

## SUBCHAPTER B—COMMON CARRIER SERVICES (CONTINUED)

### PARTS 40–41 [RESERVED]

### PART 42—PRESERVATION OF RECORDS OF COMMUNICATION COMMON CARRIERS

#### APPLICABILITY

Sec.

42.01 Applicability.

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AUTHORITY: Sec. 4(i), 48 Stat. 1066, as amended, 47 U.S.C. 154(i). Interprets or applies secs. 219 and 220, 48 Stat. 1077–78, 47 U.S.C. 219, 220.

SOURCE: 51 FR 32653, Sept. 15, 1986, unless otherwise noted.

#### APPLICABILITY

##### **§ 42.01 Applicability.**

This part prescribes the regulations governing the preservation of records of communication common carriers that are fully subject to the jurisdiction of the Commission.

#### GENERAL INSTRUCTIONS

##### **§ 42.1 Scope of the regulations in this part.**

(a) The regulations in this part apply to all accounts, records, memoranda, documents, papers, and correspondence prepared by or on behalf of the carrier as well as those which come into its possession in connection with the acquisition of property, such as by purchase, consolidation, merger, etc.

(b) The regulations in this part shall not be construed as requiring the preparation of accounts, records, or memoranda not required to be prepared by other regulations, such as the Uniform System of Accounts, except as provided hereinafter.

(c) The regulations in this part shall not be construed as excusing compliance with any other lawful requirement for the preservation of records.

##### **§ 42.2 Designation of a supervisory official.**

Each carrier subject to the regulations in this part shall designate one or more officials to supervise the preservation of its records.

##### **§ 42.3 Protection and storage of records.**

The carrier shall protect records subject to the regulations in this part from damage from fires, and other hazards and, in the selection of storage spaces, safeguard the records from unnecessary exposure to deterioration.

##### **§ 42.4 Index of records.**

Each carrier shall maintain at its operating company headquarters a master index of records. The master index shall identify the records retained, the related retention period, and the locations where the records are maintained. The master index shall be subject to review by Commission staff and the Commission shall reserve the right to add records, or lengthen retention periods upon finding that retention periods may be insufficient for its regulatory purposes. When any records are lost or destroyed before expiration of the retention period set forth in the master index, a certified statement shall be added to the master index, as soon as practicable, listing, as far as may be determined, the records lost or destroyed and describing the circumstances of the premature loss or destruction. At each office of the carrier where records are kept or stored, the carrier shall arrange, file, and currently index the records on site so that