

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20544**

In the Matter of)
)
The Pay Telephone Reclassification and) CC Docket No. 96-128
Compensation Provisions of the)
Telecommunications Act of 1996)

MOTION TO LATE-FILE SYSTEMS AUDIT REPORT

Network Operator Services, Inc. d/b/a Centris Information Services (“Centris”), through its undersigned counsel and pursuant to Section 1.41 of the Commission’s Rules, 47 C.F.R. § 1.41, hereby requests that the Commission accept its late-filed Systems Audit Report, which is required to be submitted under Section 64.1320(b) of the Commission’s rules and the Report and Order released in *The Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996*, FCC 03-235, CC Docket No. 96-128 (rel. October 3, 2003). Centris files its Systems Audit Report after the reporting deadline because certain economies prevented filing the report prior to July 1, 2004.¹

Centris is a small business that completes only a minor amount of “dial around” payphone traffic that is subject to the compensation requirements set forth in the FCC’s rules and regulations. Centris sought to have its audit performed prior to July 1, 2004; however, the compensation due for the incidental amount of dial around payphone traffic was a small fraction of the cost for an accounting firm to perform an audit prior to July 1, 2004. As a result, the cost of conducting an audit prior to July 1, 2004 was cost prohibitive for Centris. Therefore, Centris

¹ The Office of Management and Budget approved the Commission’s Order on May 5, 2004, which set a July 1, 2004 reporting deadline. See OMB No. 3060-1046 and *The Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996*, Report and Order, FCC 03-235, CC Docket No. 96-128 (rel. October 3, 2003).

was forced to have its audit conducted after the deadline and is filing the Systems Audit Report late. Despite the late filing of the Systems Audit Report, Centris implemented changes to its system prior to July 1, 2004 pursuant to the Commission's rules (see 47 C.F.R. § 64.1300 *et seq.*), and payphone service providers ("PSPs") will receive compensation due on January 1, 2005. In fact, Centris' System Audit Report attests to Centris' compliance as of July 1, 2004. Accordingly, Centris requests that the Commission accept its late-filed Systems Audit Report.

Centris also requests a waiver of the late filing penalty set out in the October Order.² Centris submits that no one will be harmed by the late-filed Systems Audit Report. As explained above, Centris has implemented the necessary call tracking system and will make the necessary calculations and payments to ensure that payphone service providers are properly compensated. Thus, the Commission should waive any penalty.

For the reasons described herein, Centris hereby respectfully requests the Commission accept its late-filed Systems Audit Report and waive any late filing penalty.

Respectfully submitted,



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² The Commission stated that "the current base penalty for failure to file required forms or information with the Commission is \$3,000." FCC 03-235 at ¶ 44.