

## Federal Communications Commission

## § 64.2115

in place to monitor the performance of its intermediate providers.”

(2) The certification in paragraph (a)(1) of this section must be submitted:

(i) For the first time on or before February 26, 2019; and

(ii) Annually thereafter.

(b) The requirements of § 64.2119 shall not apply to intermediate provider traffic transmitted by safe harbor qualifying covered providers functioning as intermediate providers.

[84 FR 25706, June 4, 2019]

### § 64.2111 Covered provider rural call completion practices.

For each intermediate provider with which it contracts, a covered provider shall:

(a) Monitor the intermediate provider’s performance in the completion of call attempts to rural telephone companies from subscriber lines for which the covered provider makes the initial long-distance call path choice; and

(b) Based on the results of such monitoring, take steps that are reasonably calculated to correct any identified performance problem with the intermediate provider, including removing the intermediate provider from a particular route after sustained inadequate performance.

[83 FR 21737, May 10, 2018]

### § 64.2113 Covered provider point of contact.

Covered providers shall make publicly available contact information for the receipt and handling of rural call completion issues. Covered providers must designate a telephone number and email address for the express purpose of receiving and responding to any rural call completion issues. Covered providers shall include this information on their websites, and the required contact information must be easy to find and use. Covered providers shall keep this information current and update it to reflect any changes within ten (10) business days. Covered providers shall ensure that any staff reachable through this contact information has the technical capability to promptly respond to and address rural

call completion issues. Covered providers must respond to communications regarding rural call completion issues via the contact information required under this rule as soon as reasonably practicable and, under ordinary circumstances, within a single business day.

[83 FR 21738, May 10, 2018]

### § 64.2115 Registration of Intermediate Providers.

(a) *Registration.* An intermediate provider that offers or holds itself out as offering the capability to transmit covered voice communications from one destination to another and that charges any rate to any other entity (including an affiliated entity) for the transmission shall register with the Commission in accordance with this section. The intermediate provider shall provide the following information in its registration:

(1) The intermediate provider’s business name(s) and primary address;

(2) The name(s), telephone number(s), email address(es), and business address(es) of the intermediate provider’s regulatory contact and/or designated agent for service of process;

(3) All business names that the intermediate provider has used in the past;

(4) The state(s) in which the intermediate provider provides service;

(5) The name, title, business address, telephone number, and email address of at least one person as well as the department within the company responsible for addressing rural call completion issues, and;

(6) The name(s), business address, and business telephone number(s) for an executive leadership contact, such as the chief executive officer, chief operating officer, or owner(s) of the intermediate provider, or persons performing an equivalent function, who directs or manages the entity.

(b) *Submission of registration.* An intermediate provider that is subject to the registration requirement in paragraph (a) of this section shall submit the information described therein to the intermediate provider registry on the Commission’s website. The registration shall be made under penalty of perjury.

## § 64.2117

(c) *Changes in information.* An intermediate provider must update its submission to the intermediate provider registry on the Commission's website within 10 business days of any change to the information it must provide pursuant to paragraph (a) of this section.

[83 FR 47308, Sept. 19, 2018]

### § 64.2117 Use of Registered Intermediate Providers.

(a) *Prohibition on use of unregistered intermediate providers.* A covered provider shall not use an intermediate provider to carry, route, or transmit covered voice communications unless such intermediate provider is registered pursuant to section 64.2115 of this subpart.

(b) *Force majeure exemption.* (1) If, due to a *force majeure* for which a covered provider has instituted a disaster recovery plan, there are no registered intermediate providers available to carry, route, or transmit covered voice communications, a covered provider need not comply with paragraph (a) of this section for a period of up to 180 days with respect to those covered voice communications. A covered provider shall submit to the Commission a certification, signed by a corporate officer or official with authority to bind the corporation, and knowledge of the details of the covered provider's inability to comply with our rules, explaining the circumstances justifying an exemption under this section as soon as practicable.

(2) A covered provider seeking an extension of the exemption described in paragraph (b)(1) of this section must submit a request for an extension of the exemption period to the Commission. Such an extension request shall, at minimum, include a status report on the covered provider's attempts to comply with paragraph (a) of this section; and a statement detailing how the covered provider intends to ensure that calls are completed notwithstanding the unavailability of registered intermediate providers.

(3) For purposes of this section, "*force majeure*" means a highly disruptive event beyond the control of the covered provider, such as a natural disaster or a terrorist attack.

## 47 CFR Ch. I (10–1–20 Edition)

(4) For purposes of this section, "disaster recovery plan" means a disaster response plan developed by the covered provider for the purpose of responding to a *force majeure* event.

[83 FR 47309, Sept. 19, 2018]

### § 64.2119 Intermediate provider service quality standards.

Any intermediate provider that offers or holds itself out as offering the capability to transmit covered voice communications from one destination to another and that charges any rate to any other entity (including an affiliated entity) for the transmission must abide by the following service quality standards:

(a) *Duty to complete calls.* Intermediate providers must take steps reasonably calculated to ensure that all covered voice communications that traverse their networks are delivered to their destination. An intermediate provider may violate this duty to complete calls if it knows, or should know, that calls are not being completed to certain areas, and it engages in acts or omissions that allow, or effectively allow, these conditions to persist.

(b) *Rural call completion performance monitoring.* For each intermediate provider with which it contracts, an intermediate provider shall:

(1) Monitor the intermediate provider's performance in the completion of call attempts to rural telephone companies; and

(2) Based on the results of such monitoring, take steps that are reasonably calculated to correct any identified performance problem with the intermediate provider, including removing that provider for sustained poor performance.

(c) *Registration of subsequent intermediate providers.* Intermediate providers shall ensure that any additional intermediate providers to which they hand off calls are registered with the Commission pursuant to § 64.2115.

[84 FR 25706, June 4, 2019]

### Subpart W—Ring Signaling Integrity

SOURCE: 78 FR 76241, Dec. 17, 2013, unless otherwise noted.