



January 19, 2013

(Filed electronically)

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: WC Docket No. 06-122 – In the Matter of Universal Service
Contribution Methodology

Dear Ms. Dortch:

The Voice on the Net Coalition¹ hereby submits these brief, late-filed comments on proposed revisions to the 2013 FCC Form 499-A and accompanying instructions.² VON recommends that the forms and instructions be revised to accommodate providers of non-interconnected VoIP (non-iVoIP) that are now required to file the forms and report interstate revenues in order to contribute to the Telecommunications Relay Service Fund.³ Generally, the Commission should change all references to “Telecommunications” on the forms and instructions to “Telecommunications, and Non Interconnected VoIP.” In addition to these universal changes, VON also recommends the following specific modifications to the forms:

Proposed Changes to Form 499-A⁴

Line 105, 499-A:

The Commission should change the language to allow filers to indicate any “Telecommunications or non-Interconnected VoIP activities of filer” and then add the additional category of “non-Interconnected VoIP.”

Line 112, 499-A:

The Commission should change the language to ask for trade names in providing “telecommunications, interconnected VoIP, and non-Interconnected VoIP products.”

¹ The Voice on the Net or VON Coalition, which includes AT&T, Broadvox, BT, Cloud Communications Alliance, Google, iBasis, Microsoft, Nextiva, Skype, Vonage and Yahoo!, works to advance regulatory policies that enable Americans to take advantage of the full promise and potential of VoIP. See <http://www.von.org>.

² *Public Notice*, Wireline Competition Bureau Seeks Comments on Proposed Changes to FCC Form 499-A, FCC Form 499-Q and Accompanying Instructions, WC Docket No. 06-122, DA 12-1872 (rel. Nov 23, 2012), 77 Fed. Reg 74010 (Dec. 12, 2012). Comments were due to be filed on January 11, 2013. To the extent required, VON hereby moves that the Commission accept these late-filed comments or consider them as a written ex parte. This late filing will enhance the record and not prejudice any party to this proceeding.

³ See *Contributions to the Telecommunications Relay Services Fund*, 26 FCC Rcd 14532 (2011), para. 12.

⁴ These comments do not address the 499-Q, which is not filed by, or include references to, non-iVoIP providers or services.



Line 227, 499-A:

Non-iVoIP providers provide products and applications that are not services; therefore, the language in Line 227 and accompanying instructions should be amended to include “non-interconnected VoIP products.” It is also difficult, if not technically infeasible, to identify the jurisdictions where the product is provided or used. For instance, customers of non-Interconnected VoIP products do not “physically obtain service” in a specific jurisdiction but rather sign up for and utilize the product or application any place they have a broadband connection. Non-iVoIP providers should have the option of marking “Not Applicable” if they cannot confirm where the product is provided or used.

Line 228, 499-A:

The Commission should revise Line 228 to include non-iVoIP as a separate offering from telecommunications.⁵

Lines 503-510, 499-A

For the same reason as stated above with regard to line 227, a “Not Applicable” option should be available to non-iVoIP providers for Lines 503-510, which requires the allocation of revenue by region (and is arguably relevant only for NANPA and LNPA contributors).

Finally, the form is needlessly complicated for non iVoIP providers. Requiring agents for service in the District of Columbia, disclosure of all non-iVoIP revenues and other corporate information is burdensome for the relatively minor contribution required and for companies that may not otherwise have a presence in the District of Columbia. The Commission should consider a streamlined Form 499-A for non-iVoIP providers.

Feel free to contact the undersigned if you have any questions.

Sincerely,

/s/

Glenn S. Richards
Executive Director

⁵ The Commission has not classified interconnected VoIP (iVoIP) as telecommunications and this reference is equally incorrect for iVoIP. This problem is perpetuated in Line 105, which includes non-iVoIP and iVoIP as types of telecommunications activities, and Line 112, which asks for trade names used in providing telecommunications.