

**Federal Communications Commission**

**§ 3.60**

(b) Section 3.21(a) will be waived for these applicants.

(c) The applicant must comply with application process including public comment.

(d) The applicant must certify acceptance of all accounts and must furnish a list of the accounts to the Commission at the time of application.

**§ 3.52 Complaint/inquiry resolution procedures.**

(a) Accounting authorities must maintain procedures for resolving complaints and/or inquiries from its contractual customers (vessels for which it performs settlements), the FCC, the ITU, and foreign administrations or their agents. These procedures must be available to the Commission upon request.

(b) If a foreign administration requests assistance in collection of accounts from ships licensed by the FCC, the appropriate accounting authority will provide all information requested by the Commission in a timely manner to enable the Commission to determine the cause of the complaint and to resolve the issue. If accounts are in dispute, the Commission will determine the amount due the foreign administration, accounting authority or ROA, and may direct the accounting authority to pay the accounts to the foreign administration. If the accounting authority does not pay the disputed accounts within a reasonable timeframe, the Commission may take action to levy a forfeiture, cancel the AAIC privilege and/or to revoke any operating authority or licenses held by that accounting authority. (See also § 3.72).

**§ 3.53 FCC notification of refusal to provide telecommunications service to U.S. registered vessel(s).**

An accounting authority must inform the FCC immediately should it receive notice from any source that a foreign administration or facility is refusing or plans to refuse legitimate public correspondence to or from any U.S. registered vessel.

**§ 3.54 Notification of change in address.**

The Commission must be notified in writing within 15 days of any change in

address of an accounting authority. Such written notification should be sent to the address shown in § 3.61.

**REPORTING REQUIREMENTS**

**§ 3.60 Reports.**

(a) *Initial Inventory of Vessels.* Within 60 days after receiving final approval from the FCC to be an accounting authority, each certified accounting authority must provide to the FCC an initial list of vessels for which it is performing settlements. This list should contain only U.S. registered vessels. Such list shall be typewritten or computer generated, be annotated to indicate it is the initial inventory and be in the general format of the following and provide the information shown:

<i>Vessel Name</i>	<i>Call Sign</i>
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(b) *Semi-Annual Additions/Modifications/Deletions to Vessel Inventory.* Beginning with the period ending on the last day of March or September following submission of an accounting authority's Initial Inventory of Vessels (See paragraph (a) of this section.) and each semi-annual period thereafter, each accounting authority is required to submit to the FCC a report on additions, modifications or deletions to its list of vessels for which it is performing or intending to perform settlements, whether or not settlements actually have taken place. The list should contain only U.S. registered vessels. The report shall be typewritten or computer generated and be in the following general format:

**ADDITIONS TO CURRENT VESSEL INVENTORY**

<i>Vessel Name</i>	<i>Call Sign</i>	<i>Effective Date</i>
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**MODIFICATIONS TO CURRENT VESSEL INVENTORY**

<i>Previous Vessel Name</i>	<i>Previous Call Sign</i>	<i>New Vessel Name</i>	<i>New Call Sign</i>	<i>Effective Date</i>
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**DELETIONS TO CURRENT VESSEL INVENTORY**

<i>Vessel Name</i>	<i>Call Sign</i>	<i>Effective Date</i>
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The preceding report must be received by the Commission no later than 15 days following the end of the period (March or September) for which the report pertains. Modifications refer to changes to call sign or ship name of vessels for which the accounting authority settles accounts and for which basic information has previously been provided to the Commission. Reports are to be submitted even if there have been no additions, modifications or deletions to vessel inventories since the previous report. If there are no changes to an inventory, this should be indicated on the report.

(c) *End of Year Inventory.* By February 1st of each year, each accounting authority must submit an end-of-year inventory report listing vessels for which the accounting authority performed settlements as of the previous December 31st. The list should contain only U.S. registered vessels. The report must be typewritten or computer generated and prepared in the same general format as that shown in paragraph (a) of this section except it should be annotated to indicate it is the End of Year inventory.

(d) *Annual Statistical Report of Settlement Operations.* By February 1st of each year, each accounting authority settling accounts for U.S. registered vessels must submit to the FCC an Annual Statistical Report, FCC Form 45, which details the number and dollar amount of settlements, by foreign administration, during the preceding twelve months. Information contained in this report provides statistical data that will enable the Commission to monitor operations to ensure adherence to these rules and to appropriate international settlement procedures. FCC Form 45 can be obtained by writing to the address in 3.61 of these rules.

**§ 3.61 Reporting address.**

All reports must be received at the following address no later than the required reporting date:

Accounting Authority Certification Officer,  
Financial Operations Center, Federal Communications Commission, 445 12th Street, SW., Washington, D.C. 20554

[61 FR 20165, May 6, 1996, as amended at 65 FR 58466, Sept. 29, 2000]

**§ 3.62 Request for confidentiality.**

Applicants should comply with § 0.459 of this chapter when requesting confidentiality and cannot assume that it will be offered automatically.

## ENFORCEMENT

**§ 3.70 Investigations.**

The Commission may investigate any complaints made against accounting authorities to ensure compliance with the Commission's rules and with applicable ITU Regulations and other international maritime accounting procedures.

**§ 3.71 Warnings.**

The Commission may issue written warnings or forfeitures to accounting authorities which are found not to be operating in accordance with established rules and regulations. Warnings will generally be issued for violations which do not seriously or immediately affect settlement functions or international relations. Continued or unresolved violations may lead to further enforcement action by the Commission, including any or all legally available sanctions, including but not limited to, forfeitures (Communications Act of 1934, Sec. 503), suspension or cancellation of the accounting authority certification.

**§ 3.72 Grounds for further enforcement action.**

(a) The Commission may take further enforcement action, including forfeiture, suspension or cancellation of an accounting authority certification, if it is determined that the public interest so requires. Reasons for which such action may be taken include, inter alia:

- (1) Failure to initiate settlements within six months of certification or failure to perform settlements during any subsequent six month period;
- (2) Illegal activity or fraud;
- (3) Non-payment or late payment to a foreign administration or agent;
- (4) Failure to follow ITR requirements and procedures;
- (5) Failure to take into account ITU-T Recommendations;
- (6) Failure to follow FCC rules and regulations;