

Commission will treat as presumptively confidential any particular information identified as confidential by the provider in accordance with the Freedom of Information Act and Commission rules. Each confidential document should be stamped and submitted to the Secretary's Office with an accompanying cover letter, as specified by the Protective Order.

**Needs and Uses:** In the 2021 ICS Order, WC Docket No. 12–375, FCC 21–60, 86 FR 40682, the Commission continued its reform of the ICS industry by, among other things, directing the Commission's Wireline Competition Bureau (WCB) and Office of Economics and Analytics (OEA) (collectively, WCB/OEA) to collect data and other information regarding ICS providers' operations, costs, demands, and revenues. The Commission explained that it would use this Third Mandatory Data Collection to set permanent interstate and international ICS provider-related rate caps that more closely reflect providers' costs of serving correctional facilities. The Commission also emphasized that those data would enable it to evaluate and, if warranted, revise the current ancillary service charge caps.

The Commission delegated authority to WCB/OEA to implement the Third Mandatory Data Collection—including determining and describing the types of information to require providers to submit regarding their operations, costs, demand, and revenues—and directed WCB/OEA to develop a template and instructions for the collection.

Pursuant to their delegated authority, WCB/OEA drafted proposed instructions, a template, and a certification form for the Third Mandatory Data Collection. *See* Third Mandatory Data Collection Proposed Instructions, available for download at [http://www.fcc.gov/sites/default/files/third\\_mandatory\\_data\\_collection\\_instructions.docx](http://www.fcc.gov/sites/default/files/third_mandatory_data_collection_instructions.docx). Under WCB/OEA's proposals, ICS providers would be required to submit the required data using a reporting template, to be filed through the Commission's electronic comment filing system (ECFS). The proposed template consists of a Word document (Appendix A to the instructions) for responses requiring narrative information and Excel spreadsheets (Appendix B to the instructions) for responses that require specific numbers or information. ICS providers must also submit an audited financial statement or report for each Year from 2019 through 2021, and a signed certification of truthfulness, accuracy, and completeness. The instructions, template, and certification

form will simplify compliance with, and reduce the burden of, this data collection.

On September 22, 2021, WCB/OEA released the Third Mandatory Data Collection (MDC) Public Notice (DA 21–1192, WC Docket No. 12–375 (WCB/OEA Sept. 22, 2021)), seeking comment on all aspects of the proposed collection, including the draft instructions, template, and certification form. The MDC Public Notice was published in the **Federal Register** contemporaneously with the 60-Day Notice for this information collection. *See* 86 FR 54897 (2021). WCB/OEA stated that it would consider comments submitted in response to the 60-Day Notice and the MDC Public Notice in finalizing this information collection prior to submitting the documents to the Office of Management and Budget.

After considering the comments and reply comments filed in response to the MDC Public Notice and the 60-Day Notice, WCB/OEA released an Order on January 18, 2022 adopting the Third Mandatory Data Collection, and issuing the related instructions, template, and certification form. *See* Third Mandatory Data Collection Adoption Order, (DA 22–52, WC Docket No. 12–375 (WCB/OEA Jan. 18, 2022)), available at <https://www.fcc.gov/document/wcb-and-oea-adopt-inmate-calling-services-data-collection>. This Order implemented WCB/OEA's proposals, with refinements responding to suggestions offered by the commenters. Under WCB/OEA's Order, ICS providers will be required to submit the required data using a reporting template to be filed through the Commission's electronic filing system (ECFS) in accordance with instructions adopted by WCB/OEA. *See* Third Mandatory Data Collection Instructions, available for download at: Third Mandatory Data Collection Instructions. The template consists of a Word document (Appendix A to the instructions) for responses requiring narrative information and Excel spreadsheets (Appendix B to the instructions) (collectively, FCC Form 2302(a)) for responses that require specific numbers for information. The template must be submitted in a machine-readable and manipulatable format and may not be converted to a different format, such as a PDF. WCB/OEA also adopted the requirement that a senior executive of each provider certify as to the truthfulness, accuracy, and completeness of the provider's response to the data collection (FCC Form 2302(b)). In addition, WCB/OEA adopted its proposal to require all providers to submit audited financial statements or reports, or similar

documentation, for the reporting period, to the extent they have been produced in the ordinary course of business. Providers must submit these reports for each year of the reporting period or certify that they have not produced such reports in the ordinary course of business. These documents will be submitted for approval by the Office of Management and Budget as FCC Form 2302(a) and FCC Form 2302(b).

Federal Communications Commission.

**Marlene Dortch,**

*Secretary, Office of the Secretary.*

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## FEDERAL MARITIME COMMISSION

### Notice of Agreement Filed

The Commission hereby gives notice of the filing of the following agreement under the Shipping Act of 1984. Interested parties may submit comments, relevant information, or documents regarding the agreement to the Secretary by email at [Secretary@fmc.gov](mailto:Secretary@fmc.gov), or by mail, Federal Maritime Commission, Washington, DC 20573. Comments will be most helpful to the Commission if received within 12 days of the date this notice appears in the **Federal Register**. Copies of agreement are available through the Commission's website ([www.fmc.gov](http://www.fmc.gov)) or by contacting the Office of Agreements at (202)–523–5793 or [tradeanalysis@fmc.gov](mailto:tradeanalysis@fmc.gov).

*Agreement No.:* 201376.

*Agreement Name:* Tropical/Seaboard Antigua Space Charter Agreement.

*Parties:* Tropical Shipping & Construction Co. Ltd.; and Seaboard Marine Ltd.

*Filing Party:* Wayne Rohde; Cozen O'Connor.

*Synopsis:* The Agreement would authorize Tropical to charter space to Seaboard in the trade between Palm Beach, FL and ports in Antigua.

*Proposed Effective Date:* 2/25/2022.

*Location:* <https://www2.fmc.gov/FMC/Agreements/Web/Public/AgreementHistory/55502>.

*Dated:* January 18, 2022.

**William Cody,**

*Secretary.*

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