

Subpart C—General Rules for Nondominant Carriers

§ 61.18 Scope.

The rules in this subpart apply to all nondominant carriers.

[64 FR 46587, Aug. 26, 1999]

§ 61.19 Detariffing of international and interstate, domestic interexchange services.

(a) Except as otherwise provided in paragraphs (b) through (e) of this section, or by Commission order, carriers that are nondominant in the provision of international and interstate, domestic interexchange services shall not file tariffs for such services.

(b) Carriers that are nondominant in the provision of international and domestic, interstate, interexchange services are permitted to file tariffs for dial-around 1+ services. For the purposes of this paragraph, dial-around 1+ calls are those calls made by accessing the interexchange carrier through the use of that carrier's carrier access code.

(c) Carriers that are nondominant in the provision of international and domestic, interstate, interexchange services are permitted to file a tariff for such services applicable to those customers who contact the local exchange carrier to designate an interexchange carrier or to initiate a change with respect to their primary interexchange carrier. Such tariff will enable the interexchange carrier to provide service to the customer until the interexchange carrier and the customer consummate a written agreement, but in no event shall the interexchange carrier provide service to its customer pursuant to such tariff for more than 45 days.

(d) Carriers that are nondominant in the provision of international inbound collect calls to the United States are permitted to file a tariff for such services.

(e) Carriers that are nondominant in the provision of "on-demand" Mobile Satellite Services are permitted to file a tariff for such services applicable to those customers that have not entered into pre-existing service contracts des-

ignating a specific provider for such services.

[66 FR 16881, Mar. 28, 2001]

§ 61.20 Method of filing publications.

(a) All issuing carriers that file tariffs shall file all tariff publications and associated documents, such as transmittal letters, requests for special permission, and supporting information, electronically in accordance with the requirements set forth in §§ 61.13 through 61.17.

(b) In addition, except for issuing carriers filing tariffing fees electronically, for all tariff publications requiring fees as set forth in part 1, subpart G of this chapter, issuing carriers must submit the original of the cover letter (without attachments), FCC Form 159, and the appropriate fee to the address set forth in § 1.1105 of this chapter.

[76 FR 43211, July 20, 2011]

EFFECTIVE DATE NOTE: At 76 FR 43211, July 20, 2011, § 61.20 was revised. This section contains information collection and record-keeping requirements and will not become effective until approval has been given by the Office of Management and Budget.

§ 61.21 Cover letters.

(a)(1) Except as specified in § 61.32(b), all publications filed with the Commission must be accompanied by a cover letter, 8.5 by 11 inches (21.6 cm × 27.9 cm) in size, and must be plainly printed in black ink. All transmittal letters should briefly explain the nature and purpose of the filing and indicate the date and method of filing of the original cover letter, as required by § 61.20(b)(1) of this part.

(2) International carriers must certify that they are authorized under Section 214 of the Communications Act of 1934, as amended, to provide service, and reference the FCC file number of that authorization.

(3) All cover letters and letters of transmittal shall include the FCC Registration Number (FRN) of the issuing carrier(s) on whose behalf the letter is submitted. See part 1, subpart W of this chapter.

(b) A separate cover letter may accompany each publication, or an

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issuing carrier may file as many publications as desired with one cover letter.

NOTE: If a receipt for accompanying publication is desired, the cover letter must be sent in duplicate. One copy showing the date of the receipt by the Commission will then be returned to the sender.

[58 FR 44460, Aug. 23, 1993, as amended at 61 FR 15726, Apr. 9, 1996. Redesignated at 61 FR 59366, Nov. 22, 1996, and further redesignated and amended at 64 FR 46587, Aug. 26, 1999; 66 FR 47896, Sept. 14, 2001]

EFFECTIVE DATE NOTE: At 76 FR 43211, July 20, 2011, § 61.21 was removed. This section contains information collection and record-keeping requirements and will not become effective until approval has been given by the Office of Management and Budget.

§ 61.22 Composition of tariffs.

(a) The tariff must be submitted on a 3½ inch (8.89 cm) diskette, or a 5 inch CD-ROM, formatted in an IBM-compatible form using either WordPerfect 5.1, Microsoft Word 6, or Microsoft Word 97 software. No diskettes shall contain more than one tariff. The diskette or CD-ROM must be submitted in “read only” mode. The diskette or CD-ROM must be clearly labelled with the carrier’s name, Tariff Number, software used, and the date of submission. When multiple diskettes or CD-ROMs are submitted, the issuing carrier shall clearly label each diskette in the following format: “1 of __”, “2 of __”, etc.

(b) The tariff must contain the carrier’s name, the international Section 214 authorization FCC file number (when applicable), and the information required by Section 203 of the Act.

(c)(1) Changes to a tariff must be made by refiling the entire tariff on a new diskette, with the changed material included. The carrier must indicate in the tariff what changes have been made.

(2) Any issuing carrier submitting an individual tariff that requires ten or more diskettes that wishes to revise its tariff is permitted to do so by filing a diskette containing only those pages on which the changed material is located. Any such carrier shall file a current effective version of its entire tariff on the first business day of each month. For purposes of this paragraph,

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“business day” is defined in § 1.4(e)(2) of this chapter.

(d) Domestic and international non-dominant carriers subject to the provisions of this section are not subject to the tariff filing requirements of § 61.54.

(e)(1) For contract-based tariffs defined in § 61.3(m), a separate letter of transmittal may accompany each tariff filed, or the above format may be modified for filing as many publications as may be desired with one transmittal letter. The transmittals must be numbered in a series separate from transmittals for non-contract tariff filing. Numbers must appear on the face of the transmittal and be in the form of “CTT No. _____”, using CTT as an abbreviation for contract-based tariff transmittals, or some similar form that indicates that the transmittal is a contract-based tariff transmittal. Contract-based tariffs must also be numbered in a series separate from non-contract-based tariffs. Numbers must be in the form of “CT No. _____”, using CT as an abbreviation for contract-based tariffs, or some similar form that indicates that the tariff is a contract-based tariff. Each contract-based tariff must be assigned a separate number. Transmittals and tariffs subject to this paragraph shall be filed beginning with the number “1” and shall be numbered consecutively.

(2) Composition of contract-based tariffs shall comply with §§ 61.54 (b) through (i).

(3) Contract-based tariffs shall include the following:

(i) The term of the contract, including any renewal options;

(ii) A brief description of each of the services provided under the contract;

(iii) Minimum volume commitments for each service;

(iv) The contract price for each service or services at the volume levels committed to by the customers;

(v) A general description of any volume discounts built into the contract rate structure; and