the circuit are billed together under a single price). In such a case, a single billing code for the circuit elements listed in Question II.A.14.b may not apply; this field may be left blank and the appropriate description of the billed item may be filled out in Billing_Code_Desc_Other.
- c. **Billing_Code_Desc_Other:** Enter a longer description of the circuit element. For circuit elements categorized under one of the descriptions in Billing_Code_Description, this field is optional. If Billing_Code_Description is left blank, this field is required. Keep descriptions under 150 characters.

Revenues, Terms and Conditions Information

Question II.A.15: Sales Revenues for CBDS

**Table II.A.15
Record Format for CBDS Revenues**

Field Name	Description	Type	Example
Revenue	Enter the total dollar amount of your Revenues from the sale of CBDS for the reported Year	Float	123,456
Service_Type	Indicate the service type category for which the Revenues are reported. Enter "DS1" for DS1 Revenues, enter "DS3" for DS3 Revenues, and enter "Other" for other CBDS Revenues.	Text	DS3
Customer_Type	Enter 0 if the reported Revenues are for End Users, and enter 1 if the reported Revenues are for Providers	Binary	1
Year	Enter year of data reported, i.e., 2013	Integer	2013

Question II.A.16: Sales Revenues for PBDS

Table II.A.16
Record Format for *PBDS Revenues*

Field Name	Description	Type	Example
Revenue	Enter the total dollar amount of your <i>Revenues</i> from the sale of <i>PBDS</i> for the reported Year	Float	123,456
Bandwidth	Indicate the bandwidth category for which the <i>Revenues</i> are reported. Enter “A” for bandwidth less than or equal to 1.5 Mbps, enter “B” for bandwidth greater than 1.5 Mbps but less than or equal to 50 Mbps, enter “C” for bandwidth greater than 50 Mbps but less than or equal to 100 Mbps, enter “D” for bandwidth greater than 100 Mbps but less than or equal to 1 Gbps, enter “E” for bandwidth greater than 1 Gbps, or “NA” for “Not Applicable”	Text	D
Customer_Type	Enter 0 if the reported <i>Revenues</i> are for <i>End Users</i> , and enter 1 if the reported <i>Revenues</i> are for <i>Providers</i>	Binary	1
Year	Enter year of data reported, <i>i.e.</i> , 2013	Integer	2013

Instructions for Table II.A.16, Record Format for *PBDS Revenues*:

- Bandwidth – If you do not keep such information in the normal course of business, then you are not required to provide this information and can enter “NA” for “Not Applicable” or alternatively, you can provide the requested information on a voluntary basis.

Question II.A.17: Percentage of Revenues Generated from Agreement or Tariff Containing a Prior Purchase-Based Commitment

Table II.A.17
Record Format for *Revenues*
Generated by *Prior Purchase-Based Commitments*

Field Name	Description	Type	Example
Percent_Rev_2013_DS1_PPC	Percentage of <i>Revenue</i> from sales of <i>DS1s</i> in 2013 from agreements or tariffs which contain <i>Prior Purchase-Based Commitments</i>	Percentage	5.0
Percent_Rev_2013_DS3_PPC	Percentage of <i>Revenue</i> from sales of <i>DS3s</i> in 2013 from agreements or tariffs which contain <i>Prior Purchase-Based Commitments</i>	Percentage	5.0
Percent_Rev_2013_PBDS_PPC	Percentage of <i>Revenue</i> from sales of <i>PBDS</i> in 2013 from agreements or tariffs which contain <i>Prior Purchase-Based Commitments</i>	Percentage	5.0

*Question II.A.18: How do your terms and conditions compare with ILEC offerings?**Question II.A.19: Business Justification for Term and Volume Commitments*

You must upload a .pdf text searchable (not a picture/image) document responding to Questions II.A.18 and II.A.19 through the Special Access Web Portal in the “Essay Questions – File Upload” section; you will not include these documents in the data container.

The web portal contains two areas for uploading documents for each question. One is for uploading the “Confidential” version of the document where you will indicate information deemed Confidential and redact information that is Highly Confidential based on the Protective Order issued for the data collection. The second area is for uploading the “Highly Confidential” version of the document noting both Confidential and Highly Confidential information without any redactions. You must upload at least one document in each area or you will receive an error message during the submission process. If the document does not contain Confidential or Highly Confidential information, *e.g.*, all information is

publicly available, then upload the document in each area without the relevant Confidential/Highly Confidential notations or redactions in the case of the Confidential upload area.

QUESTIONS DIRECTED AT ILECS

Question II.B.1: Affiliated Company

If you are an *Affiliated Company*, then you must identify each entity you are affiliated with that provides and/or purchases *Dedicated Service* in Table II.B.1 within the data container. If you are not an *Affiliated Company*, then you must still type “Not Applicable” in the Affiliate_Name field and “0000000000” in the Name_FRN field. You will receive an error message upon validation of the data container if you do not put any information into Table II.B.1.

Field Name	Description	Type	Example
Affiliate_ID	Sequential number	Integer	1
Affiliate_Name	Name of entity with which you are affiliated	Text	Local Fiber Incorporated
Name_FRN	Entity’s FCC Registration Number (with leading zeros)	Integer	0008402202

Facilities Information

Question II.B.2: ILEC Locations Data for ILECs

ILECs are required to report the total number of *Locations* to which they provided a *Connection* during 2013 where the *ILEC* either: (i) owned the *Connection*; or (ii) leased the *Connection* from another entity under an *IRU*.²⁸ The definition of *Connection* is crafted to assist the Commission with sizing the broader market for *Dedicated Services* by including transmission facilities used to provide a *Dedicated Service* and facilities that are “capable” of providing a *Dedicated Service*.

To help *ILECs* identify reportable *Locations*, we provide the following guidance:

- Respondents must only report *Connections* to non-residential *Locations*. A *Location* is where an *End User* is connected, and an *End User* means a business, institutional, or government entity that purchases service for its own purposes, not for resell. Accordingly, residential locations connected by facilities are not reported.
- Copper loops that were unable to provide a bandwidth connection of at least 1.5 Mbps in both directions (upstream/downstream) during the relevant reporting periods “as provisioned” are not considered *Connections* capable of providing a *Dedicated Service* for the purposes of this data collection and are not reported.

²⁸ *ILECs* are not required to separately report *Locations* with *Connections* sold as *UNEs*; these *Connections* are instead included in the *Locations* reported with owned *Connections*. See *Data Collection Implementation Order* § III.C.

- In addition to reporting *Connections* used to provide a *Dedicated Service*, report *Connections* used to provide a service that incorporates a *Dedicated Service* within the offering as part of a managed solution or bundle of services sold to the customer.²⁹
- Do not report *Connections* to *Locations* that were used to provide services during the relevant reporting period that were substantially similar to the services provided to residential customers, e.g., one or two line telephone service or best-efforts Internet access and subscription television services like AT&T's U-verse or Verizon's FiOS service.³⁰

Table II.B.2
Record Format for Total *Locations*

Field Name	Description	Type	Example
Year	Indicator of the calendar year of the data, <i>i.e.</i> , 2013	Integer	2013
Locations	Total <i>Locations</i> served during year	Integer	15

Instructions for Table II.B.2, Record Format for Total *Locations* (ILECs):

- **Locations:** The number of *Locations* is the count of unique *Locations* to which your company provided a *Connection* during the year entered in **Year**. The number of *Locations* listed here must equal the number of unique *Locations* enumerated in Question II.B.3.

Question II.B.3: Locations Data for ILECs

The purpose of this question is to obtain additional information on the individual *Locations* with *Connections* that make up the total reported in response to Question II.B.2.

Table II.B.3
Record Format for Each *Location*

Field Name	Description	Type	Example
Location_ID	Sequential <i>Location</i> number	Integer	1
Year	Indicator of the calendar year of the data	Integer	2013
Street_address	Actual situs for the <i>Location</i> (<i>i.e.</i> , land where building or cell site is located)	Text	445 Twelfth St SW
City	City of the <i>Location</i>	Text	Washington
State	Two-letter state postal abbreviation of the <i>Location</i>	Text	DC
ZIP	5-digit ZIP code (with leading zeros) of the <i>Location</i>	Text	20554
ZIP4	4-digit add-on code (with leading zeros) of the <i>Location</i>	Text	0000

²⁹ Examples of services incorporating a *Dedicated Service* could include: AT&T's Managed Internet Access service, Verizon's Private IP service, and Frontier's Ethernet Internet Access service. See <http://www.business.att.com/enterprise/Service/network-services/internet-connectivity/managed-internet-service/> (discussing AT&T's Managed Internet Access service that provides dedicated access to the Internet or a VPN) (last visited June 24, 2013); <http://www.verizonenterprise.com/us/products/networking/private-ip/> (discussing Verizon's Private IP service which provides a managed VPN / intranet) (last visited June 24, 2013); <http://www.frontier.com/enterprise/internet/internet-services/ethernet> (discussing Frontier's Ethernet Internet Access service which provides dedicated access to the Internet) (last visited June 24, 2013).

³⁰ See AT&T, http://www.att.com/u-verse/shop/index.jsp#fbid=axqyY_KT2cT (last visited Mar. 20, 2013); Verizon, <http://www.verizonfios.com/> (last visited Mar. 20, 2013).

**Table II.B.3
Record Format for Each Location**

Field Name	Description	Type	Example
Lat	Latitude	Float	38.8835
Long	Longitude	Float	-77.0280
Loc_type	The type of <i>Location</i> served is a 1=building; 2=other man-made structure; 3=cell site in or on a building; 4=free-standing cell site; 5=cell site on some other man-made structure, e.g., water tower; or 6=unknown.	Integer	1
Medium	Are any of the <i>Connections</i> to this <i>Location</i> provided over fiber? (Y/N)	Text	N
Sold_bandwidth_total	Total bandwidth (in Mbps) of <i>Connections</i> provided to the <i>Location</i> as sold.	Float	1.544
Sold_bandwidth_UNE	For those <i>Connections</i> sold as <i>UNE-DS1s</i> or <i>UNE-DS3s</i> , total bandwidth (in Mbps) of the <i>Connections</i> provided to the <i>Location</i> as sold.	Float	1.544
Sold_bandwidth_enduser	Total bandwidth (in Mbps) of <i>Connections</i> provided to <i>End Users</i> at the <i>Location</i> as sold.	Float	1.544
Sold_bandwidth_tfw	Total bandwidth (in Mbps) of <i>Connections</i> provided to the <i>Location</i> using terrestrial fixed wireless as sold.	Float	1.544
Sold_bandwidth_Mobile	Total bandwidth (in Mbps) of <i>Connections</i> to cell sites at the <i>Location</i> as sold.	Float	1.544

Instructions for Table II.B.3, Record Format for Each *Location* (*ILECs*):

- **Location_ID:** This is a sequential integer ranging from 1 to the total number of unique *Locations* to which your company provided a *Connection* during the year reported. This field is linked to the billing information reported in Question II.B.4 so that you must identify in Table II.B.3 every Location ID referenced in response to the billing information question.
- **Year:** Report the year during which your company provided a *Connection* to the *Location*, i.e., 2013.
- The data fields used to identify the actual situs address must be space-delimited in standardized Postal Service form. See <http://pe.usps.gov/cpim/ftp/pubs/Pub28/pub28.pdf>.
- **Latitude and Longitude:** This information is only required if kept in the normal course of business. Otherwise, you can provide this information on a voluntary basis using the location address from a known geocoding platform like Bing maps, Google, Yahoo, batchgeo.com, Texas A&M Geoservices, or other geocoding solution. Enter values in decimal degrees to the nearest ± 0.0005 , i.e., each coordinate must end in $\#.####0$ or $\#.####5$. Coordinates must be in the WGS84 or NAD83 geographic coordinate system.
- **Sold_bandwidth fields:** These data fields call for the reporting of total bandwidth sold. Report the downstream or upstream bandwidth of *Dedicated Services* sold across all sold *Connections* of the type requested at the *Location* as of December 31 of the year. Report the upstream or downstream bandwidth for symmetric services. For asymmetric services, report the average of the upstream and downstream bandwidths. For example, for a DS1 record 1.544, for three DS1s record 4.632, while for a 10 Gbit Ethernet service, 10,240, and for a fractional DS1 sold as a 384 Kbps service record 0.375. In the case where a *Connection* is in place but no bandwidth was provided as of December 31 of the year, enter the total bandwidth sold at the last known date during the relevant reporting period. For example, a customer or customers at the *Location* purchased service through October of the year but then terminated the service so that there was no service sold as of December 31; in that instance, report the total bandwidth sold in October.

Exclude services other than *Dedicated Service* provided to the *Location* from your response. In the case where no *Dedicated Service* was sold to the *Location*, enter zero.

Billing Information

Question II.B.4-6: Billing Information Overview

These questions are interrelated. Question II.B.4 requires the filer to provide billing information for each circuit element billed to its customers. To answer this question, you must reference adjustment and billing codes that are defined by responses to Questions II.B.5 and II.B.6, respectively.

Question II.B.4: Prices by Circuit Element from ILECs

This question requests billing information for transmission paths that are sold for the provision of a stand-alone *Dedicated Service*. By using the term “transmission paths,” this question is not limited to *Locations* with *Connections*, *i.e.*, “last-mile” facilities, reported in response to Question II.B.3 but also includes dedicated interoffice transport facilities. Do not, however, include the sale of interLATA POP-to-POP services or billing information for bundled services where the *Dedicated Service* component is not separately priced. Do include sales to *Affiliated Companies*.

Submit information for each circuit element of each circuit for each month from January 1, 2013 through December 31, 2013. Include a separate entry for each separately-billed element on the circuit. In the case where the circuits are billed as a single unit, the data set will contain only one entry per circuit.

Table II.B.4 Part 1
Record Format for Monthly Billing Data for Circuits by Circuit and Rate Element

Field Name	Description	Type	Example
Closing_Date	Closing date of the monthly billing cycle in mm/dd/yyyy format	Date	06/30/2013
Customer_ID	Unique customer identifier used to link all circuits purchased by a customer over all geographies and time periods. To be linked with customer names and identification numbers in Table II.B.4 Part 2.	Integer	1274
Location_ID	Sequential location number from Question II.B.3.a. where applicable. Required for circuit elements such as channel terminations that can be associated with a particular <i>Location</i> .	Integer	1
Circuit_ID	Circuit identifier common to all circuit elements purchased in common for a particular circuit.	Text	HHH555XYZ
Circuit_Type	Type of circuit (<i>DS1</i> , <i>DS3</i> , <i>DS1-UNE</i> , <i>DS3-UNE</i> , other <i>CBDS</i> (<i>i.e.</i> , non- <i>DSn</i>), or <i>PBDS</i>).	Text	DS1
DSn_Bandwidth	If a <i>DS1</i> , <i>DS3</i> , <i>DS1-UNE</i> , or <i>DS3-UNE</i> , indicate the one-direction bandwidth of the circuit in Mbps.	Float	1.544
OtherCBDS_Bandwidth	If a <i>CBDS</i> circuit other than a <i>DSn</i> circuit, indicate the one-direction bandwidth of a symmetric circuit or the average one-direction bandwidth of a non-symmetric circuit in Mbps	Float	7.5
PBDS_Bandwidth	If a <i>PBDS</i> circuit, indicate the one-direction bandwidth of a non-symmetric circuit or the average one-direction bandwidth of a non-symmetric circuit in Mbps.	Float	75
MRP1	Serving wire center / mileage rating point CLLI for one end of the circuit	Text	CHCGILCL
MRP2	Serving wire center / mileage rating point CLLI for the other end of the circuit	Text	JOLTILJO
MRP1_Lat	Latitude of MRP1	Float	38.8835
MRP1_Long	Longitude of MRP1	Float	-77.0280
MRP2_Lat	Latitude of MRP2	Float	38.8835
MRP2_Long	Longitude of MRP2	Float	-77.0280

Table II.B.4 Part 1
Record Format for Monthly Billing Data for Circuits by Circuit and Rate Element

Field Name	Description	Type	Example
MRP_Type	End of the circuit (1=MRP1 or 2=MRP2) associated with this circuit element. Enter 0 if the circuit element cannot be attributed to either MRP or the circuit element can be attributed to both ends of the MRP. All channel terminations must be attributed to one of the two MRPs	Integer	0
Billing_Code	Billing code (e.g., USOC) used to identify the billed circuit element. (This variable will also appear in Question II.B.6 and is used to link the billed circuit elements with their descriptions)	Text	1YZXD
Zone	Density pricing zone for the circuit element. See 47 C.F.R. § 69.123 (If not applicable, leave field blank)	Integer	4
Quantity	Number of billed units for this circuit element. Do not enter the bandwidth of the circuit in this field.	Float	34
Initial_NRC	Non-recurring charge (in dollars) billed for the first unit of this circuit element	Float	0
Unit_NRC	Non-recurring charge (in dollars) billed for additional units of this circuit element	Float	0
Initial_MRC	Monthly recurring charge (in dollars) for the first unit billed	Float	17.7
Unit_MRC	Monthly recurring charge (in dollars) for additional units billed (if different from the amount billed for the initial unit)	Float	0
Billed	Per unit monthly amount (in dollars) billed for the circuit element including all "in-cycle" discounts and penalties. For circuit elements with multiple billed units (i.e., quantity greater than one in II.B.4.o), enter the amount billed for a single unit	Float	507.3
Total_Billed	Total monthly amount (in dollars) billed for all units of the circuit element, including all "in-cycle" discounts and penalties	Float	12453.50
Term	Length of total time of the <i>Term Commitment</i> associated with this circuit (in months). List the total length of the current <i>Term Commitment</i> , not the remaining length of the <i>Term Commitment</i> . A circuit purchased on a month-to-month basis is coded as 1.	Integer	36
End_Date	If this circuit has an associated <i>Term Commitment</i> , enter the month and year the term expires	Date	03/2014
Term_Discount_IC	Indicator variable for whether any in-cycle term discounts have been rolled into the amount billed to the customer reported in the Billed field (0 = No in-cycle term discounts included in Billed amount; 1 = In-cycle term discounts included in Billed amount)	Integer	0
Volume_Commitment	Indicator variable showing whether this circuit contributes to a <i>Volume Commitment</i> (Y=Yes, N=No)	Text	N
Vol_Discount_IC	Indicator variable for whether any in-cycle volume discounts have been rolled into the amount billed to the customer reported in the Billed field (0 = No in-cycle volume discounts included in Billed amount; 1 = In-cycle volume discounts included in Billed amount)	Integer	0
Offer	Indicator variable showing whether this circuit was purchased out of a <i>Contract-Based Tariff</i> (Y=Yes, N=No)	Text	N
Adjustment_ID_1	Unique ID number (from II.B.5.a) of the first billing adjustment/true-up affecting this circuit element. Leave field blank if there are no discounts or penalties that occur during the monthly billing cycle affecting this circuit element	Integer	6
Adjustment_ID_2	Unique ID number (from II.B.5.a) of the second billing adjustment/true-up affecting this circuit element, if multiple adjustments were applied to this rate element. Leave the field blank if there are fewer than two discounts applied to this circuit element in the given billing cycle	Integer	14
...	[Continue to add columns for a total of ten (10) Adjustment_ID columns.]

Table II.B.4 Part 1
Record Format for Monthly Billing Data for Circuits by Circuit and Rate Element

Field Name	Description	Type	Example
Adjustment_ID_10	Unique ID number (from II.B.5.a) of the tenth billing adjustment/true-up affecting this circuit element, if multiple adjustments were applied to this rate element. Leave the field blank if there are fewer than ten discounts applied to this circuit element in the given billing cycle	Integer	63

Table II.B.4 Part 2
Record Format for Identifying Customers

Field Name	Description	Type	Example
Customer_ID	Unique customer identifier used to link all circuits purchased by a customer over all geographies and time periods. This field will be used to link the billing information in Table II.B.4 Part 1 with the customer names and identification numbers	Integer	1274
Customer_ID_499	Where applicable, include the six-digit 499A Filer ID of the customer	Integer	822116
Customer_ID_ACNA	Where applicable, include the Access Customer Name Abbreviation (ACNA) of the customer	Text	ABC
Customer_ID_OCN	Where applicable, include the Operating Company Number (OCN) of the customer	Integer	1234
Customer_Name	Enter the name of the customer	Text	Verizon Wireless
Provider	Indicator variable denoting whether the circuit is purchased by a <i>Provider</i> (0 = non-Provider; 1 = Provider)	Integer	1

Instructions for Table II.B.4, Parts 1 and 2:³¹

- a. **Closing Date:** Enter the date on which the customer was billed. The date must appear in mm/dd/yyyy format. All dates must be in the ranges 01/01/2013 – 12/31/2013. Do not include data on circuits billed outside the appropriate date ranges, even if services were provided within the appropriate date ranges (*e.g.*, service that was provided in December 2012 that was billed in January 2013). Likewise, include data on circuits billed in the appropriate date ranges, even if the service was provided outside of those ranges (*e.g.*, service provided in December 2013 that was billed in January 2014).
- b. The following fields in Parts 1 and 2 of Table II.B.4 are used to identify the customer of the *Dedicated Service*.³²
 - **Customer_ID:** Assign a unique identifier to each customer so that all circuits purchased by the customer can be tracked over time and across locations. The identifiers must be entered in integer format. This Customer_ID will be used to link the circuit billing information (Table II.B.4 Part 1) to the customer names and identification numbers (Table II.B.4 Part 2). In Part 2, provide the customer name, an indicator for whether the customer is a *Provider*, and, where applicable, one of the following identification numbers: 499A filer ID, Access Customer Name Abbreviation (ACNA), or Operating Company Number (OCN). Note, the Customer_ID variable

³¹ Subparts listed herein refer to subparts in Question II.B.4.

³² See *Data Collection Implementation Order* § III.C (discussing changes to Questions II.B.4-6).

is required for all observations in both Part 1 and Part 2. However, only one of the three additional identification numbers (499, ACNA, OCN) need be provided, even if multiple identification numbers are available. Each `Customer_ID` must appear only once in Part 2, but will likely appear multiple times in Part 1.

- Customer_ID_499: Where applicable, include the 499A Filer ID of the customer. The 499A Filer ID does not replace the `Customer_ID` variable. Both the `Customer_ID` and `Customer_ID_499` fields are populated for any customer with a 499A Filer ID. If the customer does not have a 499A Filer ID, leave the field blank.
 - Customer_ID_ACNA: Where applicable, include the Access Company Name Abbreviation (ACNA) of the customer in Part 2. The ACNA does not replace the `Customer_ID` variable. Both the `Customer_ID` and `Customer_ID_ACNA` fields are populated for any customer with an ACNA. If the customer does not have an ACNA, leave the field blank.
 - Customer_ID_OCN: Where applicable, include the Operating Company Number (OCN) of the customer in Part 2. The OCN does not replace the `Customer_ID` variable. Both the `Customer_ID` and `Customer_ID_OCN` fields are populated for any customer with an OCN. If the customer does not have an OCN, leave the field blank.
 - Customer_Name: Enter the name of the customer in Part 2 of Question II.B.4. The variable must be entered as a string and be no longer than 30 characters in length.
 - Provider: Indicate whether the customer is a *Provider* in Part 2. Enter a 1 if the customer is a *Provider* and a 0 otherwise. In some instances, it may be difficult to identify if the customer is a *Provider* using billing information, but can often be inferred by the existence of a 499A Filer ID or by whether USF charges are passed on to the customer in their bill.
- c. Location_ID: Include the Location ID for each circuit element on the circuit. The Location ID is used to link the billed circuit with the facilities information reported in Question II.B.3. That is, every unique Location ID referenced in Question II.B.4 must match to a Location ID reported in II.B.3. Also, for circuits that connect two *Locations*, the Location ID may not be constant within the Circuit ID. For example, the individual circuit elements for a given Circuit ID may include two channel terminations, each terminating at a different *Location*. The Location ID must be populated for every circuit element in the data set. Specifically, any termination charge must be linked to a *Location*. If the sold *Dedicated Service* is not to a *Location*, e.g., the sale of dedicated interoffice transport, leave this field blank.
- d. Circuit_ID: Assign a unique circuit identifier (Circuit ID) to all circuit elements purchased in common for a particular circuit. If the circuit is sold over multiple time periods, the circuit identifier must track the circuit across the multiple months and/or years it appears in the sample. We prefer that you code the Circuit IDs as sequential integers, beginning with the number “1” (similar to the Location ID). However, to the extent you have an established naming convention for your circuits, that convention may be substituted in place of sequential numbering. Code the Circuit ID as a string with a maximum of 15 characters. (Note: Because some filers may choose to use non-numeric characters in their coding, Circuit IDs must be coded as string variables, even if they have been renumbered as sequential integers.)
- e. The following fields identify the type of circuit sold (Circuit Type), and the bandwidth of the circuit. The Circuit Type must be populated for every circuit element in the data set. Only one of the three

bandwidth variables needs to be populated for each circuit element, depending on the type of circuit provided.

- **Circuit Type:** Indicate the type of circuit sold from the following categories: *DS1*, *DS3*, *DS1-UNE*, *DS3-UNE*, other *CBDS* circuit (*i.e.*, non-*DSn*), or *PBDS*. For packages of *DS1*s and *DS3*s sold to a *Location*, enter *DS1* or *DS3*, respectively. Do not enter circuit types other than those listed above.
 - **DSn Bandwidth:** If the circuit is a *DS1*, *DS3*, *DS1-UNE*, or *DS3-UNE*, enter the bandwidth of the circuit in Mbps, *i.e.*, enter 1.544 for a *DS1* and enter 44.736 for a *DS3*. In the case where multiple *DSn*s are provisioned over a single circuit, enter the total bandwidth. For example, the bandwidth for a circuit with three *DS1*s must be entered as 4.632 ($= 3 \times 1.544$). For non-*DSn* circuits, leave the field blank.
 - **OtherCBDS Bandwidth:** If the circuit is a non-*DSn CBDS* circuit, enter the bandwidth of the circuit in Mbps. For symmetric services, the reported bandwidth is the one-way bandwidth of the circuit (*i.e.*, upstream or downstream). For asymmetric services, report the average of the upstream and downstream bandwidths. Round the bandwidth of the circuit to three decimal places. For example, if the service guarantees 10 Mbps transmission speeds in one direction and 5 Mbps transmission speeds in the other direction, enter 7.500 in this field. If the circuit is a *DSn* or *PBDS* circuit, leave this field blank.
 - **PBDS Bandwidth:** If the circuit is a *PBDS* circuit, enter the bandwidth of the circuit in Mbps. For symmetric services, the reported bandwidth is the one-way bandwidth of the circuit (*i.e.*, upstream or downstream). For asymmetric services, report the average of the upstream and downstream bandwidths. For example, if the service guarantees 150 Mbps transmission speeds in one direction and 50 Mbps transmission speeds in the other direction, enter 100 in this field. Round the bandwidth of the circuit to three decimal places. For non-*PBDS* circuits, leave this field blank.
- f. **MRP1:** Enter the 8-character CLLI for the serving wire center or mileage rating point (MRP) on one end of the circuit.
- g. **MRP2:** Enter the 8-character CLLI for the serving wire center or MRP on the other end of the circuit.
- h. **MRP1_Lat:** Enter the latitude coordinate of MRP1 to the nearest ± 0.0005 , *i.e.*, each coordinate must end in *#.###0* or *#.###5*. Coordinates must be in the WGS84 or NAD83 geographic coordinate system.
- i. **MRP1_Long:** Enter the longitude coordinate of MRP1 to the nearest ± 0.0005 , *i.e.*, each coordinate must end in *#.###0* or *#.###5*. Coordinates must be in the WGS84 or NAD83 geographic coordinate system.
- j. **MRP2_Lat:** Enter the latitude coordinate of MRP2 to the nearest ± 0.0005 , *i.e.*, each coordinate must end in *#.###0* or *#.###5*. Coordinates must be in the WGS84 or NAD83 geographic coordinate system.
- k. **MRP2_Long:** Enter the longitude coordinate of MRP2 to the nearest ± 0.0005 , *i.e.*, each coordinate must end in *#.###0* or *#.###5*. Coordinates must be in the WGS84 or NAD83 geographic coordinate system.

- l. MRP_Type: If the billed circuit element can be associated with a specific wire center/mileage rating point, indicate whether the wire center/mileage rating point is MRP1 or MRP2 above. Enter a 1 if the circuit element is associated with MRP1 and enter 2 if the circuit element is associated with MRP2. If the circuit element cannot be attributed to a single wire center, or if the circuit element can be associated with both wire centers, enter 0 in the MRP_Type field. For example, a channel termination from a customer location to MRP1 is coded as 1 in this field. An interconnection charge between your network and the network of another carrier at MRP2 is coded as 2. A transport mileage charge between MRP1 and MRP2 must be coded as a zero (unless that mileage is able to be attributed to either MRP1 or MRP2). All charges for channel terminations need to be attributed to one of the MRPs.
- m. Billing_Code: The billing code variable (Billing Code) is used to identify the individual components of billed circuits. The Billing Code is used to link the billed circuit elements with the description of those elements in Question II.B.6. An example of a Billing Code is a USOC. However, you are not required to use a USOC to identify the circuit elements; you can create your own Billing Codes. Similar circuit elements need to have the same Billing Code in order to track similar charges across circuits. To the extent that circuits are billed to customers by individual circuit elements, the elements (along with the billed amounts for those elements) must be disaggregated into separate line-items in Table II.B.4. If circuits are billed at the overall circuit level, only one line per circuit need be populated, and all like circuits may have the same Billing_Code and Billing Code description.
- n. Zone: Enter the density pricing zone for this circuit element. *See* 47 C.F.R. § 69.123 (density pricing zones for special access and switched transport). If you enter a density pricing zone, then explain the density breakpoints between each zone for your applicable study area(s) in your Explanatory Attachment,³³ *e.g.*, pricing zone one contains offices having at least 500 equivalent DS1 channels, pricing zone two contains offices having at least 100, but no more than 499, equivalent DS1 channels, etc. If the density pricing zone is not applicable for a particular circuit element or group of circuit elements, leave the field blank.
- o. Quantity: Enter the number of billed units for this circuit element. Do not enter the bandwidth of the circuit in this field. For item codes that describe per-mile charges, the Quantity is the number of miles in the circuit that apply for that item code.
- p. Initial_NRC: Insofar as the per unit monthly billed amount (Question II.B.4.t) can be broken into recurring and non-recurring charges, enter the non-recurring charge (in dollars) billed for the first unit of this circuit element on this circuit. Enter the charge to two decimal places and do not include other string characters (*e.g.*, "\$").
- q. Unit_NRC: Insofar as the per unit monthly billed amount (Question II.B.4.t) can be broken into recurring and non-recurring charges, enter the non-recurring charge (in dollars) billed for each additional unit of this circuit element on this circuit. Enter the charge to two decimal places and do not include other string characters (*e.g.*, "\$").

³³ *See* Instructions at 9.

- r. Initial MRC: Insofar as the per unit monthly billed amount (Question II.B.4.t) can be broken into recurring and non-recurring charges, enter the monthly recurring charge (in dollars) billed for the first unit of this circuit element on this circuit. Enter the charge to two decimal places and do not include other string characters (e.g., "\$").
- s. Unit MRC: Insofar as the per unit monthly billed amount (Question II.B.4.t) can be broken into recurring and non-recurring charges, enter the monthly recurring charge (in dollars) billed for each additional unit of this circuit element on this circuit. Enter the charge to two decimal places and do not include other string characters (e.g., "\$").
- t. Billed: Per unit monthly amount (in dollars) billed for the circuit element including all "in-cycle" discounts and penalties. "In-cycle" discounts and penalties are those adjustments that are rolled into the actual amount paid by the customer each month (see the instructions to Question II.B.5 for more information on "in-cycle" vs. "out-of-cycle" billing adjustments). If in-cycle adjustments show up as a separate line-item on the customer's bill, they must be reported as separate line-items in Table II.B.4. Do not include any "out-of-cycle" adjustments as otherwise reported in response to Question II.B.4.y. For circuit elements with multiple billed units (i.e., quantity greater than one in Question II.B.4.o), enter the amount billed for a single unit, such that the product of Quantity and Billed is the total charge on the bill. For example, if the circuit includes two "channel termination" charges that are both billed at the same rate (and have the same Billing_Code (Question II.B.4.m), Location_ID, bandwidth, etc.), the quantity (Question II.B.4.o) is equal to 2, and the per unit monthly billed amount (Question II.B.4.t) must equal the charge for a single channel termination. Alternatively, each channel termination may be recorded separately (i.e., on two separate lines with quantity equal to 1 for each line). The multiplicative product requirement also applies to charges for mileage of the circuit, if the circuit has such a charge. For example, if the circuit is 4 miles in length, the amount entered in Quantity is 4 and the amount entered in the Billed field is the charge per 1 mile. Enter the billed amount to two decimal places, and do not include other string characters (e.g., "\$"). Fractional miles are permitted if the customer was billed for fractional mileage for any given circuit element. However, the amount entered in the Billed field must be converted to a whole-mile charge. For example, for a half mile circuit, the Quantity is reported as 0.5 on any per-mile circuit element, but the amount in Billed is the 1-mile charge such that the product of Quantity and Billed is equal to the total charge to the customer.
- u. Total Billed: Total monthly amount (in dollars) billed for all units of the circuit element including all "in-cycle" discounts and penalties. "In-cycle" discounts and penalties are those adjustments that are rolled into the actual amount paid by the customer each month (see the instructions to Question II.B.5 for more information on "in-cycle" vs. "out-of-cycle" billing adjustments). If in-cycle adjustments show up as a separate line-item on the customer's bill, they must be reported as separate line-items in this table. Do not include any "out-of-cycle" adjustments as otherwise reported in Question II.B.4.y.
- v. The following questions seek to understand the *Term Commitments* under which circuits are purchased.
- Term: Length of total time of the *Term Commitment* associated with this circuit (in months). List the total length of the current *Term Commitment*, not the remaining length of the *Term Commitment*. For example, in reporting circuits for calendar month January 2013, enter 60 for a circuit that was sold in January 2010 under a 5 year commitment, even though only 24 months

- remain on the current term. For circuits sold on a month-to-month basis, enter 1. We anticipate that this value is identical for all circuit elements sold in common on the circuit. To the extent that the term length varies across different circuit elements, enter the appropriate term commitment for each individual circuit element.
- **End_Date:** If the circuit has an associated total term longer than one month, enter the month and year the term expires. In the preceding example, the End_Date would be coded as 12/2013, sixty months after the five-year term was agreed to in January 2008. Leave the End_Date field blank for those circuits purchased on a month-to-month basis.
 - **Term_Discount_IC:** Indicate whether the per unit monthly billed amount in Question II.B.4.t includes any in-cycle discounts that have been applied due to a *Term Commitment*. Enter a 1 if the per unit monthly billed amount includes in-cycle term discounts; enter 0 if the per unit monthly billed amount does not include in-cycle term discounts. If the term discounts for this circuit are only given through out-of-cycle adjustments as reported in Question II.B.5, enter 0. If the circuit is not sold under a *Term Commitment*, leave this field blank.
- w. **Volume Commitment:** Indicate whether this circuit was sold under a *Volume Commitment*. Enter 0 if the circuit was not sold under a *Volume Commitment*, and enter 1 if the circuit was sold under a commitment by the customer to purchase either a specified number of circuits or to spend a specified *Revenue* amount.
- **Vol_Discount_IC:** Indicate whether the per unit monthly billed amount in Question II.B.4.t includes any in-cycle discounts that have been applied due to a *Volume Commitment*, either in total number of circuits or total amount of expenditures (“spend”). Enter a 1 if the per unit monthly billed amount includes in-cycle volume discounts; enter 0 if the per unit monthly billed amount does not include in-cycle volume discounts. If the volume discounts for this circuit are only given through out-of-cycle adjustments as reported in Question II.B.5, enter 0. If the circuit is not sold under a *Volume Commitment*, leave this field blank.
- x. **Offer:** Indicate whether the circuit was purchased under a *Contract-Based Tariff*. Enter 1 if the circuit was purchased under a *Contract-Based Tariff* and enter 0 if it was not.
- y. **Adjustment_ID_1; Adjustment_ID_2; ... Adjustment_ID_10:** For each out-of-cycle billing adjustment applied to the circuit element, provide a unique adjustment ID that is used to link the circuit elements with the dollar value and descriptions of the appropriate adjustments. The table must include 10 columns for each of the ten potential Adjustment_IDs, regardless of whether all columns are used. For rate elements with fewer than ten out-of-cycle adjustments, leave the excess Adjustment_ID fields blank. If a circuit element had more than ten out-of-cycle adjustments applied to it, list the Adjustment_IDs of the ten largest adjustments. For example, if a circuit element receives five distinct adjustments, there must be five Adjustment_IDs in the first five columns. The remaining Adjustment_ID columns (i.e., columns 6 through 10) would be left blank. In addition, all adjustments must link back to the adjustment amounts and descriptions provided in response to Question II.B.5. See the instructions for Question II.B.5 for further instructions on adjustments.

Question II.B.5: Billing Adjustments

For each adjustment or true-up (including credits for meeting or penalties for not meeting contractual obligations) to billed circuit elements, provide the following information below. Provide the adjustment at the lowest level of aggregation available, and if possible, at the level of the individual circuit element.

If the adjustment applies to multiple circuit elements and/or circuits, provide the total dollar amount of the billing adjustment, and include an Adjustment_ID for each circuit element reported in Question II.B.4 that can be used to link the billing adjustment (or true-up) with the appropriate circuit elements.

Note on “in-cycle” vs. “out-of-cycle” billing adjustments: Question II.B.5 is meant to capture all adjustments, penalties, and true-ups that are settled outside of the monthly billing cycle (as opposed to adjustments that are rolled into the price billed to the customer each month). Examples include lump-sum discounts for *Term* and *Volume Commitments*, early termination penalties, rebates for network outages or degraded service quality, waivers of non-recurring charges such as installation fees, etc.

For example, suppose a customer buys a single circuit with a *One Month Term Only Rate* of \$300 per month, but receives a \$100 discount on the *One Month Term Only Rate* each month for committing to a 5-year *Term Commitment*. If the *Provider* of the circuit rolls the discounted amount into the monthly bill, *i.e.*, the customer is billed \$200 every month, then the discount is considered an “in-cycle” adjustment, and the *Provider* need not report it as a separate “out-of-cycle” adjustment in Table II.B.5. The seller would only need to report the \$200 charge in Question II.B.4, along with an indicator showing a *Term Commitment* in Question II.B.4.u. (Alternatively, depending on the billing system, the discount may show up as a separate -\$100 line item in Question II.B.4 along with the \$300 *One Month Term Only Rate*.)

However, if the *Provider* charges the customer the full \$300 for the circuit every month, then returns a \$600 payment to the purchaser every 6 months, the \$600 payment must be recorded in Table II.B.5 as an out-of-cycle adjustment, and the appropriate Adjustment_ID must appear next to the affected circuit elements in Question II.B.4. Likewise, if the customer is billed at the \$200 discounted rate each month but then decides to terminate the contract early and pay an early termination fee of \$1000, the \$1000 charge must be recorded as an out-of-cycle adjustment in Question II.B.5.

Table II.B.5
Record Format for Billing Adjustment Data Circuits by Circuit

Field Name	Description	Type	Example
Adjustment_ID	Unique ID number for the billing adjustment or true-up	Integer	1
Contract_ID	Unique ID number for the <i>Tariff</i> or other agreement from which the adjustment originates. Leave the field blank if the adjustment cannot be linked back to a single contract	Integer	33
Date_from	Beginning date of adjustment period (or true-up) in mm/dd/yyyy format	Date	01/01/2013
Date_to	Ending date of adjustment period (or true-up) in mm/dd/yyyy format	Date	06/30/2013
Adjustment_Scope	Code indicating scope of adjustment. Enter 1 if adjustment applies to single circuit element for single circuit, enter 2 if adjustment applies to more than one circuit element on a single circuit, enter 3 if adjustment applies to more than one circuit element across multiple circuits, enter 4 if the adjustment is an overall adjustment that applies to every circuit purchased.	Integer	2
Adjustment	Total dollar amount of billing adjustment (or true-up) for all circuit elements across all circuits covered by the adjustment. Any increase in the amount owed to the vendor (<i>e.g.</i> , penalty) is a positive number while any decrease in the amount owed to the vendor (<i>e.g.</i> , discount or rebate) is a negative number.	Float	-100
Adj_Term	Indicator variable denoting whether the adjustment/true-up was due to a <i>Term Commitment</i> (Y=Yes, N=No)	Text	Y

**Table II.B.5
Record Format for Billing Adjustment Data Circuits by Circuit**

Field Name	Description	Type	Example
Adj_Term_Length	If Adj_Term=1, enter the term length in months. If Adj_Term=0, leave blank	Integer	60
Adj_Vol	Indicator variable denoting whether the adjustment/true-up was due to a <i>Volume Commitment</i> (Y=Yes, N=No)	Text	Y
Adj_Vol_Circ	If Adj_Vol=1, and the <i>Tariff</i> or other agreement required the purchase of a certain number of circuits, enter the number of circuits specified in the <i>Tariff</i> or other agreement which are necessary to qualify for the adjustment. If Adj_Vol=0, or the adjustment corresponds to a commitment to a given level of expenditures/spend, leave blank	Integer	500
Adj_Vol_Rev	If Adj_Vol=1, and the <i>Tariff</i> or other agreement required the purchase of a certain dollar amount of expenditures/spend, enter the dollar value of the expenditure requirement. If Adj_Vol=0 or the adjustment corresponds to a commitment to purchase a certain number of circuits, leave the field blank	Float	20,000
Adjustment_Other	If the adjustment/true-up is for some other reason, give a brief description of the reason for the adjustment	Text	Network Outage

Instructions for Table II.B.5, Record Format for Billing Adjustment Data Circuits by Circuit:

- a. The following questions identify each out-of-cycle billing adjustment with an adjustment ID and the *Tariff* or other agreement from which they originate.
 - **Adjustment_ID:** Create a unique adjustment ID for each out-of-cycle billing adjustment applied to customer purchases during the relevant timeframe. Although each Adjustment_ID may correspond to multiple circuit elements in Table II.B.4, each must appear only once in Table II.B.5. Only include adjustments which were charged/remitted to the customer during the 2013 reporting period. For example, do not include adjustments that were charged/remitted in January 2014, even if the adjustment applied to service provided in December 2013. Likewise, report any adjustments charged/remitted in January 2013, even if those adjustments applied to service provided in December 2012.
 - **Contract_ID:** Assign a unique ID number for the *Tariff* or other agreement from which the adjustment originates. This field is used to group adjustments together by the *Tariff* or other agreement. Leave the field blank if the adjustment cannot be linked back to a single *Tariff* or other agreement.
- b. **Date_From:** Enter the beginning date of the adjustment period in mm/dd/yyyy format. For example, if a *Tariff* or other agreement specifies a rebate be returned to the customer every three months, enter the beginning date of the three-month period for which the rebate applies, and not the beginning date of the *Tariff* or other agreement from which the adjustment originated. Likewise, do not enter the date on which the adjustment was charged/remitted.
- c. **Date_To:** Enter the ending date of the adjustment period in mm/dd/yyyy format. For example, if a *Tariff* or other agreement specifies a rebate to the customer every three months, enter the ending date of the 3-month period for which the rebate applies, and not the ending date of the *Tariff* or other agreement from which the adjustment originated. Likewise, do not enter the date on which the adjustment was charged/remitted.

- d. Adjustment_Scope: Enter the scope of the adjustment according to the following codes: Enter 1 if the adjustment applies to a single circuit element on a single circuit. Enter 2 if the adjustment applies to more than one element on a single circuit. Enter 3 if the adjustment applies to one or more circuit elements across multiple circuits. Enter 4 if the adjustment is an overall adjustment that applies to every circuit purchased by the customer (as indicated by the Customer_ID in Question II.B.3). Apply the codes as described above, even if the adjustment applies to multiple time periods. For example, if a rebate is given for a single circuit element on a single circuit (as determined by the Circuit_ID in Question II.B.3), assign an Adjustment_Scope of 1, even if the adjustment period (as determined by Date_From and Date_To) extends over multiple months.
- e. Adjustment: Enter the total dollar amount of the billing adjustment for all circuit elements across all circuits and across the entire adjustment period. Any increase in the amount owed to the vendor (e.g., penalty) is a positive number, while any decrease in the amount owed to the vendor (e.g., discount or rebate) is a negative number. For example, suppose the *Provider* gave a customer a \$2000 rebate on 10/31/2013, and that this rebate covered 100 circuits purchased during the six-month period from 04/01/2013 to 10/01/2013. In this case, the filer must enter “-2000” in the Adjustment field with the appropriate Date_From and Date_To values. In addition, the Adjustment_Scope (see above) is recorded as 3, and the Adjustment_ID for this specific rebate is included next to the 100 circuits in the Adjustment_ID_# fields in Table II.B.4.
- f. These fields describe the type of adjustment applied to the circuit elements.
- Adj_Term: If the adjustment/true-up can be linked to a rebate given (or penalty charged) on a *Term Commitment*, enter 1. Enter 0 if the adjustment was not due to a *Term Commitment*.
 - Adj_Term_Length: If Adj_Term is equal to 1, enter the total term length (not the remaining term length) in months. If Adj_Term is equal to 0, leave the Adj_Term_Length variable blank.
 - Adj_Vol: Enter 1 if the adjustment/true-up can be linked to a rebate (or penalty) on a *Volume Commitment*. Enter 0 if the adjustment was not due to a *Volume Commitment*. If the *Volume Commitment* corresponds to a certain number of circuits, enter the number of circuits necessary to qualify for the discount in the Adj_Vol_Circ field. If the *Volume Commitment* corresponds to a certain level of “spend” or dollar value of services, enter the dollar amount necessary to qualify for the discount in the Adj_Vol_Rev field.
 - Adj_Vol_Circ: If Adj_Vol is equal to 1, and the *Tariff* or other agreement required the purchase of a certain number of circuits to qualify for a discount, enter the number of circuits. If Adj_Vol is equal to 0 or the *Volume Commitment* was a commitment to a given level of expenditures or “spend”, leave this field blank.
 - Adj_Vol_Rev: If Adj_Vol is equal to 1 and the *Tariff* or other agreement required the purchase of a certain dollar amount of expenditures (or “spend”) to qualify for a discount, enter the dollar value of the expenditure requirement. If Adj_Vol is equal to 0 or the *Volume Commitment* was a commitment to purchase a certain number of circuits, leave this field blank.
 - Adjustment_Other: If the adjustment/true-up was for some reason other than a *Term* or *Volume Commitment*, give a brief description of the reason in this field. Do not exceed 120 characters in your response. Leave blank if either Adj_Term or Adj_Vol is equal to 1. An example of such an adjustment may be a rebate remitted to the customer in compensation for an unanticipated network outage or degraded quality of service.

Question II.B.6: Billing Code Descriptions

Provide descriptions for each unique billing code referenced in Table II.B.4 Part 1. Enter one record for each unique billing code. Examples of common circuit elements are given in the diagram in Question II.B.6.b. If the billed element cannot be described by the elements listed in the diagram, provide a description of the billed element. To the extent you bill circuits as a whole, rather than on an element-by-element basis, describe the billed unit, *see* Question II.B.6.c, and assign a single unique ID.

Table II.B.6 is used to link the descriptions of billing codes with the billed circuit elements reported in Table II.B.4 Part 1 using the Billing_Code variable in each table. Although each Billing_Code may appear multiple times in Table II.B.4 Part 1, you can only have one entry for each unique Billing_Code reported in Table II.B.6. Additionally, every Billing_Code that appears in Table II.B.4 Part 1 must be identified in Table II.B.6.

**Table II.B.6
Record Format for Descriptions for Circuits by Circuit**

Field Name	Description	Type	Example
Billing_Code	Billing code (e.g., USOC) used to identify the billed circuit element. (This variable will also appear in Question II.B.4 and is used to link the billed circuit elements with their descriptions)	Text	1YZXD
Billing_Code_Description	Brief description of circuit element	Text	Channel Mileage
Billing_Code_Desc_Other	The description of the circuit element as it appears on the customer's bill.	Text	

Instructions for Table II.B.6, Record Format for Descriptions for Circuits by Circuit:

- a. Billing Code: The billing code variable is used to identify the individual components of billed circuits. The billing code is used to link the billed circuit elements in question II.B.4 with the description of those elements in Question II.B.6. A USOC is an example of billing code. *However, USOC codes are not required to identify the circuit elements; you can create your own billing code.* Enter the billing code as a string variable not to exceed 15 characters in length.
- b. Billing Code Description: Choose the description from the list/diagram in Question II.B.6 that best describes the circuit element. *See* list of circuit elements in Question II.B.6.b. Make every effort to assign the billed element to one of the categories listed here. If the item billed to the customer does not fit any of these categories, this field may be left blank and the billed element can be described in the field Billing_Code_Desc_Other. This may occur, for example, if circuits are billed as a complete package instead of on an element-by-element basis (*i.e.*, all the elements in the circuit are billed together under a single price). In such a case, a single billing code for the circuit elements listed in Question II.B.6.b may not apply; this field may be left blank and the appropriate description of the billed item may be filled out in Billing_Code_Desc_Other.

Billing Code Desc Other: Enter a longer description of the circuit element. For circuit elements categorized under one of the descriptions in Billing_Code_Description, this field is optional. If Billing_Code_Description is left blank, this field is required. Keep descriptions under 150 characters.

Question II.B.7: Wire Centers - CLLI Codes - Regulatory Treatment

Table II.B.7
Record Format for Wire Centers

Field Name	Description	Type	Example
Year	Relevant Year reported, <i>i.e.</i> , 2013)	Text	2013
CLLI	Telcordia-specified eight-character CLLI of the ILEC wire center / exchange area with collocation(s)	Text	WASHDCSW
Street_address	Actual situs for the wire center (<i>i.e.</i> , land where wire center is located)	Text	445 Twelfth St SW
City	City of the wire center	Text	Washington
State	Two-letter state postal abbreviation of the wire center	Text	DC
ZIP	5-digit ZIP code (with leading zeros) of the wire center	Text	20554
ZIP4	4-digit add-on code (with leading zeros) of the wire center	Text	0000
Lat	Latitude	Float	38.8835
Long	Longitude	Float	-77.0280
PriceFlex	Did you have pricing flexibility in the geographic area where this wire center is located during the relevant Year? (Y=Yes; N=No)	Text	Y
PriceFlex_Level1_Term	If you had pricing flexibility in the area where this wire center is located during the relevant Year, did you have Phase I pricing flexibility per 47 C.F.R. § 69.711(b)? (Y=Yes; N=No)	Text	Y
PriceFlex_Level2_Term	If you had pricing flexibility in the area where this wire center is located during the relevant Year, did you have Phase II pricing flexibility per 47 C.F.R. § 69.711(c)? (Y=Yes; N=No)	Text	N
PriceFlex_Level1_Other	If you had pricing flexibility in the area where this wire center is located during the relevant Year, did you have Phase I pricing flexibility per 47 C.F.R. § 69.709(b)? (Y=Yes; N=No)	Text	N
PriceFlex_Level2_Other	If you had pricing flexibility in the area where this wire center is located during the relevant Year, did you have Phase II pricing flexibility per 47 C.F.R. § 69.709(c)? (Y=Yes; N=No)	Text	N
MSA_Grant	If you had pricing flexibility in the geographic area where this wire center is located during the relevant Year, was the pricing flexibility awarded for an <i>MSA</i> ? (Y=Yes; N=No)	Text	Y
MSA_ID	If you had pricing flexibility in the geographic area where this wire center is located during the relevant Year and that pricing flexibility was awarded on an <i>MSA</i> basis, then identify the <i>MSA</i> . (enter a number between 1 and 306).	Text	203

- **Latitude and Longitude:** You can derive the coordinate fields for the location address from a known geocoding platform like Bing maps, Google, Yahoo, batchgeo.com, Texas A&M Geoservices, or other geocoding solution. Enter values in decimal degrees to the nearest ± 0.0005 , *i.e.*, each coordinate must end in *#.###0* or *#.###5*. Coordinates must be in the WGS84 or NAD83 geographic coordinate system.
- **MSA_ID:** To find the ID number for the MSA in which you were granted pricing flexibility, refer to the “Cellular Market Area (CMA) names” reference list on the Commission’s website, <http://wireless.fcc.gov/auctions/default.htm?job=maps> (under “CMA (Or MSA & RSA)”). The ID numbers for the *MSAs* are between 1 and 306.

Revenues, Terms and Conditions Information*Question II.B.8: Sales Revenues for CBDS*

Table II.B.8
Record Format for *CBDS Revenues*

Field Name	Description	Type	Example
Revenue	Enter the total dollar amount of your <i>Revenues</i> from the sale of <i>CBDS</i> for the reported Year	Float	123,456
Service_Type	Indicate the service type category for which the <i>Revenues</i> are reported. Enter “DS1” for <i>DS1 Revenues</i> , enter “DS3” for <i>DS3 Revenues</i> , and enter “Other” for other <i>CBDS Revenues</i>	Text	DS3
Customer_Type	Enter 0 if the reported <i>Revenues</i> are for <i>End Users</i> , and enter 1 if the reported <i>Revenues</i> are for <i>Competitive Providers</i>	Binary	1
Year	Enter year of data reported, <i>i.e.</i> , 2013	Integer	2013

Question II.B.9: Sales Revenues for PBDS

Table II.B.9
Record Format for *PBDS Revenues*

Field Name	Description	Type	Example
Revenue	Enter the total dollar amount of your <i>Revenues</i> from the sale of <i>PBDS</i> for the reported Year	Float	123,456
Bandwidth	Indicate the bandwidth category for which the <i>Revenues</i> are reported. Enter “A” for bandwidth less than or equal to 1.5 Mbps, enter “B” for bandwidth greater than 1.5 Mbps but less than or equal to 50 Mbps, enter “C” for bandwidth greater than 50 Mbps but less than or equal to 100 Mbps, enter “D” for bandwidth greater than 100 Mbps but less than or equal to 1 Gbps, enter “E” for bandwidth greater than 1 Gbps, or “NA” for “Not Applicable”	Text	D
Customer_Type	Enter 0 if the reported <i>Revenues</i> are for <i>End Users</i> , and enter 1 if the reported <i>Revenues</i> are for <i>Competitive Providers</i>	Binary	1
Year	Enter year of the data reported, <i>i.e.</i> , 2013	Integer	2013

Instructions for Table II.B.9, Record Format for *PBDS Revenues*:

- Bandwidth – If you do not keep such information in the normal course of business, then you are not required to provide this information and can enter “NA” for “Not Applicable” or alternatively, you can provide the requested information on a voluntary basis.

Question II.B.10: Revenues from One Month Term Only Rates

Table II.B.10
Record Format *Revenues from One Month Term Only Rates*

Field Name	Description	Type	Example
Revenues	Enter the total dollar amount of your <i>Revenues</i> from <i>One Month Term Only Rates</i> charged for the reported Year	Float	123,456
Service_Type	Indicate the service type category for which the <i>Revenues</i> are reported. Enter “DS1” for <i>DS1 Revenues</i> , enter “DS3” for <i>DS3 Revenues</i> , and enter “PBDS” for <i>PBDS Revenues</i>	Text	PBDS
Customer_Type	Enter 0 if the reported <i>Revenues</i> are for <i>End Users</i> , and enter 1 if the reported <i>Revenues</i> are for <i>Competitive Providers</i>	Binary	1
Year	Enter year of the data reported, <i>i.e.</i> , 2013.	Integer	2013

Question II.B.11: Number of Customers with One Month Term Only Rates

Table II.B.11			
Record Format for Customers with One Month Term Only Rates			
Field Name	Description	Type	Example
OMT_CustCount	Number of <i>One Month Term Only Rate</i> customers for <i>DS1s</i> , <i>DS3s</i> , and <i>PBDS</i> as of Dec. 31, 2013	Integer	54,321
Service_Type	Indicate the service type category for which the <i>Revenues</i> are reported. Enter “DS1” for <i>DS1 Revenues</i> , enter “DS3” for <i>DS3 Revenues</i> , and enter “PBDS” for <i>PBDS Revenues</i>	Text	DS1
Customer_Type	Enter 0 if the reported <i>Revenues</i> are for <i>End Users</i> , and enter 1 if the reported <i>Revenues</i> are for <i>Competitive Providers</i>	Binary	1

Question II.B.12: All Applicable Tariff Plans and Contract-Based Tariffs

Table II.B.12			
Record Format for Applicable Tariff Plans and Contract-Based Tariffs			
Field Name	Description	Type	Example
Tar_Plan	Plan is a <i>Tariff Plan</i> (Y=Yes, N=No)	Text	Y
CBT_Plan	Plan is a <i>Contract-Based Tariff</i> (Y=Yes, N=No)	Text	N
Plan_Name	Name of plan	Text	Green Tariff
Tar_Sec	<i>Tariff</i> Section and Number	Text	ABC Co. FCC No. 2 § 7.90
Term_Com	Does plan contain a <i>Term Commitment</i> ? (Y=Yes, N=No)	Text	Y
Vol_Com	Does plan contain a <i>Volume Commitment</i> ? (Y=Yes, N=No)	Text	Y
Non_Rate_Benefit	Does plan contain a <i>Non-Rate Benefit</i> option? (Y=Yes, N=No)	Text	Y
Non_Rate_Benefit_Exp	If plan contains a <i>Non-Rate Benefit</i> option, explain the <i>Non-Rate Benefits</i> .	Text	Plan allows for circuit portability . . .
Plan_DS1	Does plan apply to purchase of <i>DS1s</i> ? (Y=Yes, N=No)	Text	Y
Plan_DS3	Does plan apply to purchase of <i>DS3s</i> ? (Y=Yes, N=No)	Text	Y
Plan_PBDS	Does plan apply to purchase of <i>PBDS</i> ? (Y=Yes, N=No)	Text	Y
Plan_Other	Does plan apply to purchase of other services? (Y=Yes, N=No)	Text	Y
Plan_Geo_Nat	Is the plan available across your entire nationwide service area? Enter “Y” if the plan is available across your entire service area, including both within and outside of <i>MSAs</i> , and enter “N” if it is only available in a subset of your service area.	Text	N
Plan_Geo_MSA	If the plan is not available across your entire nationwide service area (<i>i.e.</i> , Plan_Geo_Nat = “N”), indicate whether the plan is available in at least one <i>MSA</i> . Enter “Y” if the plan is available in at least one <i>MSA</i> , and enter “N” if it is only available in non- <i>MSA</i> areas. If Plan_Geo_Nat = “Y”, the value for Plan_Geo_MSA must be “Y”	Text	Y
Plan_Geo_nonMSA	If the plan is not available across your entire nationwide service area (<i>i.e.</i> , Plan_Geo_Nat = “N”), indicate whether the plan is available in at least one non- <i>MSA</i> area. Enter “Y” if the plan is available in at least one non- <i>MSA</i> , and enter “N” if it is only available in <i>MSAs</i> . If Plan_Geo_Nat = “Y”, the value for Plan_Geo_nonMSA must be “Y”	Text	N
PPB_Com	To receive a discount or <i>Non-Rate Benefit</i> under this plan, must the customer make a <i>Prior Purchase-Based Commitment</i> ? (Y=Yes, N=No)	Text	N

Table II.B.12
Record Format for Applicable Tariff Plans and Contract-Based Tariffs

Field Name	Description	Type	Example
OOR_Apply	Do purchases of <i>DS1</i> or <i>DS3</i> services in areas outside of your price cap study area(s) count towards meeting any <i>Volume Commitment</i> to receive a discount or <i>Non-Rate Benefit</i> under this plan? (Y=Yes, N=No, NA=Not Applicable)	Text	N
OOR_PC_Apply	Do <i>DS1</i> or <i>DS3</i> purchases in areas where you are subject to price cap regulation and where pricing flexibility has not been granted count towards meeting any <i>Volume Commitment</i> to receive a discount or <i>Non-Rate Benefit</i> under this plan? (Y=Yes, N=No, NA=Not Applicable)	Text	N
PH1_Apply	Do <i>DS1</i> or <i>DS3</i> purchases in areas where you have been granted <i>Phase I Pricing Flexibility</i> count towards meeting any <i>Volume Commitment</i> to receive a discount or <i>Non-Rate Benefit</i> under this plan? (Y=Yes, N=No, NA=Not Applicable)	Text	N
PH2_Apply	Do <i>DS1</i> or <i>DS3</i> purchases in areas where you have been granted <i>Phase II Pricing Flexibility</i> count towards meeting any <i>Volume Commitment</i> to receive a discount or <i>Non-Rate Benefit</i> under this plan? (Y=Yes, N=No, NA=Not Applicable)	Text	N
PBDS1_Apply	Do non-tariffed <i>PBDS</i> purchases by the customer count towards meeting any <i>Volume Commitment</i> to receive a discount or <i>Non-Rate Benefit</i> under this plan? (Y=Yes, N=No, NA=Not Applicable)	Text	N
PBDS2_Apply	Do tariffed <i>PBDS</i> purchases by the customer count towards meeting any <i>Volume Commitment</i> to receive a discount or <i>Non-Rate Benefit</i> under this plan? (Y=Yes, N=No, NA=Not Applicable)	Text	N
Other_Apply	Do purchases by the customer for services other than <i>DS1s</i> , <i>DS3s</i> , and <i>PBDS</i> count towards meeting any <i>Volume Commitment</i> to receive a discount or <i>Non-Rate Benefit</i> under this plan? (Y=Yes, N=No, NA=Not Applicable)	Text	N
UNE_Cond	Is the discount or <i>Non-Rate Benefit</i> available under this plan conditioned on the customer limiting its purchase of <i>UNEs</i> , e.g., customer must keep its purchase of <i>UNEs</i> below a certain percentage of the customer's total spend? (Y=Yes, N=No)	Text	N
Rev_Tot_2013	Total <i>Revenue</i> from the provision of <i>Dedicated Services</i> under this plan for 2013	Float	123,456
Biz_Rational	What is the business justification for any <i>Term</i> or <i>Volume Commitments</i> associated with this plan?	Text	We have . . .
Tot_CustCount_2013	Total number of customers subscribed to this plan as of Dec. 31, 2013	Integer	434
DS1_CustCount_2013	Number of customers purchasing <i>DS1s</i> under this plan as of Dec. 31, 2013	Integer	434
DS3_CustCount_2013	Number of customers purchasing <i>DS3s</i> under this plan as of Dec. 31, 2013	Integer	434
PBDS_CustCount2013	Number of customers purchasing <i>PBDS</i> under this plan as of Dec. 31, 2013	Integer	434
DS1_CustCount_2013_CP	Number of customers that were <i>Competitive Providers</i> purchasing <i>DS1s</i> under this plan as of Dec. 31, 2013	Integer	434
DS3_CustCount_2013_CP	Number of customers that were <i>Competitive Providers</i> purchasing <i>DS3s</i> under this plan as of Dec. 31, 2013	Integer	434
PBDS_CustCount_2013_CP	Number of customers that were <i>Competitive Providers</i> purchasing <i>PBDS</i> under this plan as of Dec. 31, 2013	Integer	434
DS1_CustCount_2013_EUsers	Number of customers that were <i>End Users</i> purchasing <i>DS1s</i> under this plan as of Dec. 31, 2013	Integer	434
DS3_CustCount_2013_EUsers	Number of customers that were <i>End Users</i> purchasing <i>DS3s</i> under this plan as of Dec. 31, 2013	Integer	434
PBDS_CustCount_2013_EUsers	Number of customers that were <i>End Users</i> purchasing <i>PBDS</i> under this plan as of Dec. 31, 2013	Integer	434
CustCount_5orfewer	Were five or fewer customers, in total, subscribed to this plan as of Dec. 31, 2013? (Y=Yes, N=No)	Text	Y
CustCount_New	If Yes, indicate the number of subscribers to this plan that were new customers (as opposed to an existing or prior	Integer	3

Table II.B.12
Record Format for Applicable Tariff Plans and Contract-Based Tariffs

Field Name	Description	Type	Example
	customer) at the time they to subscribed this plan.		
CustCount_Exist	For those subscribers to this plan that were existing or prior customers at the time they committed to purchasing services under this plan, explain how the purchase commitment made under this plan compares to the customer's previous purchase commitment. For example, indicate what percentage of the previous purchase commitment, the new purchase commitment equals.	Text	The new commitment amounts to 50% of what the customer committed to previously.
Customer_Fail	Of those customers subscribed as of December 31, 2013, how many in 2013 failed to meet any <i>Volume Commitment</i> or <i>Term Commitment</i> required to retain a discount or <i>Non-Rate Benefit</i> they originally agreed to when entering into this plan?	Integer	30

Question II.B.13: Non-Tariffed Agreements

If you have a non-tariffed agreement covered by Question II.B.13, then you must identify each agreement in Table II.B.13 within the data container. If you do not have an agreement covered by Question II.B.13, then type "Not Applicable" in the Agreement field. You will receive an error message upon validation of the data container if you do not put any information into Table II.B.13.

Table II.B.13
Record Format for Non-Tariffed Agreements

Field Name	Description	Type	Example
Unique_ID	Sequential number	Integer	1
Agreement	Name of non-tariffed agreement	Text	PBDS Agreement with Local Fiber Incorporated
Parties	Parties to the agreement	Text	ILEC Company and Local Fiber Inc.
Effective_Date	The beginning date of the time period covered by the agreement	Date	1/15/10
End_Date	The ending date of the time period covered by the agreement	Date	12/31/12
Summary	Summary of relevant provisions	Text	Requires the purchase of . . .

QUESTIONS DIRECTED AT ENTITIES PROVIDING BEST EFFORTS

Question II.C.1: Census Blocks and Price Lists for 2013

You must separately upload all documents (e.g., Word, Excel, .pdf) responding to this question through the Special Access Web Portal; do not include these documents in the data container.

The first part of this question asks if you submitted "data in connection with the State Broadband Initiative (SBI) Grant Program for 2013." If the answer is "no," then you are not required to provide information in response to the remainder of this question. However, due to the website design, you will be required to upload a document, stating your answer that you did not submit data in connection with the SBI Grant Program for 2013. Failure to upload any document will result an error message upon submission.

If you answered "yes" for submitting data to the SBI Grant Program for 2013 and the SBI data previously submitted accurately and completely identifies the areas in which you offered *Best Efforts Business*

Broadband Internet Access Services as of December 31, 2013, then provide the requisite certification and identify the FRN(s) for the entities that reported the information as part of the SBI program.

If not, then identify, on a granular level (ideally, at the census block level), the geographic areas in which *Best Efforts Business Broadband Internet Access Service* was offered as of December 31, 2013. If the data are not submitted at the census block level, identify the geography at which they are submitted, e.g., ZIP code, MSA, county, etc.

Separate from the SBI data, you must submit a price list for the *Best Efforts Business Broadband Internet Access Services* that you offered within your footprint as of December 31, 2013. To the extent that prices vary across your service area, identify the nature of such variation, e.g., variations by region or speed tier.

The Special Access Web Portal contains two areas for uploading documents for this question. One is for uploading the “Confidential” versions of the documents where you will indicate information deemed Confidential and redact information that is Highly Confidential based on the Protective Order issued for the data collection. The second area is for uploading the “Highly Confidential” versions of the documents noting both Confidential and Highly Confidential information without any redactions. You must upload at least one document in each area or you will receive an error message during the submission process. If the document does not contain Confidential or Highly Confidential information, e.g., all information is publicly available, then upload the document in each area without the relevant Confidential/Highly Confidential notations or redactions in the case of the Confidential upload area.

Below is a suggested template for formatting records in response to this question. You are not required to format your information in this manner.

Suggested Record Format Template for Responding to Question II.C.1.c-d Part 1			
<i>Best Efforts Business Broadband Internet Access Services</i>			
Field Name	Description	Type	Example
DBA Name	Name of the entity customers could contact to purchase service in this block with the characteristics below.	Text	Cable Town
Census_Block	As defined by US Census Bureau; 15 digit FIPS code	Text	060290057001136
Transtech	Category of technology for the provision of Internet access service (see Codes below)	Integer	41
Maxaddown	Maximum advertised download speed in Mbps available in the census block	Float	9
Maxaddup	Maximum advertised upload speed in Mbps offered with the above maximum advertised downstream speed	Float	0.768
Year	Year: 2013	Date	2013

- Census_Block – Each census block must be identified using the 2010 block identifier from the 2010 TIGER/Line Block State-based Shapefile or Block County-based Shapefile. The block identifier is a concatenation of Census 2010 state FIPS code, Census 2010 county FIPS code, Census 2010 census tract code and Census 2010 tabulation block number. Please see the 2010 TIGER/Line Shapefiles Technical Documentation, Chapter 5, Part 5.2 at <http://www.census.gov/geo/maps-data/data/pdfs/tiger/tgrshp2010/TGRSHP10SF1CH5.pdf> for more information.
- Any variation in Census_Block, DBA Name, or technology of transmission (Transtech) necessitates the creation of a new record. For example, if a respondent indicates that broadband

service is available in a particular census block via two technologies, then the data must contain two records for that census block. Records must be unique by Block, DBA Name, and Transtech.

- Transtech – For reporting in the Transtech data field, report the technology used by the portion of the connection that would terminate at the end-user location. If different technologies could be used in the two directions of information transfer (“downstream” and “upstream”), report the connection in the technology category for the downstream direction. The Transtech field must be entered as an integer based on the following reference.

Technology of Transmission Codes	
Code	Description
10	Asymmetric xDSL
20	Symmetric xDSL
30	Other Copper Wire
40	Cable Modem - DOCSIS 3.0
41	Cable Modem - Other
50	Optical Carrier/Fiber to the End User
60	Satellite
70	Terrestrial Fixed - Unlicensed
71	Terrestrial Fixed - Licensed
80	Terrestrial Mobile Wireless
90	Electric Power Line
0	Other

Suggested Record Format Template for Responding to Question II.C.1.c-d Part 2
Best Efforts Business Broadband Internet Access Services

Field Name	Description	Type	Example
County_ID	5-digit FIPS code for the state and county or equivalent entity.	Text	01121
Sum_Bandwidth	Indicate the sum bandwidth category for which you are reporting prices offered in this range. Enter “A” for sum bandwidth equal to or greater than 3 Mbps but less than or equal to 6 Mbps, enter “B” for bandwidth greater than 6 Mbps but less than or equal to 20 Mbps, enter “C” for bandwidth greater than 20 Mbps but less than or equal to 50 Mbps, enter “D” for bandwidth greater than 50 Mbps but less than or equal to 200 Mbps, and enter “E” for bandwidth greater than 200 Mbps	Text	A
Min_Price_Range	Enter the minimum price offered for the available <i>Best Efforts Business Broadband Internet Access Services</i> in the reported bandwidth tier	Float	9.99
Max_Price_Range	Enter the maximum price offered for the available <i>Best Efforts Business Broadband Internet Access Services</i> in the reported bandwidth tier	Float	29.99
Price_Territory	Indicate geographic territory where you offered the reported price range, e.g., nationwide, certain regions, certain states, etc.	Text	Nationwide
Year	Enter year of reported data, i.e., 2013	Integer	2013

- County_ID – Each county or equivalent entity must be identified using the 2010 county identifier from the 2010 TIGER/Line County and Equivalent Entity Shapefile. The county identifier is a concatenation of Census 2010 state FIPS code and the Census 2010 county FIPS code. See 2010 TIGER/Line Shapefiles Technical Documentation, Chapter 5, Part 5.7 at <http://www.census.gov/geo/maps-data/data/pdfs/tiger/tgrshp2010/TGRSHP10SF1CH5.pdf> for more information.

- **Sum_Bandwidth** – To calculate the *Sum_Bandwidth*, add the advertised downstream and upstream bandwidth for the *Best Efforts Business Broadband Internet Access Service* offered. At a minimum, the *Best Efforts Business Broadband Internet Access Service* offered and reported must have a bandwidth connection of at least 1.5 Mbps in both directions (upstream/downstream).
- **Min_Price_Range** – Determine the minimum price offered by looking at the prices for all available *Best Efforts Business Broadband Internet Access Services* you offer within the reported *Sum_Bandwidth* range and selecting the lowest price offered across those services.
- **Max_Price_Range** – Determine the maximum price offered by looking at the prices for all available *Best Efforts Business Broadband Internet Access Services* you offer within the reported *Sum_Bandwidth* range and selecting the highest price offered across those services.

QUESTIONS DIRECTED AT ALL PROVIDERS

If the filer has both *ILEC* and *Competitive Provider* operations, identify the applicable operating unit when responding to these questions. For example, if discussing promotional and advertising strategies, indicate whether the strategies pertain to your *ILEC* or *Competitive Provider* operations or both.

Question II.D.1: Short Term and Long-Range Strategies

Question II.D.2: Location of Recorded Policies

You must upload a .pdf text searchable (not a picture/image) document responding to these questions through the Special Access Web Portal in the “Essay Questions – File Upload” section; you will not include these documents in the data container.

The web portal contains two areas for uploading documents for each question. One is for uploading the “Confidential” version of the document where you will indicate information deemed Confidential and redact information that is Highly Confidential based on the Protective Order issued for the data collection. The second area is for uploading the “Highly Confidential” version of the document noting both Confidential and Highly Confidential information without any redactions. You must upload at least one document in each area or you will receive an error message during the submission process. If the document does not contain Confidential or Highly Confidential information, e.g., all information is publicly available, then upload the document in each area without the relevant Confidential/Highly Confidential notations or redactions in the case of the Confidential upload area.

QUESTIONS DIRECTED AT PURCHASERS THAT ARE MOBILE WIRELESS SERVICE PROVIDERS

Facilities-based mobile wireless service providers purchasing *Dedicated Service* in price cap areas are required to answer these questions.

Question II.E.1: Total Number of Cell Sites

**Table II.E.1
Record Format for Total Cell Sites**

Field Name	Description	Type	Example
Provider_Name	Name of mobile wireless service provider	Text	Local Fiber Incorporated
Total_Number	Total number of cell sites on network	Float	100

Question II.E.2: Cell Site Locations

Provide, for each cell site on your network, the following information:

**Table II.E.2
Record Format for Cell Sites by Location**

Field Name	Description	Type	Example
Location_ID	Sequential location number	Integer	1
Year	Indicator of the calendar year of the data, <i>i.e.</i> , 2013	Integer	2013
Street_address	Actual situs for the cell site (<i>i.e.</i> , land where cell site is located) if the cell site is located in or on a building	Text	445 Twelfth St SW
Other_address	If cell site does not have a street address, provide description of location	Text	500 yards N of I35 and SR270 intersection
City	City of the cell site	Text	Washington
State	Two-letter state postal abbreviation of the cell site	Text	DC
ZIP	5-digit ZIP code (with leading zeros) of the cell site	Text	20554
ZIP4	4-digit add-on code (with leading zeros) of the cell site	Text	0000
Lat	Latitude	Float	38.8835
Long	Longitude	Float	-77.0280
CLLI	Telcordia-specified eight-character CLLI of the ILEC wire center that serves the cell site if kept in the normal course of business	Alphanumeric	WASHDCSW
Loc_type	Indicate whether cell site is 1=in or on a building; 2=on other man-made structure, <i>e.g.</i> , water tower; 3=a free-standing cell site	Integer	1
CBDS_Bandwidth	If a <i>DS1</i> , <i>DS3</i> , <i>DS1-UNE</i> , or <i>DS3-UNE</i> , indicate the one-direction bandwidth of the circuit in Mbps.	Float	1.544
PBDS_Bandwidth	If the cell site is served by a <i>PBDS</i> , indicate the bandwidth of the circuit(s) in Mbps.	Float	10.000
FW_Bandwidth	If the cell site is served by a wireless <i>Connection</i> , indicate the bandwidth of the circuit(s) in Mbps.	Float	0
Provider	The name of the <i>Provider(s)</i> that supplies your <i>Connection</i> to the cell site.	Text	Verizon, XO
Self_prov_bw	If you self-provide a <i>Connection</i> to the cell site, indicate the provisioned bandwidth of the circuit in Mbps.	Float	0

Instructions for Cell Sites Record Format:

1. Leave cells blank in the case of data that is not applicable for that record.
2. The Location_ID field is a sequential integer ranging from 1 to the total number of locations. Records containing information about *Connections* to the same *Location* must be assigned the same Location_ID.
3. Address data fields must be space-delimited in standardized Postal Service form. *See* <http://pe.usps.gov/cpim/ftp/pubs/Pub28/pub28.pdf>.
4. Latitude and Longitude: You can derive the coordinate fields for the location address from a known geocoding platform like Bing maps, Google, Yahoo, batchgeo.com, Texas A&M Geoservices or other geocoding solution. Enter values in decimal degrees to the nearest ± 0.0005 , *i.e.*, each coordinate must end in #.####0 or #.####5. Coordinates must be in the WGS84 or NAD83 geographic coordinate system.
5. For the CLLI code, this information must only be provided if you keep this information in the normal course of business. If so, then enter the first eight digits of the CLLI code of the ILEC

wire center serving the location. If you do not keep such information in the normal course of business, you can still provide it on a voluntary basis.

Expenditures Information

Question II.E.3: Total Expenditures on Dedicated Services

Table II.E.3			
Record Format for Expenditures on <i>Dedicated Service</i>			
Field Name	Description	Type	Example
Expenditures	Enter the dollar value of expenditures on <i>Dedicated Service</i>	Float	4321.00
Service_Type	Indicate the service type category for which the expenditures are reported. Enter "CBDS" for <i>CBDS</i> expenditures and enter "PBDS" for <i>PBDS</i> expenditures	Text	CBDS
Provider_Type	Enter 0 if the reported expenditures are for purchases from <i>ILECs</i> and enter 1 if the reported expenditures are for purchases from <i>Competitive Providers</i>	Binary	0
Year	Enter year of data reported, <i>i.e.</i> , 2013	Integer	2013

Note: If there were no expenditures for a particular category or year, then report 0.

Question II.E.4: Expenditures with ILECs under Tariffs

Purchasers are not required to provide information in response to this question but can respond on a voluntary basis.

Table II.E.4			
Record Format for Expenditures with <i>ILECs</i> Pursuant to a <i>Tariff</i>			
Field Name	Description	Type	Example
Expenditures	Enter the dollar value of expenditures on <i>Dedicated Service</i> for the corresponding categorical breakdown	Float	5364821
Year	Enter year of the data reported, <i>i.e.</i> , 2013	Integer	2013
Service_Type	Indicate the service type category for which the expenditures are reported. Enter "DS1" for <i>DS1</i> expenditures, enter "DS3" for <i>DS3</i> expenditures, and enter "PBDS" for <i>PBDS</i> expenditures	Text	DS3
Agreement_Type	Enter the code for the appropriate contract type indicated in the question. The codes must be a letter from "a" to "h". See instructions below the table for more information on the codes for Agreement_Type	Text	c
Avg_Discount_PPBC	If the Agreement_Type is coded as "f" or "h", enter the average discount (in percentage terms) off the <i>One Month Term Only Rate</i> incorporated in the expenditures purchased under <i>Tariff Plans</i> (for code "f") or <i>Contract-Based Tariffs</i> (for code "h") that contained a <i>Prior Purchase-Based Commitment</i> . See the example in the question on how to calculate the average discount. If Agreement_Type is not coded as "f" or "h", leave the field blank	Float	25
5orMore	What percentage of your expenditures was subject to a <i>Term Commitment</i> of five or more years?	Integer	45

Note: If there were no expenditures for a particular category or year, then report 0.

Use the following codes for the Agreement_Type variable. Enter "a" for expenditures on ALL purchases; enter "b" for expenditures on purchases at *One Month Term Only Rates*; enter "c" for expenditures purchased under *Tariff Plans*; enter "d" for expenditures purchased under *Contract-Based Tariffs*; enter

“e” for expenditures purchased under *Tariff Plans* that contained a *Term Commitment* but not a *Volume Commitment*; enter “f” for expenditures purchased under *Tariff Plans* that contained a *Prior Purchase-Based Commitment*; enter “g” for expenditures purchased under *Contract-Based Tariffs* that contained a *Term Commitment* but not a *Volume Commitment*; and enter “h” for expenditures purchased under *Contract-Based Tariffs* that contained a *Prior Purchase-Based Commitment*.

5orMore: Provide the percentage of your expenditures in 2013.

Question II.E.5: Expenditures with Competitive Providers under Tariffs

Purchasers are not required to provide information in response to this question but can respond on a voluntary basis.

Table II.E.5
Record Format for Expenditures with *Competitive Providers Pursuant to a Tariff*

Field Name	Description	Type	Example
Expenditures	Enter the dollar value of expenditures on <i>Dedicated Service</i> for the corresponding categorical breakdown	Float	5364821
Year	Enter year of data provided, <i>i.e.</i> , 2013	Integer	2013
Service_Type	Indicate the service type category for which the expenditures are reported. Enter “DS1” for <i>DS1</i> expenditures, enter “DS3” for <i>DS3</i> expenditures, and enter “PBDS” for <i>PBDS</i> expenditures	Text	DS3
Agreement_Type	Enter the code for the appropriate contract type indicated in the question. The codes must be a letter from “a” to “d”. See instructions below the table for more information on the codes for <i>Agreement_Type</i>	Text	c
Avg_Discount_PPBC	If the <i>Agreement_Type</i> is coded as “d”, enter the average discount (in percentage terms) off the <i>One Month Term Only Rate</i> incorporated in the expenditures purchased under <i>Tariffs</i> that contained a <i>Prior Purchase-Based Commitment</i> . See the example in the question on how to calculate the average discount. If <i>Agreement_Type</i> is not coded as “d”, leave the field blank	Float	25
5orMore	What percentage of your expenditures was subject to a <i>Term Commitment</i> of five or more years?	Integer	45

Note: If there were no expenditures for a particular category or year, then report 0.

Use the following codes for the *Agreement_Type* variable. Enter “a” for expenditures on ALL purchases; enter “b” for expenditures on purchases at *One Month Term Only Rates*; enter “c” for expenditures purchased under *Tariffs* that contained a *Term Commitment* but not a *Volume Commitment*; enter “d” for expenditures purchased under *Tariffs* that contained a *Prior Purchase-Based Commitment*.

5orMore: Provide the percentage of your expenditures in 2013 that were subject to a *Term Commitment* of five or more years.

Question II.E.6: Expenditures with ILECs and Competitive Providers Pursuant to Non-Tariffs

Purchasers are not required to provide information in response to this question but can respond on a voluntary basis.

Table II.E.6
Record Format for Expenditures with ILECs and Competitive Providers
Pursuant to Non-Tariffed Agreement

Field Name	Description	Type	Example
Expenditures	Enter the dollar value of expenditures on Dedicated Service for the corresponding categorical breakdown	Float	5364821
Year	Enter year of data reported, <i>i.e.</i> , 2013	Integer	2013
Provider_Type	Enter 0 if the reported expenditures are for purchases from <i>ILECs</i> and enter 1 if the reported expenditures are for purchases from <i>Competitive Providers</i>	Binary	0
Service_Type	Indicate the service type category for which the expenditures are reported. Enter "DS1" for <i>DS1</i> expenditures, enter "DS3" for <i>DS3</i> expenditures, and enter "PBDS" for <i>PBDS</i> expenditures	Text	DS3
Agreement_Type	Enter the code for the appropriate contract type indicated in the question. The codes must be a letter from "a" to "d". See instructions below the table for more information on the codes for Agreement_Type	Text	c
Avg_Discount_PPBC	If the Agreement_Type is coded as "d", enter the average discount (in percentage terms) off the non-discounted rate incorporated in the expenditures purchased under non-tariffed agreements that contained a <i>Prior Purchase-Based Commitment</i> . See the example in the question on how to calculate the average discount. If Agreement_Type is not coded as "d", leave the field blank	Float	25

Note: If there were no expenditures for a particular category or year, then report 0.

Use the following codes for the Agreement_Type variable. Enter "a" for expenditures on ALL purchases; enter "b" for expenditures purchased at non-discounted rates; enter "c" for expenditures purchased under a non-tariffed agreement that contained a *Term Commitment* but not a *Volume Commitment*; enter "d" for expenditures purchased under a non-tariffed agreement that contained a *Prior Purchase-Based Commitment*.

Question II.E.7: Expenditures under Tariffs for PBDS

Purchasers are not required to provide information in response to this question but can respond on a voluntary basis.

Table II.E.7
Record Format for Expenditures on PBDS Purchased
Pursuant to a Tariff by Bandwidth Category

Field Name	Description	Type	Example
Expenditures	Enter the dollar value of expenditures on <i>Tariffed PBDS</i> service	Float	4,321.00
Provider_Type	Enter 0 if the reported expenditures are for purchases from <i>ILECs</i> and enter 1 if the reported expenditures are for purchases from <i>Competitive Providers</i>	Binary	0
Bandwidth	Indicate the bandwidth category for which the expenditures are reported. Enter "A" for bandwidth less than or equal to 1.5 Mbps, enter "B" for bandwidth greater than 1.5 Mbps but less than or equal to 50 Mbps, enter "C" for bandwidth greater than 50 Mbps but less than or equal to 100 Mbps, enter "D" for bandwidth greater than 100 Mbps but less than or equal to 1 Gbps, and enter "E" for bandwidth greater than 1 Gbps	Text	B
Year	Enter year of the data reported, <i>i.e.</i> , 2013	Integer	2013

Question II.E.8: Expenditures under Non-Tariffs for PBDS

Purchasers are not required to provide information in response to this question but can respond on a voluntary basis.

Table II.E.8
Record Format for Expenditures on PBDS Pursuant to Non-Tariff Agreement

Field Name	Description	Type	Example
Expenditures	Enter the dollar value of expenditures on non-Tariffed PBDS service	Float	4,321.00
Provider_Type	Enter 0 if the reported expenditures are for purchases from ILECs and enter 1 if the reported expenditures are for purchases from Competitive Providers	Binary	0
Bandwidth	Indicate the bandwidth category for which the expenditures are reported. Enter "A" for bandwidth less than or equal to 1.5 Mbps, enter "B" for bandwidth greater than 1.5 Mbps but less than or equal to 50 Mbps, enter "C" for bandwidth greater than 50 Mbps but less than or equal to 100 Mbps, enter "D" for bandwidth greater than 100 Mbps but less than or equal to 1 Gbps, and enter "E" for bandwidth greater than 1 Gbps	Text	B
Year	Enter year of the data reported, i.e., 2013	Integer	2013

Terms and Conditions Information

Question II.E.9: Terms and Conditions Constraints

Question II.E.10: Changing Transport Providers

Question II.E.11: Purchases Solely for the Purpose of Meeting a Prior Purchase-Based Commitment

Question II.E.12: Switching Providers

Question II.E.13: Paying One Month Term Only Rates

You must upload a .pdf text searchable (not a picture/image) document responding to these questions through the Special Access Web Portal in the "Essay Questions – File Upload" section; you will not include these documents in the data container.

The web portal contains two areas for uploading documents for each question. One is for uploading the "Confidential" version of the document where you will indicate information deemed Confidential and redact information that is Highly Confidential based on the Protective Order issued for the data collection. The second area is for uploading the "Highly Confidential" version of the document noting both Confidential and Highly Confidential information without any redactions. You must upload at least one document in each area or you will receive an error message during the submission process. If the document does not contain Confidential or Highly Confidential information, e.g., all information is publicly available, then upload the document in each area without the relevant Confidential/Highly Confidential notations or redactions in the case of the Confidential upload area.

Additional Note for Questions II.E.9-11. These questions are intended to give you an opportunity to discuss any alleged concerns that you are having with terms and conditions associated with the purchase of *Dedicated Services* or with changing *Providers*. If you do not need, or want, to provide a response, e.g., you do not have any alleged concerns with terms and conditions, then you can simply respond stating as such.

Additional Note for Question II.E.12. The purpose of this question is to assess the frequency of switching *Providers* for *End-User Channel Terminations* at as granular a geographic level as possible. Respondents may define their own geographic areas. Given the level of detail required in other parts of the data collection, respondents need only provide switching history in five geographic areas of their choice or

more. Respondents may provide switching history for less than five years if they do not keep such information in the regular course of business.

Additional Note for Question II.E.13. The purpose of this question is to understand the economic impact of paying *One Month Term Only Rates* on your business and consumers. Given the level of detail required in other parts of the data collection, respondents may provide information over a shorter timeframe. Alternatively, respondents who do not need or want to provide a response, e.g., you do not have any alleged concerns with paying *One Month Term Only Rates*, then you can simply respond stating as such.

Question II.E.14: Tariffs under which you Purchase Service

Purchasers are not required to provide information in response to this question but can respond on a voluntary basis.

Table II.E.14
Record Format for *Tariffs* under which you Purchase Service

Field Name	Description	Type	Example
Tar_Plan	Plan is a <i>Tariff Plan</i> (Y=Yes, N=No)	Text	Y
Tariff_Name	Name of <i>Tariff Plan</i>	Text	Regional Volume Discount Plan ABC Company
TP_Provider	The <i>Tariff Plan Provider</i> name	Text	ABC Company
TP_Tariff_Number	The <i>Tariff Plan</i> Name and Section Number	Text	ABC Tariff FCC No. 2 § 7.4.15
CBT_Plan	Plan is a <i>Contract-Based Tariff</i> (Y=Yes, N=No)	Text	N
CBT_Name	Name of <i>Contract-Based Tariff</i> plan	Text	Regional Volume Discount Plan ABC Company
CBT_Provider	The <i>Contract-Based Tariff Provider</i> name	Text	ABC Company
CBT_Tariff_Number	The <i>Contract-Based Tariff</i> Name and Section Number	Text	ABC Tariff FCC No. 2 § 7.4.15
Tariff_Type	Interstate (Inter) or Intrastate (Intra)	Text	Inter
Contains_Term	Contains <i>Term Commitments</i> (Y=Yes, N=No)	Text	Y
Contains_Vol	Contains <i>Volume Commitments</i> (Y=Yes, N=No)	Text	Y
Contains_NonR	Contains <i>Non-Rate Benefits</i> (Y=Yes, N=No)	Text	N
NonRate	If the plan contains <i>Non-Rate Benefits</i> , identify the <i>Non-Rate Benefits</i> that were relevant to your decision to purchase services under this plan.	Text	Plan allows for circuit portability ...
Tariff_DS1	Does this plan apply to the purchase of <i>DS1s</i> ? (Y=Yes, N=No)	Text	Y
Tariff_DS3	Does this plan apply to the purchase of <i>DS3s</i> ? (Y=Yes, N=No)	Text	Y
Tariff_PBDS	Does this plan apply to the purchase of <i>PBDS</i> ? (Y=Yes, N=No)	Text	N
Tariff_Other	Does this plan apply to the purchase of other services? (Y=Yes, N=No)	Text	N
Geo_DS1	In what geographic areas do you purchase <i>DS1s</i> under this plan?	Text	California
Geo_DS3	In what geographic areas do you purchase <i>DS3s</i> under this plan?	Text	Texas
Geo_PBDS	In what geographic areas do you purchase <i>PBDS</i> under this plan?	Text	Oklahoma
Geo_Other	In what geographic areas do you purchase other services under this plan?	Text	Kansas
Prior_P	To receive a discount or <i>Non-Rate Benefit</i> under this plan, does your company make a <i>Prior Purchase-Based</i>	Text	Y

Table II.E.14
Record Format for Tariffs under which you Purchase Service

Field Name	Description	Type	Example
	<i>Commitment?</i> (Y=Yes, N=No)		
Outside_Area	If this is an <i>ILEC</i> plan, do <i>DS1</i> , <i>DS3</i> , or tariffed <i>PBDS</i> purchases your company makes outside the study area(s) of the <i>ILEC</i> count towards meeting any <i>Volume Commitment</i> to receive a discount or <i>Non-Rate Benefit</i> under this plan? (Y=Yes, N=No, NA=Not Applicable)	Text	Y
Outside_Area_Yes	If yes, in what geographic areas outside the study area(s) of the <i>ILEC</i> , do you purchase these <i>DS1s</i> , <i>DS3s</i> , and/or tariffed <i>PBDS</i> ?	Text	Southern California
Outside_Area_Yes_Diff	Of the geographic areas identified, in which of those areas would your company have purchased from a different <i>Provider</i> , if at all, had it not been for the discounts or <i>Non-Rate Benefits</i> received under this plan?	Text	Southern California
Outside_Area_Yes_Provider	Name of <i>Provider(s)</i> in the geographic area identified above you would have purchased from had it not been for the discounts or <i>Non-Rate Benefits</i> received under this plan.	Text	ABC Co.
ILEC_Price_Cap	If this is an <i>ILEC</i> plan, do <i>DS1s</i> , <i>DS3s</i> , and/or tariffed <i>PBDS</i> purchases your company makes from the <i>ILEC</i> in price cap areas where the Commission has not granted the <i>ILEC</i> pricing flexibility count towards meeting any <i>Volume Commitment</i> to receive a discount or <i>Non-Rate Benefit</i> under this plan? (Y=Yes, N=No, NA=Not Applicable)	Text	Y
ILEC_Price_Cap_Vol	If Yes, then identify the price cap areas where you purchase <i>DS1s</i> , <i>DS3s</i> , and/or tariffed <i>PBDS</i> that count towards meeting any <i>Volume Commitment</i> to receive a discount or <i>Non-Rate Benefit</i> under this plan.	Text	Texas
ILEC_Price_Flex1	If this is an <i>ILEC</i> plan, do <i>DS1s</i> , <i>DS3s</i> , and/or tariffed <i>PBDS</i> purchases your company makes from the <i>ILEC</i> in areas where the Commission has granted the <i>ILEC Phase I Pricing Flexibility</i> count towards meeting any <i>Volume Commitment</i> to receive a discount or <i>Non-Rate Benefit</i> under this plan? (Y=Yes, N=No, NA=Not Applicable)	Text	Y
ILEC_Price_Flex1_Vol	If Yes, in what geographic areas subject to pricing flexibility do you purchase <i>DS1s</i> , <i>DS3s</i> , and/or tariffed <i>PBDS</i> that count towards meeting any <i>Volume Commitment</i> to receive a discount or <i>Non-Rate Benefit</i> under this plan?	Text	Dallas MSA
ILEC_Price_Flex1_Diff	Of the geographic areas identified, in which of those areas would your company have purchased from a different <i>Provider</i> , if at all, had it not been for the discounts or <i>Non-Rate Benefits</i> received under this plan?	Text	Southern California
ILEC_Price_Flex1_Provider	Name of <i>Provider(s)</i> in the geographic areas identified above you would have purchased from had it not been for the discounts or <i>Non-Rate Benefits</i> received under this plan.	Text	ABC Co.
ILEC_Price_Flex2	If this is an <i>ILEC</i> plan, do <i>DS1s</i> , <i>DS3s</i> , and/or tariffed <i>PBDS</i> purchases your company makes from the <i>ILEC</i> in areas where the Commission has granted the <i>ILEC Phase II Pricing Flexibility</i> count towards meeting any <i>Volume Commitment</i> to receive a discount or <i>Non-Rate Benefit</i> under this plan? (Y=Yes, N=No, NA=Not Applicable)	Text	Y
ILEC_Price_Flex2_Vol	If Yes, in what geographic areas subject to pricing flexibility do you purchase <i>DS1s</i> , <i>DS3s</i> , and/or tariffed <i>PBDS</i> that count towards meeting any <i>Volume Commitment</i> to receive a discount or <i>Non-Rate Benefit</i> under this plan?	Text	Dallas MSA
ILEC_Price_Flex2_Diff	Of the geographic areas identified, in which of those areas would your company have purchased from a different <i>Provider</i> , if at all, had it not been for the discounts or <i>Non-Rate Benefits</i> received under this	Text	Southern California

Table II.E.14
Record Format for *Tariffs* under which you Purchase Service

Field Name	Description	Type	Example
	plan?		
ILEC_Price_Flex2_Provider	Name of <i>Provider(s)</i> in the geographic areas identified above you would have purchased from had it not been for the discounts or <i>Non-Rate Benefits</i> received under this plan.	Text	ABC Co.
ILEC_PBDS	If an <i>ILEC</i> plan, do non-tariffed <i>PBDS</i> purchases you make from this <i>ILEC</i> count towards meeting any <i>Volume Commitment</i> to receive a discount or <i>Non-Rate Benefit</i> under this plan? (Y=Yes, N=No, NA=Not Applicable)	Text	Y
ILEC_PBDS_Vol	If Yes, in what geographic areas do you purchase non-tariffed <i>PBDS</i> that counts towards meeting any <i>Volume Commitment</i> to receive a discount or <i>Non-Rate Benefit</i> under this plan.	Text	Oklahoma City, OK
ILEC_PBDS_Diff	Of the geographic areas identified, in which of those areas would your company have purchased non-tariffed <i>PBDS</i> from a different <i>Provider</i> , if at all, had it not been for the requirements of the plan?	Text	Oklahoma City, OK
ILEC_PBDS_Provider	Name of <i>Provider(s)</i> in the geographic areas identified above you would have purchased from had it not been for the discounts or <i>Non-Rate Benefits</i> received under this plan.	Text	ABC Co.
ILEC_Other	If this is an <i>ILEC</i> plan, do purchases you make for services other than <i>DSIs</i> , <i>DS3s</i> , and <i>PBDS</i> from this <i>ILEC</i> count towards meeting any <i>Volume Commitment</i> to receive a discount or <i>Non-Rate Benefit</i> under this plan? ((Y=Yes, N=No, NA=Not Applicable)	Text	Y
ILEC_Other_Service	If Yes, identify the other services purchased that count towards meeting any <i>Volume Commitment</i> to receive a discount or <i>Non-Rate Benefit</i> under this plan.	Text	Cloud computing
ILEC_Other_Geo	If Yes, identify the geographic areas where you purchase these other services that count towards meeting any <i>Volume Commitment</i> to receive a discount or <i>Non-Rate Benefit</i> under this plan.	Text	Little Rock, AR
ILEC_Other_Diff	Of the geographic areas identified, in which of those areas would your company have purchased those other services from a different <i>Provider</i> , had it not been for the requirements of the plan? In your response, indicate whether the <i>Provider</i> that you would have purchased from has <i>Connections</i> serving that geographic area.	Text	Little Rock, AR
ILEC_Other_Provider	Name of <i>Provider(s)</i> in the geographic areas identified above you would have purchased from had it not been for the discounts or <i>Non-Rate Benefits</i> received under this plan.	Text	ABC Co.
Limiting_Purchase	Is the discount or <i>Non-Rate Benefit</i> available under this plan conditioned on the customer limiting its purchase of <i>UNEs</i> , e.g., the customer must keep its purchase of <i>UNEs</i> below a certain percentage of the customer's total spend? If yes, then provide additional details about the condition.	Text	Yes, to obtain the discount our company must . . .

Question II.E.15: Non-Tariffed Agreements

If you have a non-tariffed agreement covered by Question II.E.15, then you must identify each agreement in Table II.E.15 within the data container. If you do not have an agreement covered by Question II.E.15, then type "Not Applicable" in the Agreement field. You will receive an error message upon validation of the data container if you do not put any information into Table II.E.15.

Table II.E.15
Record Format for Non-Tariffed Agreements

Field Name	Description	Type	Example
Unique_ID	Sequential number	Integer	1
Agreement	Name of non-tariffed agreement	Text	PBDS Agreement with Local Fiber Incorporated
Parties	Parties to the agreement	Text	ILEC Company and Local Fiber Inc.
Effective_Date	The beginning date of the time period covered by the agreement	Date	1/15/10
End_Date	The ending date of the time period covered by the agreement	Date	12/31/12
Summary	Summary of relevant provisions	Text	Requires the purchase of . . .

QUESTIONS DIRECTED AT OTHER PURCHASERS

Question II.F.1: Principal Nature of Business

Table II.F.1
Record Format for Purchaser's Business

Field Name	Description	Type	Example
Purchaser_Name	Name of <i>Purchaser</i>	Text	Local Fiber Inc.
Biz_Nature	Principal nature of <i>Purchaser's</i> business	Text	CLEC

Expenditures Information

Question II.F.2: Total Expenditures on Dedicated Services

Table II.F.2
Record Format for Expenditures on Dedicated Service

Field Name	Description	Type	Example
Expenditures	Enter the dollar value of expenditures on <i>Dedicated Service</i>	Float	4321.00
Service_Type	Indicate the service type category for which the expenditures are reported. Enter "CBDS" for <i>CBDS</i> expenditures and enter "PBDS" for <i>PBDS</i> expenditures	Text	CBDS
Provider_Type	Enter 0 if the reported expenditures are for purchases from <i>ILECs</i> and enter 1 if the reported expenditures are for purchases from <i>Competitive Providers</i>	Binary	0
Year	Enter year of the data reported, <i>i.e.</i> , 2013	Integer	2013

Note: If there were no expenditures for a particular category or year, then report 0.

Question II.F.3: Expenditures with ILECs under Tariffs

Purchasers are not required to provide information in response to this question but can respond on a voluntary basis.

Table II.F.3
Record Format for Expenditures with ILECs Pursuant to a Tariff

Field Name	Description	Type	Example
Expenditures	Enter the dollar value of expenditures on <i>Dedicated Service</i> for the corresponding categorical breakdown	Float	5364821
Year	Enter year of the data reported, <i>i.e.</i> , 2013	Integer	2013
Service_Type	Indicate the service type category for which the expenditures are reported. Enter “DS1” for <i>DS1</i> expenditures, enter “DS3” for <i>DS3</i> expenditures, and enter “PBDS” for <i>PBDS</i> expenditures	Text	DS3
Agreement_Type	Enter the code for the appropriate contract type indicated in the question. The codes must be a letter from “a” to “h”. See instructions below the table for more information on the codes for Agreement_Type	Text	c
Avg_Discount_PPBC	If the Agreement_Type is coded as “f” or “h”, enter the average discount (in percentage terms) off the <i>One Month Term Only Rate</i> incorporated in the expenditures purchased under <i>Tariff Plans</i> (for code “f”) or <i>Contract-Based Tariffs</i> (for code “h”) that contained a <i>Prior Purchase-Based Commitment</i> . See the example in the question on how to calculate the average discount. If Agreement_Type is not coded as “f” or “h”, leave the field blank	Float	25
5orMore	What percentage of your expenditures was subject to a <i>Term Commitment</i> of five or more years?	Integer	45

Note: If there were no expenditures for a particular category or year, then report 0.

Use the following codes for the Agreement_Type variable. Enter “a” for expenditures on ALL purchases; enter “b” for expenditures on purchases at *One Month Term Only Rates*; enter “c” for expenditures purchased under *Tariff Plans*; enter “d” for expenditures purchased under *Contract-Based Tariffs*; enter “e” for expenditures purchased under *Tariff Plans* that contained a *Term Commitment* but not a *Volume Commitment*; enter “f” for expenditures purchased under *Tariff Plans* that contained a *Prior Purchase-Based Commitment*; enter “g” for expenditures purchased under *Contract-Based Tariffs* that contained a *Term Commitment* but not a *Volume Commitment*; and enter “h” for expenditures purchased under *Contract-Based Tariffs* that contained a *Prior Purchase-Based Commitment*.

5orMore: Provide the percentage of your expenditures in 2013 that were subject to a *Term Commitment* of five or more years.

Question II.F.4: Expenditures with Competitive Providers under Tariffs

Purchasers are not required to provide information in response to this question but can respond on a voluntary basis.

Table II.F.4
Record Format for Expenditures with Competitive Providers Pursuant to a Tariff

Field Name	Description	Type	Example
Expenditures	Enter the dollar value of expenditures on <i>Dedicated Service</i> for the corresponding categorical breakdown	Float	5364821
Year	Enter year of the data reported, <i>i.e.</i> , 2013	Integer	2013
Service_Type	Indicate the service type category for which the expenditures are reported. Enter “DS1” for <i>DS1</i> expenditures, enter “DS3” for <i>DS3</i> expenditures, and enter “PBDS” for <i>PBDS</i> expenditures	Text	DS3
Agreement_Type	Enter the code for the appropriate contract type indicated in the question. The codes must be a letter from “a” to “d”. See instructions below the table for more information on the codes for Agreement_Type	Text	c
Avg_Discount_PPBC	If the Agreement_Type is coded as “d”, enter the average discount (in percentage terms) off the <i>One Month Term Only Rate</i> incorporated in the expenditures purchased under <i>Tariffs</i> that contained a <i>Prior Purchase-Based Commitment</i> . See the example	Float	25

Table II.F.4
Record Format for Expenditures with *Competitive Providers* Pursuant to a *Tariff*

Field Name	Description	Type	Example
5orMore	in the question on how to calculate the average discount. If Agreement_Type is not coded as "d", leave the field blank What percentage of your expenditures was subject to a <i>Term Commitment</i> of five or more years?	Integer	45

Note: If there were no expenditures for a particular category or year, then report 0.

Use the following codes for the Agreement_Type variable. Enter "a" for expenditures on ALL purchases; enter "b" for expenditures on purchases at *One Month Term Only Rates*; enter "c" for expenditures purchased under *Tariffs* that contained a *Term Commitment* but not a *Volume Commitment*; enter "d" for expenditures purchased under *Tariffs* that contained a *Prior Purchase-Based Commitment*.

5orMore: Provide the percentage of your expenditures in 2013 that were subject to a *Term Commitment* of five or more years.

Question II.F.5: Expenditures with ILECs and Competitive Providers Pursuant to Non-Tariffs

Purchasers are not required to provide information in response to this question but can respond on a voluntary basis.

Table II.F.5
Record Format for Expenditures with *ILECs* and *Competitive Providers* Pursuant to Non-Tariffed Agreement

Field Name	Description	Type	Example
Expenditures	Enter the dollar value of expenditures on Dedicated Service for the corresponding categorical breakdown	Float	5364821
Year	Enter year of the data reported, <i>i.e.</i> , 2013	Integer	2013
Provider_Type	Enter 0 if the reported expenditures are for purchases from <i>ILECs</i> and enter 1 if the reported expenditures are for purchases from <i>Competitive Providers</i>	Binary	0
Service_Type	Indicate the service type category for which the expenditures are reported. Enter "DS1" for <i>DS1</i> expenditures, enter "DS3" for <i>DS3</i> expenditures, and enter "PBDS" for <i>PBDS</i> expenditures	Text	DS3
Agreement_Type	Enter the code for the appropriate contract type indicated in the question. The codes must be a letter from "a" to "d". See instructions below the table for more information on the codes for Agreement_Type	Text	c
Avg_Discount_PPBC	If the Agreement_Type is coded as "d", enter the average discount (in percentage terms) off the non-discounted rate incorporated in the expenditures purchased under non-tariffed agreements that contained a <i>Prior Purchase-Based Commitment</i> . See the example in the question on how to calculate the average discount. If Agreement_Type is not coded as "d", leave the field blank	Float	25

Note: If there were no expenditures for a particular category or year, then report 0.

Use the following codes for the Agreement_Type variable. Enter "a" for expenditures on ALL purchases; enter "b" for expenditures purchased at non-discounted rates; enter "c" for expenditures purchased under a non-tariffed agreement that contained a *Term Commitment* but not a *Volume Commitment*; enter "d" for expenditures purchased under a non-tariffed agreement that contained a *Prior Purchase-Based Commitment*.

Question II.F.6: Expenditures under Tariffs for PBDS

Purchasers are not required to provide information in response to this question but can respond on a voluntary basis.

Table II.F.6
Record Format for Expenditures on PBDS Purchased Pursuant to a Tariff by Bandwidth Category

Field Name	Description	Type	Example
Expenditures	Enter the dollar value of expenditures on <i>Tariffed PBDS</i> service	Float	4,321.00
Provider_Type	Enter 0 if the reported expenditures are for purchases from <i>ILECs</i> and enter 1 if the reported expenditures are for purchases from <i>Competitive Providers</i>	Binary	0
Bandwidth	Indicate the bandwidth category for which the expenditures are reported. Enter "A" for bandwidth less than or equal to 1.5 Mbps, enter "B" for bandwidth greater than 1.5 Mbps but less than or equal to 50 Mbps, enter "C" for bandwidth greater than 50 Mbps but less than or equal to 100 Mbps, enter "D" for bandwidth greater than 100 Mbps but less than or equal to 1 Gbps, and enter "E" for bandwidth greater than 1 Gbps	Text	B
Year	Enter year of the data reported, <i>i.e.</i> , 2013	Integer	2013

Question II.F.7: Expenditures under Non-Tariffs for PBDS

Purchasers are not required to provide information in response to this question but can respond on a voluntary basis.

Table II.F.7
Record Format for Expenditures on PBDS Pursuant to Non-Tariff Agreement

Field Name	Description	Type	Example
Expenditures	Enter the dollar value of expenditures on non- <i>Tariffed PBDS</i> service	Float	4,321.00
Provider_Type	Enter 0 if the reported expenditures are for purchases from <i>ILECs</i> and enter 1 if the reported expenditures are for purchases from <i>Competitive Providers</i>	Binary	0
Bandwidth	Indicate the bandwidth category for which the expenditures are reported. Enter "A" for bandwidth less than or equal to 1.5 Mbps, enter "B" for bandwidth greater than 1.5 Mbps but less than or equal to 50 Mbps, enter "C" for bandwidth greater than 50 Mbps but less than or equal to 100 Mbps, enter "D" for bandwidth greater than 100 Mbps but less than or equal to 1 Gbps, and enter "E" for bandwidth greater than 1 Gbps	Text	B
Year	Enter year of the data reported, <i>i.e.</i> , 2013	Integer	2013

Terms and Conditions Information

Question II.F.8: Terms and Conditions Constraints

Question II.F.9: Changing Transport Providers

Question II.F.10: Purchases Solely for the Purpose of Meeting a Prior Purchase-Based Commitment

Question II.F.11: Switching Providers

Question II.F.12: Paying One Month Term Only Rates

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The web portal contains two areas for uploading documents for each question. One is for uploading the “Confidential” version of the document where you will indicate information deemed Confidential and redact information that is Highly Confidential based on the Protective Order issued for the data collection. The second area is for uploading the “Highly Confidential” version of the document noting both Confidential and Highly Confidential information without any redactions. You must upload at least one document in each area or you will receive an error message during the submission process. If the document does not contain Confidential or Highly Confidential information, e.g., all information is publicly available, then upload the document in each area without the relevant Confidential/Highly Confidential notations or redactions in the case of the Confidential upload area.

Additional Note for Questions II.F.8-10. These questions are intended to give you an opportunity to discuss any alleged concerns that you are having with terms and conditions associated with the purchase of *Dedicated Services* or with changing *Providers*. If you do not need, or want, to provide a response, e.g., you do not have any alleged concerns with terms and conditions, then you can simply respond stating as such.

Additional Note for Question II.F.11. The purpose of this question is to assess the frequency of switching *Providers* for *End-User Channel Terminations* at as granular a geographic level as possible. Respondents may define their own geographic areas. Given the level of detail required in other parts of the data collection, respondents need only provide switching history in five geographic areas of their choice or more. Respondents may provide switching history for less than five years if they do not keep such information in the regular course of business.

Additional Note for Question II.F.12. The purpose of this question is to understand the economic impact of paying *One Month Term Only Rates* on your business and consumers. Given the level of detail required in other parts of the data collection, respondents may provide information over a shorter timeframe. Alternatively, respondents who do not need or want to provide a response, e.g., you do not have any alleged concerns with the terms and conditions, then you can simply respond stating as such.

Question II.F.13: Tariffs under which you Purchase Service

Purchasers are not required to provide information in response to this question but can respond on a voluntary basis.

Table II.F.13
Record Format for *Tariffs* under which you Purchase Service

Field Name	Description	Type	Example
Tar_Plan	Plan is a <i>Tariff Plan</i> (Y=Yes, N=No)	Text	Y
Tariff_Name	Name of <i>Tariff Plan</i>	Text	Regional Volume Discount Plan
TP_Provider	The <i>Tariff Plan Provider</i> name	Text	ABC Company
TP_Tariff_Number	The <i>Tariff Plan</i> Name and Section Number	Text	ABC Tariff FCC No. 2 § 7.4.15
CBT_Plan	Plan is a <i>Contract-Based Tariff</i> (Y=Yes, N=No)	Text	N
CBT_Name	Name of <i>Contract-Based Tariff</i> plan	Text	Regional Volume Discount Plan
CBT_Provider	The <i>Contract-Based Tariff Provider</i> name	Text	ABC Company
CBT_Tariff_Number	The <i>Contract-Based Tariff</i> Name and Section Number	Text	ABC Tariff FCC No. 2 § 7.4.15
Tariff_Type	Interstate (Inter) or Intrastate (Intra)	Text	Inter

Table II.F.13
Record Format for *Tariffs* under which you Purchase Service

Field Name	Description	Type	Example
Contains_Term	Contains <i>Term Commitments</i> (Y=Yes, N=No)	Text	Y
Contains_Vol	Contains <i>Volume Commitments</i> (Y=Yes, N=No)	Text	Y
Contains_NonR	Contains <i>Non-Rate Benefits</i> (Y=Yes, N=No)	Text	N
NonRate	If the plan contains <i>Non-Rate Benefits</i> , identify the <i>Non-Rate Benefits</i> that were relevant to your decision to purchase services under this plan.	Text	Plan allows for circuit portability ...
Tariff_DS1	Does this plan apply to the purchase of <i>DS1s</i> ? (Y=Yes, N=No)	Text	Y
Tariff_DS3	Does this plan apply to the purchase of <i>DS3s</i> ? (Y=Yes, N=No)	Text	Y
Tariff_PBDS	Does this plan apply to the purchase of <i>PBDS</i> ? (Y=Yes, N=No)	Text	N
Tariff_Other	Does this plan apply to the purchase of other services? (Y=Yes, N=No)	Text	N
Geo_DS1	In what geographic areas do you purchase <i>DS1s</i> under this plan?	Text	California
Geo_DS3	In what geographic areas do you purchase <i>DS3s</i> under this plan?	Text	Texas
Geo_PBDS	In what geographic areas do you purchase <i>PBDS</i> under this plan?	Text	Oklahoma
Geo_Other	In what geographic areas do you purchase other services under this plan?	Text	Kansas
Prior_P	To receive a discount or <i>Non-Rate Benefit</i> under this plan, does your company make a <i>Prior Purchase-Based Commitment</i> ? (Y=Yes, N=No)	Text	Y
Outside_Area	If this is an <i>ILEC</i> plan, do <i>DS1</i> , <i>DS3</i> , or tariffed <i>PBDS</i> purchases your company makes outside the study area(s) of the <i>ILEC</i> count towards meeting any <i>Volume Commitment</i> to receive a discount or <i>Non-Rate Benefit</i> under this plan? (Y=Yes, N=No, NA=Not Applicable)	Text	Y
Outside_Area_Yes	If yes, in what geographic areas outside the study area(s) of the <i>ILEC</i> , do you purchase these <i>DS1s</i> , <i>DS3s</i> , and/or tariffed <i>PBDS</i> ?	Text	Southern California
Outside_Area_Yes_Diff	Of the geographic areas identified, in which of those areas would your company have purchased from a different <i>Provider</i> , if at all, had it not been for the discounts or <i>Non-Rate Benefits</i> received under this plan?	Text	Southern California
Outside_Area_Yes_Provider	Name of <i>Provider(s)</i> in the geographic area identified above you would have purchased from had it not been for the discounts or <i>Non-Rate Benefits</i> received under this plan.	Text	ABC Co.
ILEC_Price_Cap	If this is an <i>ILEC</i> plan, do <i>DS1s</i> , <i>DS3s</i> , and/or tariffed <i>PBDS</i> purchases your company makes from the <i>ILEC</i> in price cap areas where the Commission has not granted the <i>ILEC</i> pricing flexibility count towards meeting any <i>Volume Commitment</i> to receive a discount or <i>Non-Rate Benefit</i> under this plan? (Y=Yes, N=No, NA=Not Applicable)	Text	Y
ILEC_Price_Cap_Vol	If Yes, then identify the price cap areas where you purchase <i>DS1s</i> , <i>DS3s</i> , and/or tariffed <i>PBDS</i> that count towards meeting any <i>Volume Commitment</i> to receive a discount or <i>Non-Rate Benefit</i> under this plan.	Text	Texas
ILEC_Price_Flex1	If this is an <i>ILEC</i> plan, do <i>DS1s</i> , <i>DS3s</i> , and/or tariffed <i>PBDS</i> purchases your company makes from the <i>ILEC</i> in areas where the Commission has granted the <i>ILEC Phase I Pricing Flexibility</i> count towards meeting any <i>Volume Commitment</i> to receive a discount or <i>Non-Rate Benefit</i> under this plan? (Y=Yes, N=No, NA=Not Applicable)	Text	Y
ILEC_Price_Flex1_Vol	If Yes, in what geographic areas subject to pricing flexibility do you purchase <i>DS1s</i> , <i>DS3s</i> , and/or tariffed <i>PBDS</i> that count towards meeting any <i>Volume Commitment</i> to receive a discount or <i>Non-Rate Benefit</i>	Text	Dallas MSA

Table II.F.13
Record Format for *Tariffs* under which you Purchase Service

Field Name	Description	Type	Example
	under this plan?		
ILEC_Price_Flex1_Diff	Of the geographic areas identified, in which of those areas would your company have purchased from a different <i>Provider</i> , if at all, had it not been for the discounts or <i>Non-Rate Benefits</i> received under this plan?	Text	Southern California
ILEC_Price_Flex1_Provider	Name of <i>Provider(s)</i> in the geographic areas identified above you would have purchased from had it not been for the discounts or <i>Non-Rate Benefits</i> received under this plan.	Text	ABC Co.
ILEC_Price_Flex2	If this is an <i>ILEC</i> plan, do <i>DS1s</i> , <i>DS3s</i> , and/or tariffed <i>PBDS</i> purchases your company makes from the <i>ILEC</i> in areas where the Commission has granted the <i>ILEC Phase II Pricing Flexibility</i> count towards meeting any <i>Volume Commitment</i> to receive a discount or <i>Non-Rate Benefit</i> under this plan? (Y=Yes, N=No, NA=Not Applicable)	Text	Y
ILEC_Price_Flex2_Vol	If Yes, in what geographic areas subject to pricing flexibility do you purchase <i>DS1s</i> , <i>DS3s</i> , and/or tariffed <i>PBDS</i> that count towards meeting any <i>Volume Commitment</i> to receive a discount or <i>Non-Rate Benefit</i> under this plan?	Text	Dallas MSA
ILEC_Price_Flex2_Diff	Of the geographic areas identified, in which of those areas would your company have purchased from a different <i>Provider</i> , if at all, had it not been for the discounts or <i>Non-Rate Benefits</i> received under this plan?	Text	Southern California
ILEC_Price_Flex2_Provider	Name of <i>Provider(s)</i> in the geographic areas identified above you would have purchased from had it not been for the discounts or <i>Non-Rate Benefits</i> received under this plan.	Text	ABC Co.
ILEC_PBDS	If an <i>ILEC</i> plan, do non-tariffed <i>PBDS</i> purchases you make from this <i>ILEC</i> count towards meeting any <i>Volume Commitment</i> to receive a discount or <i>Non-Rate Benefit</i> under this plan? (Y=Yes, N=No, NA=Not Applicable)	Text	Y
ILEC_PBDS_Vol	If Yes, in what geographic areas do you purchase non-tariffed <i>PBDS</i> that counts towards meeting any <i>Volume Commitment</i> to receive a discount or <i>Non-Rate Benefit</i> under this plan.	Text	Oklahoma City, OK
ILEC_PBDS_Diff	Of the geographic areas identified, in which of those areas would your company have purchased non-tariffed <i>PBDS</i> from a different <i>Provider</i> , if at all, had it not been for the requirements of the plan?	Text	Oklahoma City, OK
ILEC_PBDS_Provider	Name of <i>Provider(s)</i> in the geographic areas identified above you would have purchased from had it not been for the discounts or <i>Non-Rate Benefits</i> received under this plan.	Text	ABC Co.
ILEC_Other	If this is an <i>ILEC</i> plan, do purchases you make for services other than <i>DS1s</i> , <i>DS3s</i> , and <i>PBDS</i> from this <i>ILEC</i> count towards meeting any <i>Volume Commitment</i> to receive a discount or <i>Non-Rate Benefit</i> under this plan? ((Y=Yes, N=No, NA=Not Applicable)	Text	Y
ILEC_Other_Service	If Yes, identify the other services purchased that count towards meeting any <i>Volume Commitment</i> to receive a discount or <i>Non-Rate Benefit</i> under this plan.	Text	Cloud computing
ILEC_Other_Geo	If Yes, identify the geographic areas where you purchase these other services that count towards meeting any <i>Volume Commitment</i> to receive a discount or <i>Non-Rate Benefit</i> under this plan.	Text	Little Rock, AR
ILEC_Other_Diff	Of the geographic areas identified, in which of those areas would your company have purchased those other services from a different <i>Provider</i> , had it not been for the requirements of the plan? In your response, indicate whether the <i>Provider</i> that you would have purchased from has <i>Connections</i> serving that geographic area.	Text	Little Rock, AR

Table II.F.13
Record Format for Tariffs under which you Purchase Service

Field Name	Description	Type	Example
ILEC_Other_Provider	Name of <i>Provider(s)</i> in the geographic areas identified above you would have purchased from had it not been for the discounts or <i>Non-Rate Benefits</i> received under this plan.	Text	ABC Co.
Limiting_Purchase	Is the discount or <i>Non-Rate Benefit</i> available under this plan conditioned on the customer limiting its purchase of <i>UNEs</i> , e.g., the customer must keep its purchase of <i>UNEs</i> below a certain percentage of the customer's total spend? If yes, then provide additional details about the condition.	Text	Yes, to obtain the discount our company must . . .

Question II.F.14: Non-Tariffed Agreements

If you have a non-tariffed agreement covered by Question II.F.14, then you must identify each agreement in Table II.F.14 within the data container. If you do not have an agreement covered by Question II.F.14, then type "Not Applicable" in the Agreement field. You will receive an error message upon validation of the data container if you do not put any information into Table II.F.14.

Table II.F.14
Record Format for Non-Tariffed Agreements

Field Name	Description	Type	Example
Unique_ID	Sequential number	Integer	1
Agreement	Name of non-tariffed agreement	Text	PBDS Agreement with Local Fiber Incorporated
Parties	Parties to the agreement	Text	ILEC Company and Local Fiber Inc.
Begin_Date	The beginning date of the time period covered by the agreement	Date	1/15/10
End_Date	The ending date of the time period covered by the agreement	Date	12/31/12
Summary	Summary of relevant provisions	Text	Requires the purchase of . . .

QUESTION DIRECTED AT NON-PROVIDERS, NON-PURCHASERS, AND OTHER ENTITIES NOT COVERED BY THE DATA COLLECTION

Question II.G.1: Not Required to Submit Data

Entities that were required to report broadband connections to end users for 2013 in the FCC Form 477 are required to affirmatively indicate whether or not they are a *Provider*, a *Purchaser*, or an entity providing *Best Efforts Business Broadband Internet Access Services* to 15,000 or more customers or 1,500 or more business broadband customers in price cap areas. If you are "none of the above," then you must electronically submit a certification, stating as such, where indicated in the Special Access Web Portal.

APPENDIX C

Supplemental Final Regulatory Flexibility Analysis

1. As required by the Regulatory Flexibility Act of 1980 (RFA),¹ as amended, Initial Regulatory Flexibility analyses were incorporated in the *Special Access NPRM* for this proceeding, and the Commission included a Final Regulatory Flexibility Analysis (FRFA) with the *Data Collection Order* adopting the data collection requirement.² This Supplemental Final Regulatory Flexibility Analysis supplements the FRFA to reflect the actions taken in this Order on Reconsideration.

A. Need for, and Objectives of, the Order

2. In 2005, the Commission initiated this proceeding as a broad examination of what regulatory framework to apply to price cap local exchange carriers' (LECs) interstate special access services following the expiration of the CALLS plan,³ including whether to maintain or modify the Commission's pricing flexibility rules.⁴ Moreover, the *Special Access NPRM* sought to examine whether the available marketplace data supported maintaining, modifying, or repealing these rules.⁵ In the *Data Collection Order*, the Commission continued the process of reviewing its special access rules to ensure that they reflect the state of competition today and promote competition, investment, and access to dedicated communications services businesses across the country rely on every day to deliver their products and services to American consumers.⁶ Specifically, the Commission initiated a comprehensive data collection and sought comment on a proposal to use the data to evaluate competition in the market for special access services.

¹ 5 U.S.C. §§ 603-604; *Special Access for Price Cap Local Exchange Carriers; AT&T Corporation Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services*, WC Docket No. 05-25, RM-10593, Report and Order and Further Notice of Proposed Rulemaking, 27 FCC Rcd 16318, 16384, App. B (2012) (*Data Collection Order*). The RFA, 5 U.S.C. §§ 601-612, has been amended by the Contract With America Advancement Act of 1996, Pub. L. No. 104-121, 110 Stat. 847 (1996) (CWAAA). Title II of the CWAAA is the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA).

² *Special Access Rates for Price Cap Local Exchange Carriers*, WC Docket No. 05-25, *AT&T Corp. Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services*, RM-10593, Order and Notice of Proposed Rulemaking, 20 FCC Rcd 1994, 2037-40, paras. 134-146 (2005) (*Special Access NPRM*).

³ The CALLS plan was a five-year interim, industry-proposed regime designed to move towards a more market-based approach to rate setting. See *Access Charge Reform*, CC Docket No. 96-262; *Price Cap Performance Review for Local Exchange Carriers*, CC Docket No. 94-1; *Low-Volume Long-Distance Users*, CC Docket No. 99-249; *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Sixth Report and Order in CC Docket Nos. 96-262 and 94-1, Report and Order in CC Docket No. 99-249, Eleventh Report and Order in CC Docket No. 96-45, 15 FCC Rcd 12962, 12965, 12977-79, paras. 4, 36-42 (2000) (*CALLS Order*), *aff'd in part, rev'd in part, and remanded in part*, *Tex. Office of Pub. Util. Counsel v. FCC*, 265 F.3d 313 (5th Cir. 2001), *cert. denied*, *Nat'l Ass'n of State Util. Consumer Advocates v. FCC*, 535 U.S. 986 (2002), *on remand*, *Access Charge Reform*, CC Docket Nos. 96-262, 94-1, 99-249, 96-45, Order on Remand, 18 FCC Rcd 14976 (2003).

⁴ *Special Access NPRM*, 20 FCC Rcd at 1995, para. 1.

⁵ *Id.* at 1996-97, para. 5. The Commission noted its commitment to re-examine periodically rules that were adopted on the basis of predictive judgments to evaluate whether those judgments are, in fact, corroborated by marketplace developments. Accordingly, the Commission sought data and comments on whether actual marketplace developments supported the predictive judgments used to support the special access pricing flexibility rules. *Id.*

⁶ See *Data Collection Order*, 27 FCC Rcd at 16318.

3. In this Order on Reconsideration, we further amend the data collection adopted by the Commission in the *Data Collection Order*.⁷ The collection requires providers and purchasers of special access service and certain other services—including best efforts business broadband Internet access services—as well as entities that provide certain other services, to submit data, information and documents to allow the Commission to conduct a comprehensive evaluation of competition in the special access market. The data, information, and documents required fall into five general categories: market structure; pricing; demand (*i.e.*, observed sales and purchases), terms and conditions; and competition and pricing decisions. In this Order on Reconsideration, we amend the collection to collect data from a single year (calendar year 2013) instead of from two years (calendar years 2010 and 2012). This will result in a significant reduction in the amount of data reported by respondents. In addition, we amended the definition of purchaser to exclude entities spending less than \$5 million on special access services in 2013 from the scope of the collection.

B. Summary of Significant Issues Raised by Public Comments in Response to the IRFA

4. No new comments were received in response to the IRFA that were not already addressed in the FRFA included with the *Data Collection Order*. In response to the petitions requesting reconsideration of the *Data Collection Implementation Order*, MTPCS, LLC d/b/a Cellular One (MTPCS) filed comments stating that the Wireline Competition Bureau (Bureau) failed to “effectively minimize” the reporting burden associated with the data collection on small entities as required by the RFA.⁸ According to MTPCS, the Commission has greatly underestimated the response time needed for answering several of the questions directed at purchasers.⁹

C. Description and Estimate of the Number of Small Entities to which the Proposed Rules will Apply.

5. The actions taken in the Order on Reconsideration do not require any changes to this section of the FRFA included with the *Data Collection Order*.

D. Description of Projected Reporting, Recordkeeping, and Other Compliance Requirements

6. The data, information and document collection required by the *Data Collection Order*, which is further amended by this Order on Reconsideration, falls into five general categories: market structure, pricing, demand (*i.e.*, observed sales and purchases), terms and conditions, and competition and pricing decisions.

7. Market structure data consists of, among other things, the situs and type of facilities owned by a provider (or leased subject to an indefeasible right of use) capable of providing special access, by sold and potential capacity and ownership, and the proximity of such facilities to sources of demand. We also require incumbent LEC providers to submit data concerning the number, nature, and situs of UNEs sold. In addition, we also require additional market structure data from competitive providers, such as detailed information related to non-price factors that may impact where special access providers build facilities or expand their network via UNEs and the history of their facility deployments in a sample of locations they serve.

⁷ See *Data Collection Order*, 27 FCC Red at 16318.

⁸ See Petition for Blanket Exemption or, in the Alternative, Petition for Reconsideration of the Coalition, WC Docket No. 05-25, RM-10593 (filed Dec. 9, 2013) (Coalition Petition); Petition for Reconsideration of Blooston, WC Docket No. 05-25, RM-10593 (filed Dec. 6, 2013) (Blooston Petition); Petitions for Reconsideration of Action in Rulemaking Proceeding, WC Docket No. 05-25, RM-10593, Report No. 2995, 78 Fed. Reg. 79363 (2013); Comments of MTPCS, WC Docket No. 05-25, RM-10593 at 2 (filed Dec. 14, 2013) (MTPCS Comments).

⁹ See MTPCS Comments at 4.

8. Pricing data includes the quantities sold and prices charged for special access services, by circuit element, and information regarding the regulatory environment for incumbent LECs.

9. Demand data includes, among other things, data that identify the bandwidth of the special access services sold or purchased, the locations being served, and other material facts, such as where those purchases occur (*e.g.*, buildings, cell towers) and the nature of the purchaser (*e.g.*, provider or end user).

10. Terms and conditions data and information include, but are not limited to, information regarding contracts or generally available plans for special access services that offer discounts, circuit portability, or other competitively relevant benefits, and whether the terms and conditions associated with those offerings may inhibit a buyer's ability to switch to other providers, which in turn may inhibit facilities-based entry into special access markets.

11. Competition and pricing data, information and documents include, but are not limited to, those materials related to requests for proposals, advertising and marketing materials, and in very limited circumstances, pricing decision documents.

12. Best efforts business broadband Internet access services include, but are not limited to, data showing where a provider or entity provides such services, as well as price lists.

13. Questions related to terms and conditions, competition and pricing decisions will span a variety of timeframes specific to the issue addressed. The majority of the market structure, pricing and demand data will be collected for a two-year period. This period of time allows the analysis to control for factors that may vary substantially across geographic areas, but not within a given geographic area.

14. The actions taken in this Order on Reconsideration do not alter the general categories of information collected. The Bureau did amend the collection, however, to change the temporal scope of collection. Instead of asking questions for 2010 and 2012, the Commission will seek responses for a single year, 2013.¹⁰

E. Steps Taken to Minimize Significant Economic Impact on Small Entities, and Significant Alternatives Considered.

15. As discussed in the FRFA, small business concerns were considered when determining the nature of the data to be collected, and identified data, information, and document requirements were modified to reduce burdens on small businesses where possible. The Bureau previously issued two voluntary data requests in this proceeding. These voluntary requests allowed each potential respondent to make its own determination concerning participation. The responses to the voluntary data requests provided the Commission the means and opportunity to assess which data elements are most important to its ability to assess the special access market, and to eliminate or revise those questions that otherwise yield less valuable information. The voluntary data requests also allowed the Commission to carefully assess the need to obtain data from all providers and purchasers of special access services and certain other services—including small businesses—to conduct a comprehensive analysis of the special access market.

16. In order to conduct a comprehensive analysis of the special access market, the Commission will collect data from all providers and purchasers of special access services as well as some entities that provide best efforts business broadband Internet access services. The Commission notes concerns regarding the burden that this data collection will impose on small companies, and is mindful of the importance of seeking to reduce information collection burdens for small business concerns, and in particular those “with fewer than 25 employees.”¹¹ Competition in the provision of special access,

¹⁰ See Order on Reconsideration at para. 8.

¹¹ Small Business Paperwork Relief Act of 2002 § 2(c)(3), Pub. L. No. 107-198, *see* 44 U.S.C. § 3506(c)(4).

however, appears to occur at a very granular level—perhaps as low as the building/tower. Accordingly, the Commission finds it necessary to obtain data from special access providers and purchasers of all sizes.

17. The Bureau has further evaluated and modified the collection, however, to alleviate the impact of the collection on small entities. On September 18, 2013, the Bureau released an order clarifying the scope of the collection; providing instructions on how to respond to the data collection questions; and providing a list of all modifications and amendments to the data collection questions and definitions.¹² These actions were based on feedback received from potential respondents, including the PRA comments filed with the Commission during the 60-day public comment period, and the Bureau's further internal review.¹³ These actions included a clarification on purchasers covered by the scope of the collection to exclude several categories of Commission license, authorization and registration holders.¹⁴

18. In addition, in this Order on Reconsideration, the Bureau further amended the collection to reflect the conditional approval received from the Office of Management and Budget pursuant to the Paperwork Reduction Act of 1995. The amendments include revising the definition of purchasers to exclude those entities spending less than \$5 million on special access services in 2013 in price cap areas and making many of the questions directed at purchasers optional.¹⁵ These amendments will significantly reduce the number of small entities covered by the scope of the collection and the reporting burden on those remaining small entities that still must respond, and thus addresses the concerns raised by MTPCS.¹⁶

19. Finally, the Commission considered additional alternatives to alleviate burden, e.g., collecting data from a sample of geographic areas.¹⁷ The Commission ultimately decided, however, that these alternatives were either impracticable or would undermine the Commission's efforts to conduct a comprehensive analysis of the special access market.

F. Report to Congress

20. The Commission will send a copy of this Order on Reconsideration, including this Supplemental FRFA, in a report to be sent to Congress and the Government Accountability Office pursuant to the Small Business Regulatory Enforcement Fairness Act of 1996.¹⁸ In addition, the Commission will send a copy of this Order on Reconsideration, including the Supplemental FRFA, to the Chief Counsel for Advocacy of the Small Business Administration. A copy of this Order on Reconsideration and Supplemental FRFA (or summaries thereof) will also be published in the Federal Register.¹⁹

¹² See *Data Collection Implementation Order*, 28 FCC Rcd at 13192-93, para. 7.

¹³ See *id.* at 13192-93, para. 7.

¹⁴ *Id.* at 13193-96, paras. 8-14.

¹⁵ See Order on Reconsideration at para. 8.

¹⁶ *Id.*

¹⁷ See *Data Collection Order*, 27 FCC Rcd at 13628, para. 24.

¹⁸ 5 U.S.C. § 801(a)(1)(A).

¹⁹ See *id.* § 604(b).