



# PUBLIC NOTICE

Federal Communications Commission  
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## WIRELINE COMPETITION BUREAU REMINDS PROVIDERS OF INMATE CALLING SERVICES OF THE APRIL 1, 2024 DEADLINE FOR ANNUAL REPORTS AND CERTIFICATIONS

WC Docket Nos. 23-62, 12-375

By this Public Notice, the Wireline Competition Bureau (Bureau) reminds providers of inmate calling services<sup>1</sup> that the deadline for the submission of annual reports and certifications, required pursuant to section 64.6060 of the Commission's rules, is April 1, 2024.<sup>2</sup> The forms and instructions for this year's annual reports and certifications are available at <https://www.fcc.gov/general/ics-data-collections>.<sup>3</sup> All required data must be submitted using the electronic Word and Excel templates provided by the Commission, and in a machine-readable and manipulable format.<sup>4</sup> Public versions of the reports shall also be filed in the electronic Word and Excel templates provided by the Commission, and in a machine-readable and manipulable format, using the Commission's Electronic Comment Filing System (ECFS) at <https://www.fcc.gov/ecfs/>.<sup>5</sup>

Any request for confidential treatment must adhere to the standard set forth in section 0.459(b) of

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<sup>1</sup> The Martha Wright-Reed Just and Reasonable Communications Act of 2022 (Martha Wright-Reed Act) expanded the Commission's authority beyond calling services to include all audio and video communications services used by incarcerated people. Martha Wright-Reed Just and Reasonable Communications Act of 2022, Pub. L. No. 117-338, 136 Stat. 6156. As a result, the Commission no longer uses the phrase "inmate calling services" or "ICS" and instead uses the term "incarcerated people's communications services" or "IPCS" to refer to these broader service offerings. See *Incarcerated People's Communications Services; Implementation of the Martha Wright-Reed Act; Rates for Interstate Inmate Calling Services*, WC Docket Nos. 23-62, 12-375, Notice of Proposed Rulemaking, at 32, para. 80 (2023). However, only IPCS providers that are classified as ICS providers under the Commission's existing rules are required to file annual reports and certifications. See 47 CFR §§ 64.6000(j), 64.6060(a).

<sup>2</sup> 47 CFR § 64.6060.

<sup>3</sup> On August 3, 2023, the Wireline Competition Bureau and the Consumer and Governmental Affairs Bureau released a Public Notice seeking comment on proposed revisions to the annual reports and certifications to reflect the expanded reporting requirements regarding access to IPCS by persons with communication disabilities and the addition of data concerning video IPCS now subject to the Commission's jurisdiction under the Martha Wright-Reed Act. See *Wireline Competition Bureau and Consumer Governmental Affairs Bureau Seek Comment on Revisions to Providers' Annual Reporting and Certification Requirements*, WC Docket Nos. 23-62, 12-375, Public Notice, DA 23-656 (WCB/CGA Aug. 3, 2023). These proposed revisions to the forms and instructions remain pending before the Commission. Accordingly, the relevant forms and instructions are those identified on the designated webpage as "Current."

<sup>4</sup> Instructions for Completing the Inmate Calling Services Annual Reporting and Annual Certification Forms (FCC Forms 2301(a) and 2301(b)) at 4-5, available at <https://www.fcc.gov/general/ics-data-collections> (ICS Annual Reporting Form Instructions (Current)).

<sup>5</sup> See *id.*; Electronic Filing of Documents in Rulemaking Proceedings, 63 Fed. Reg. 24121 (May 1, 1998).

the Commission's rules,<sup>6</sup> as applied in the *ICS Annual Report Transparency Order*.<sup>7</sup> In that *Order*, the Bureau explained that information in the 2019 Annual Reports regarding "facility names, inmate calling services rates, [and] the amounts of ancillary service charges" was not entitled to confidential treatment, given the "strong public interest in transparency surrounding rates, charges, terms, and fees for inmate calling services."<sup>8</sup> The Bureau also denied confidential treatment of information on average daily population, because it found no persuasive reason for protecting such information from public disclosure.<sup>9</sup> These same confidentiality determinations applied to the 2020, 2021, and 2022 Annual Reports,<sup>10</sup> and remain applicable to the Annual Reports due this April 2024, providing required information for calendar year 2023.

As a result, the Bureau expects the majority of each annual report to be filed publicly via ECFS, with only limited requests, if necessary, for redaction from public inspection. We remind providers that requests for confidential treatment will be reviewed and will not be granted unless warranted.<sup>11</sup>

For further information, please contact Steve Meil, Wireline Competition Bureau, Pricing Policy Division, at 202-418-7233, or at [Stephen.Meil@fcc.gov](mailto:Stephen.Meil@fcc.gov).

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<sup>6</sup> 47 CFR § 0.459(b); *see id.* § 0.459(c) (specifying that "[c]asual requests [for confidential treatment] (including simply stamping pages 'confidential') . . . will not be considered").

<sup>7</sup> *Rates for Interstate Inmate Calling Services*, WC Docket No. 12-375, Order, 35 FCC Rcd 9267 (WCB 2020) (*ICS Annual Report Transparency Order*).

<sup>8</sup> *Id.* at 9267, para. 1.

<sup>9</sup> *Id.*

<sup>10</sup> *Wireline Competition Bureau Reminds Providers of Inmate Calling Services of the April 1, 2023 Deadline for Annual Reports and Certifications*, WC Docket No. 12-375, Public Notice, DA 23-164 (WCB Mar. 1, 2023); *Wireline Competition Bureau Reminds Providers of Inmate Calling Services of the April 1, 2022 Deadline for Annual Reports and Certifications*, WC Docket No. 12-375, Public Notice, 37 FCC Rcd 1214 (WCB Feb. 9, 2022); *Wireline Competition Bureau Reminds Providers of Inmate Calling Services of the April 1, 2021 Deadline for Annual Reports and Certifications*, WC Docket No. 12-375, Public Notice, 36 FCC Rcd 4764 (WCB Mar. 3, 2021).

<sup>11</sup> *See Incarcerated People's Communications Services; Implementation of the Martha Wright-Reed Act; Rates for Interstate Inmate Calling Services*, WC Docket Nos. 23-62, 12-375, Protective Order, DA 23-298 (WCB Apr. 5, 2023).