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reporting obligations for prepaid calling card ("PPCC") providers. USAC asked that the FCC develop an alternative method to "face value" reporting for providers who either do not know the face value of the cards sold or whose cards are measured in units of time rather than dollars. Further, USAC asked the Commission to determine when PPCC revenue should be reported in cases where the carrier is unable to determine when a card is sold to an end-user.

On February 12, 2009, the Ad Hoc Coalition of International Telecommunications Companies ("Coalition"), a group consisting primarily of prepaid and other providers of predominantly international telecommunications services, filed its first Petition for Declaratory Ruling ("First Petition").[3] Therein, the Coalition sought two declaratory rulings relating to reporting of end-user telecommunications revenues, one of which relates directly to USAC's request for guidance. In its First Petition, the Coalition asked that the Commission declare that PPCC providers' distributor revenues do not qualify as "end-user" revenues, subject to USF fees.[4] Further, the Coalition requested that the FCC allow PPCC providers to report only actual receipts, dispensing with "face value" reporting.[5] The Coalition's First Petition remains pending in WC Docket No. 06-122.

On September 8, 2009, the Coalition filed comments in support of Network Enhanced Telecom, LLP's ("NetworkIP") request for FCC review of the findings in USAC's 2008 audit of the company.[6] In its Comments, the Coalition reiterated its position on the reporting of wholesale revenues as "end-user" revenues and the discriminatory practice of requiring "face value" reporting for all PPCC providers.[7] The NetworkIP Request for Review also remains pending in WC Docket 06-122.

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[3] *In the Matter of the Ad Hoc Coalition of International Telecommunications Companies' Petition for Declaratory Ruling Regarding Universal Service Fund Contributions ("In re Coalition")*, Petition of the Ad Hoc Coalition of International Telecommunications Companies for Declaratory Rulings that: (1) Qualifying Downstream Carriers May Choose Either to Accept Supplier Pass-through Surcharges or Pay Universal Service Fees Directly; and (2) Prepaid Calling Card Providers' Distributor Revenues are Not "End-user" Revenues and Allowing Reporting of Actual Receipts Only, or in the Alternative, to Initiate a Rulemaking to Address these Issues, filed Feb. 12, 2009 ("First Petition").

[4] First Petition at 3.

[5] *Id*.

[6] *In the Matter of Request for Review by Network Enhanced Telecom, LLP, of Decision of Universal Service Administrator*, Request for Review of Network Enhanced Telecom, LLP of a Decision of the Universal Service Administrator in a Contributor Audit, filed Jun. 29, 2009, Comments of the Ad Hoc Coalition of International Telecommunications Companies, filed Sept. 8, 2009 ("NetworkIP Comments").

[7] *See* NetworkIP Comments.

By these brief Comments, the Coalition hereby requests that the Commission incorporate, by reference, its Petition, Comments and associated filings into the instant proceeding.

In addition, should the Commission ultimately determine that the Form 499-A Instructions, for which USAC now seeks policy guidance and clarification, have resulted in the imposition of inequitable contributions over the years, the Coalition hereby urges the Commission to establish procedures necessary to remedy these injustices. In other words, if in providing USAC with the requested guidance the Commission clarifies that USAC's historic interpretation was improper or neglected to provide PPCC providers with less costly reporting options, then the Coalition requests that the Commission take both prospective **and** retroactive steps to ameliorate the damage caused by USAC. The Commission should direct USAC to establish procedures whereby Contributors who have been unlawfully required to contribute more than their fair share may obtain refunds or credits, not just for USF fees, but for all FCC program fees improperly determined using the "face value" amount.

Because of the importance of these issues, the Coalition urges the Commission to thoroughly consider all of the concerns raised in its Petitions and Comments and USAC's requests for policy guidance and the implications for all telecommunications service providers.

Respectfully submitted,

/s/

Jonathan S. Marashlian