

distance call based on the called number of the individual call.

*Intermediate provider.* The term “intermediate provider” means any entity that—

(1) Enters into a business arrangement with a covered provider or other intermediate provider for the specific purpose of carrying, routing, or transmitting voice traffic that is generated from the placement of a call placed—

(i) From an end user connection using a North American Numbering Plan resource; or

(ii) To an end user connection using such a numbering resource; and

(2) Does not itself, either directly or in conjunction with an affiliate, serve as a covered provider in the context of originating or terminating a given call.

*Long-distance voice service.* For purposes of subparts V and W, the term “long-distance voice service” includes interstate interLATA, intrastate interLATA, interstate interexchange, intrastate interexchange, intraLATA toll, inter-MTA interstate and inter-MTA intrastate voice services.

*Operating company number (OCN).* The term “operating company number” means a four-place alphanumeric code that uniquely identifies a local exchange carrier.

*Rural OCN.* The term “rural OCN” means an operating company number that uniquely identifies an incumbent LEC (as defined in § 51.5 of this chapter) that is a rural telephone company (as defined in § 51.5 of this chapter). The term “nonrural OCN” means an operating company number that uniquely identifies an incumbent LEC (as defined in § 51.5 of this chapter) that is not a rural telephone company (as defined in § 51.5 of this chapter). We direct NECA to update the lists of rural and nonrural OCNs annually and provide them to the Wireline Competition Bureau in time for the Bureau to publish the lists no later than November 15. These lists will be the definitive lists of rural OCNs and nonrural OCNs for purposes of this subpart for the following calendar year.

*Rural telephone company.* The term “rural telephone company” shall have

the same meaning as in § 51.5 of this chapter.

[78 FR 76239, Dec. 17, 2013, as amended at 79 FR 73227, Dec. 10, 2014; 80 FR 1007, Jan. 8, 2015; 82 FR 19615, Apr. 28, 2017; 83 FR 21737, May 10, 2018; 83 FR 47308, Sept. 19, 2018]

#### § 64.2103 Retention of call attempt records.

(a) Except as described in § 64.2107, each covered provider shall record and retain information about each call attempt to a rural OCN from subscriber lines for which the covered provider makes the initial long-distance call path choice in a readily retrievable form for a period that includes the six most recent complete calendar months.

(b) Affiliated covered providers may record and retain the information required by this rule individually or in the aggregate.

(c) A call attempt that is returned by an intermediate provider to the covered provider and reassigned shall count as a single call attempt.

(d) Call attempts to toll-free numbers, as defined in § 52.101(f) of this chapter, are excluded from these requirements.

(e) IntraLATA toll calls carried entirely over the covered provider’s network or handed off by the covered provider directly to the terminating local exchange carrier or directly to the tandem switch serving the terminating local exchange carrier’s end office (terminating tandem), are excluded from these requirements.

(f) The information contained in each record shall include:

- (1) The calling party number;
- (2) The called party number;
- (3) The date;
- (4) The time;
- (5) An indication whether the call attempt was handed off to an intermediate provider or not and, if so, which intermediate provider;
- (6) The rural OCN associated with the called party number;
- (7) An indication whether the call attempt was interstate or intrastate;
- (8) An indication whether the call attempt was answered, which may take the form of an SS7 signaling cause code or SIP signaling message code associated with each call attempt; and

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(9) An indication whether the call attempt was completed to the incumbent local exchange carrier but signaled as busy, ring no answer, or unassigned number. This indication may take the form of an SS7 signaling cause code or SIP signaling message code associated with each call attempt.

(g) The provisions of this section shall expire on September 15, 2020.

[78 FR 76239, Dec. 17, 2013, as amended at 79 FR 73227, Dec. 10, 2014; 82 FR 11594, Mar. 4, 2015; 82 FR 19615, Apr. 28, 2017; 84 FR 25706, June 4, 2019]

## § 64.2105 [Reserved]

### § 64.2107 Reduced recording and retention requirements for qualifying providers under the Safe Harbor.

(a)(1) A covered provider may reduce its recording and retention requirements under § 64.2103 if it files one of the following certifications, signed by an officer or director of the covered provider regarding the accuracy and completeness of the information provided, in WC Docket No. 13-39.

I \_\_\_\_ (name), \_\_\_\_ (title), an officer of \_\_\_\_ (entity), certify that \_\_\_\_ (entity) uses no intermediate providers;

or

I \_\_\_\_ (name), \_\_\_\_ (title), an officer of \_\_\_\_ (entity), certify that \_\_\_\_ (entity) restricts by contract any intermediate provider to which a call is directed by \_\_\_\_ (entity) from permitting more than one additional intermediate provider in the call path before the call reaches the terminating provider or terminating tandem. I certify that any nondisclosure agreement with an intermediate provider permits \_\_\_\_ (entity) to reveal the identity of the intermediate provider and any additional intermediate provider to the Commission and to the rural incumbent local exchange carrier(s) whose incoming long-distance calls are affected by the intermediate provider's performance. I certify that \_\_\_\_ (entity) has a process in place to monitor the performance of its intermediate providers.

(2) Covered providers that file the second certification must describe the process they have in place to monitor

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the performance of their intermediate providers.

(b) A covered provider that meets the requirements described in paragraph (a) of this section must comply with the data retention requirements in § 64.2103 for a period that includes only the three most recent complete calendar months, so long as it continues to meet the requirements of paragraph (a) of this section. A covered provider that ceases to meet the requirements described in paragraph (a) of this must immediately begin retaining data for six months, as required by § 64.2103.

(c) Affiliated covered providers may meet the requirements of paragraph (a) of this section individually or in the aggregate.

(d) The provisions of this section shall expire on September 15, 2020.

[78 FR 76239, Dec. 17, 2013, as amended at 80 FR 11594, Mar. 4, 2015; 82 FR 19615, Apr. 28, 2017; 83 FR 21737, May 10, 2018; 84 FR 25706, June 4, 2019]

### § 64.2109 Safe harbor from intermediate provider service quality standards.

(a)(1) A covered provider may qualify as a safe harbor provider under this subpart if it files, in WC Docket No. 13-39, one of the following certifications, signed under penalty of perjury by an officer or director of the covered provider regarding the accuracy and completeness of the information provided:

“I \_\_\_\_ (name), \_\_\_\_ (title), an officer of \_\_\_\_ (entity), certify that \_\_\_\_ (entity) uses no intermediate providers;” or

“I \_\_\_\_ (name), \_\_\_\_ (title), an officer of \_\_\_\_ (entity), certify that \_\_\_\_ (entity) restricts by contract any intermediate provider to which a call is directed by \_\_\_\_ (entity) from permitting more than one additional intermediate provider in the call path before the call reaches the terminating provider or terminating tandem. I certify that any nondisclosure agreement with an intermediate provider permits \_\_\_\_ (entity) to reveal the identity of the intermediate provider and any additional intermediate provider to the Commission and to the rural incumbent local exchange carrier(s) whose incoming long-distance calls are affected by the intermediate provider's performance. I certify that \_\_\_\_ (entity) has a process