

TeleStrategies®

15TH ANNUAL

# COMMUNICATIONS TAXATION 2014



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### About TeleStrategies' Communications Taxation Conference:

TeleStrategies' 15th Annual Communications Taxation Conference brings together the nation's top tax professionals to address the challenging and amazingly complex domain of communications taxation.

The program provides comprehensive coverage of all aspects of telecom tax, including:

- Key legal proceedings, judgments and case studies
- Emerging services: Cloud, M2M, content, wireless apps, subsidized transport
- Audit defense and tax recovery
- Transaction, income and property tax compliance updates
- VoIP, pre-paid, E-911 and other key FCC decisions
- Exemptions, property tax and equipment depreciation issues
- Federal/local fees and surcharges
- Sourcing, nexus, jurisdiction regulations across federal, state and local
- Industry-specific (wireline, wireless, content aggregators, ISPs, cable) updates
- Emerging regulatory and local legislation bellwethers
- Billing integration, interfaces, quality assurance, internal controls
- And more!

Whether you are new to communications taxes, or an industry veteran, you will learn how to lower your tax bill, streamline tax operations, pro actively prepare for audits, better defend your company's audit position, leverage case studies/precedent to lower your tax liabilities, and, most importantly, network with your peers to learn from other's experiences.

Please don't hesitate to contact me for any reason about the program.

Sincerely,  
Dr. Matthew Lucas, Program Chair

# Agenda

**THURSDAY - MAY 15, 2014**

**7:00 AM - EXHIBITS OPEN  
CONTINENTAL BREAKFAST  
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**8:00**

## **Conference Opening Remarks**

**Dr. Matthew Lucas**, Vice President, TeleStrategies

**8:15 - 9:30 - EXECUTIVE KEYNOTE**

## **PwC Global Communications State of the Industry**

This executive keynote panel will look at the key consumer/end-user trends driving the communications industry forward today. The presenters will draw on PwC's global research to consider market trends and forecasts relating to mobile content, B2B innovation, M2M industry adoption, the challenge of big data, OTT impact on telco voice revenue, cyber threats to telco and more. Join the panelists as they consider these trends, their impact on telecom businesses and the implications to your tax department.

**Meredith Garwood**, Vice President, Tax, Time Warner Cable  
**Brian Goldstein**, US Communications State and Local Tax Leader, PwC  
**Kris Martin**, Communications Industry Advisory Partner, PwC  
Additional Distinguished Industry Panelists

**9:30 - 10:00 - NETWORKING AND EXHIBITS**

**10:00 - 11:00 CONFERENCE SESSION A**

## **Recent Issues in Telecom Taxes: FCC USF Reporting and the Public Utility Commissions**

Audit exposure related to FCC USF and public utility certified entities is never ending. This session will cover the recent issues related to corporate income tax, PUC and transaction taxes. Specific topics covered include: advanced FCC USF concepts — with specifics on reporting for schools & library funding, low income as well as the technology challenges that the FCC may not be considering for their current reports; the anatomy of a Federal USF contribution audit, recent developments, practical tips and the dynamics behind Federal USF rates; recent FCC reforms and modernization efforts affecting the disbursement side of the equation; and, time permitting, state USF audits and PUC policy trends.

**Mark Lammert**, President & CEO, Compliance Solutions, Inc.  
**Danielle Frappier**, Partner, Davis Wright Tremaine

**10:00 - 11:00 CONFERENCE SESSION B**

## **Sales and Excise Tax: Defense of Digital and 'Cloud' Products and Services from State Taxation**

State departments of revenue continue to aggressively pursue the taxation of various digital products and other services under the guise of taxes imposed on software and/or telecommunications services. This session will address the key issues and arguments digital product and telecommunication service providers should be aware of to defend against the various ways states and localities seek to subject them to both new and existing (e.g., telecommunications) sales and excise taxes, and provide advice regarding strategies for providers to possibly avoid or minimize the improper taxation of these products and services. The presenters will analyze recent case law developments, including several important recent decisions from Tennessee and other states, demonstrating the increasing use of the true object test to determine the taxability of such products and services. The presentation will also evaluate the latest developments in physical and attributional nexus, as well as the diverse sourcing rules adopted by the states, including the SSUTA rules.

**R. Gregory Roberts**, Partner, Morrison & Foerster LLP  
**Rebecca M. Ulich**, Associate, Morrison & Foerster LLP

**11:00 - 11:15 - NETWORKING AND EXHIBITS**

**11:15 - 12:15 CONFERENCE SESSION A**

## **Trials and Tribulations of Providing Cloud-Based Communications Services – A Primer on VoIP Services and Telecom Tax Engines!**

The session will look at the multitude of tax and regulatory issues that need to be considered and resolved for cloud-based communications providers, including VoIP-based services. Topics covered include: tax situs issues for transactions that are "virtual" in nature (i.e., those that have no actual circuits and have multiple and continually changing users/seats throughout the US and world); how cloud-based services can be unbundled from other non-taxable and taxable services being provided; intrastate, interstate and international unbundling issues; the changing nature of the application of regulatory fees and surcharges, 911 taxes and other taxes and fees that may apply to non-traditional services; and how to account for the multitude of taxes, fees and surcharges that need to be collected and remitted, including the need to reconcile GL accounts. Time permitting, the speakers will look at exemptions documentation and integration into the tax engine, as well as how to deal with bill presentation and truth-in-billing issues.

**David J. Rubenstein, CPA**, Corporate Professional Services Senior Manager, Telecommunications & Utility Tax, Wolters Kluwer  
**Mike Sanders**, Chief Technology Strategist, SureTax  
**Robert (Bob) C. Geppert**, Managing Director, State & Local Tax, KPMG LLP

**11:15 - 12:15 CONFERENCE SESSION B**

## **Tax Presentation issues on the Invoice. Is it Your Tax or Their Tax and are you Paying Enough Attention to These Issues? Best Practices and Questions for Industry.**

Indirect tax professionals faced with managing the challenges of compliance and audits often have little time left to oversee the actual presentation of taxes on customer bills. However, ignoring what you collect and how it came to be there is a path that can only make matters worse. Just what exactly are you allowed to put on the customer's bill in the first place? Are you selling bundles and if so, can you properly account for how they are being taxed? Are you prepared to deal with the tax realities of multi-party billing and revenue shares? With the emergence of alternative payment and billing arrangements what should your company be focusing on? What if there is no actual bill at all?

**Toby Bargar**, Senior Tax Consultant, BillSoft  
**Rick Heller**, Director, Telecom Technology, Media & Telecommunications, Deloitte Tax

**12:15 - 1:30 - EXHIBITS OPEN  
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**1:30 - 2:30 CONFERENCE SESSION A**

## **Audit Defense Strategy**

Carriers spend an inordinate amount of time and money defending prior positions in the face of auditors armed with 20-20 hindsight. Meanwhile, the same jurisdictions are facing budget crises never before seen, thereby making audit recovery their first priority. This session presents views from seasoned veterans regarding current audit issues and industry trends, as well as pragmatic perspectives on audit defense best practices and success strategies.

**Kathy Saxton**, Multistate Tax Service, Deloitte Tax  
**Marie A. Harris**, Senior Manager, Tax Audit, Research & Planning, T-Mobile USA  
**Audra Mitchell**, State Tax Counsel, Sprint Nextel  
**Kiran Seshagiri**, Director of Tax Systems and Billing, CenturyLink

**1:30 - 2:30 CONFERENCE SESSION B**

**Cloud Computing — Departments of Revenue Watch the Marketplace Expand**

The marketplace for cloud computing is ever expanding. This session will first outline the concepts and evolution of cloud computing — examining the breadth and expansion of the market, identifying the major players and new cloud “formations,” products and structures. The speaker will then review the “State of the DOR,” providing a legislative update — covering important developments as well as discuss variables to taxation, including TPP vs. Service vs. licenses vs. access vs. use vs benefits.

*Paul Ditton, Tax Research Analyst, Principal, Vertex, Inc.*

**1:30 - 2:30 SESSION C: TRAINING TRACK**

**Telecom 201 (Part 1) — Creating a World Class Transaction Tax Department — Increased Simplicity & Understanding**

This two-part presentation is for new and experienced telecom tax professionals, giving a walk-through of the “lifecycle” of a telecom tax department — specifically covering the principle areas of transaction taxes. This session (part 1) will focus on the first two key areas within a tax department: (1) sales and billing systems, purchases and automation, and (2) general ledger set up. The presenters will consider issues such as billing system mapping/coding, tax on tax, tax automation and discuss best practices in each area. The speakers will save plenty of time for Q&A.

*Shon Holyfield, CEO, Research Team, TTR, Inc.*

*Heather Pickett, Assistant Manager, Research Team, TTR, Inc.*

**2:30 - 2:45 - NETWORKING AND EXHIBITS**

**2:45 - 3:45 CONFERENCE SESSION A**

**Taxing a Trillion Interconnected Devices**

IBM predicts that there will be a trillion interconnected devices by 2015 – quick math says that is 143 devices per living being. What are you doing with yours? This session will take a novel look at the spectrum of devices entering the market (e.g., M2M, sensor technologies, telematics, home networking, wearable technologies); what all those devices are purported to do; how they will affect your life; and discuss the broad and furious tax implications for companies in — or reluctantly entering — the telecommunications business.

*Matthew Lucas, Vice President, TeleStrategies*

*Joe Greco, Vice President, Transaction, Property and Regulatory, Verizon*

*Jim Nason, Tax Managing Partner, Telecommunications, Deloitte Tax*

**2:45 - 3:45 CONFERENCE SESSION B**

**Both Sides Now: State Tax Issues Related to Sales of Cloud Computing Services and Purchases of Infrastructure**

This panel session will look at the changes in state taxation of cloud-based computing services. Topics covered include: (1) state and local legislative and administrative changes, audit activity, and changes in cloud technology relative to state taxation; (2) the technological changes that impact the taxation of cloud infrastructure providers, and data center owners; and (3) finally, the panelists will look at the trends in state tax audits relative to cloud computing and infrastructure providers.

*Jennifer Jensen, Director, PwC*

*Kelly Brown, Director, PwC*

*Mark Patterson, Director, Transaction Tax Audits, Verizon*

**2:45 - 3:45 SESSION C: TRAINING TRACK**

**Telecom 201 (Part 2) — Creating a World Class Transaction Tax Department — Increased Simplicity & Understanding**

This session (part 2) will continue the “lifecycle walk-through” of a telecom transaction tax department, focusing on (3) compliance and (4) audits. In this session, the presenters will

consider issues such as tax compliance, bad debts, tax recovery, audit defense and discuss best practices in each area. This is an excellent opportunity for new and experienced telecom tax professionals to walk away with the ability to easily communicate what gets done within their group and possibly identify areas of improvement. There will be a Q&A at the end.

*Shon Holyfield, CEO, Research Team, TTR, Inc.*

*Heather Pickett, Assistant Manager, Research Team, TTR, Inc.*

**3:45 - 4:00 - NETWORKING AND EXHIBITS**

**4:00 - 5:00 CONFERENCE SESSION A**

**An Assessment of Last Year's Most Significant Litigation and its Impact on Your Balance Sheet**

The speakers will provide an overview of the most significant litigation issues that may have a direct financial impact on your company and address the steps providers are taking as the litigation proceeds through the courts.

*Eric Tresh, Partner, Sutherland, Asbill & Brennan*

*Additional Distinguished Industry Panelists*

**4:00 - 5:00 SESSION C: TRAINING TRACK**

**Corporate Income Tax Issues for Telecom Entities**

This session addresses the top-level federal and state income tax considerations specific to the telecom industry. The speakers will first look at certain states that have specific telecom company statutes and/or recent tax decisions to ensure that the correct returns are being filed and reporting is in accordance with these statutes; secondly, provide a top-level understanding of the differences between federal and state tax bases and describe documentation that you need to ensure compliance with state DOR audits; assess trends in apportionment methods at the state levels to assist you in keeping up with the state tax changes; and, finally, will provide an open forum for attendees' experience in dealing with these issues in audits. This session is suitable both as an industry primer, as well as an update for veterans.

*Steven Davis, President of Lammert & Davis CPA*

**5:00 - EVENING RECEPTION, EXHIBITS AND NETWORKING**

**FRIDAY - MAY 16, 2014**

**7:30 AM - EXHIBITS OPEN  
CONTINENTAL BREAKFAST  
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**8:15 - 9:00 - GENERAL CONFERENCE SESSION  
Is a Pass-Through Really a Pass-Through?**

Move over “What’s in your wallet?” and enter “WTF is on my phone bill?” In recent years there has been increased scrutiny around truth-in-billing and what service providers list as taxes, fees, and surcharges on customer bills. Some carriers offer tax-inclusive plans where taxes are baked into the flat monthly fee. Traditional plans allow the carriers to pass through a myriad of taxes and tax-like charges directly to their customers. As new and different fees and surcharges appear, and carriers grapple with different payment plans, telecom products, and state tax laws. This session will tackle these pressing issues and more. “You’ve got questions, we’ve got answers.”

*Jamie Brenner, Partner, PwC*

*Robert Morse, Manager, PwC*

*Liz Bopp, Executive Director, Tax, AT&T*

*Additional Distinguished Industry Panelists*

**8:15 - 9:00 BREAKOUT SESSION 1****What Type of M2M Telco Service Provider are You, and Why Does it Matter?**

Global analyst firm Ovum predicts worldwide M2M revenues to increase nearly \$45bn over the next five years, and suggests that telcos can either choose to simply provide connectivity for M2M services, or become involved with the end-to-end provision of solutions. There are a myriad of potential hybrids and variations of what that might mean for a provider and its M2M customers. The tax consequences of any M2M offering can be convoluted at best, and hyper-complex at worst. As M2M, IoT, OTT, Cloud Computing, and Voice services continue to converge, multiple taxation issues materialize. What is the proper tax base? How is tax situs determined? Who is responsible for billing and collecting the tax? Be sure to join this interactive discussion!

*Tiffany DeBerry, President, Maverick Transaction Tax Solutions*  
*Rob Marino, Senior Manager, Tax Research, Vertex*  
*Steven A. King, Senior Manager, State & Local Tax, KPMG LLP*

**8:15 - 9:00 BREAKOUT SESSION 2****VPN and MPLS: Solutions with Unexpected Tax Outcomes**

VPN and MPLS provide solutions for customers in today's fast-paced world, allowing customers to communicate in innovative ways. Should IP connectivity services be treated like telecom for tax purposes? Or are they something else? What states have weighed in on this issue? What about the FCC? This breakout session will look at a range of today's IP-based connectivity solutions, and the tax implications.

*Sandra Thomas, Director of Tax Research, BillSoft*

**9:00 - 9:15 - NETWORKING AND EXHIBITS****9:15 - 10:00 - GENERAL CONFERENCE SESSION****Surviving a USAC Audit: Tips for Facing an Audit with Confidence**

Without question, ensuring compliance with the ever-changing rules surrounding the federal Universal Service Fund ("USF") program has become the communications industry's greatest regulatory challenge. Technological advances and the proliferation of novel service delivery methods continue to outpace the FCC's ability to keep up. Despite being in catch-up mode, the FCC remains steadfastly committed to ensuring adequate funding for universal service; and has been known to stretch the bounds of reasonableness to ensure the stability and sufficiency of the USF through compliance reviews, contributor audits and pseudo-enforcement activities through USAC. This panel of experienced telecommunications attorneys, who have been in the trenches representing clients in USAC audits and their subsequent appeals to the FCC, will provide tips to help your company survive (or better yet, avoid) the regulatory hornet's nest.

*Jonathan S. Marashlian, Managing Partner, Marashlian & Donahue, LLC, The CommLaw Group*

*Linda G. McReynolds, Senior Attorney, Marashlian & Donahue, LLC, The CommLaw Group*

*Jacqueline R. Hankins, Senior Attorney, Marashlian & Donahue, LLC, The CommLaw Group*

**9:15 - 10:00 BREAKOUT SESSION 1****Tax Mapping for Telecom Tax Calculation Systems**

One of the most often asked questions in telecom finance departments is, "how do I know this is the right tax?" Without correctly identifying your products and services as well as your customer's attributes, such as geographical location and exemption status to your tax calculation system, answering that question is almost impossible. But, in many cases, this kind of decision-making is left to a single individual who is largely unaware of the product's details and may make an incorrect decision costing thousands of dollars for the company. This session will discuss the issues that come up in tax mapping, tax rating, billing, and reporting on the tax rated revenue.

*Derek Cazal, Chief Technology Officer, Compliance Solutions Inc.*

**9:15 - 10:00 BREAKOUT SESSION 2****Square Pegs in Round Holes - Tax and Regulatory Issues Associated with Non-Traditional Internet Protocol Offerings**

The speakers will discuss how a new wave of voice, video and data applications are once again outpacing state and local tax and regulatory statutes forcing tax practitioners to make a variety of judgment calls.

*David Mielke, Senior Manager Telecom Taxes, Hewlett Packard*  
*Jessica Kerner, Associate Attorney, Sutherland, Asbill & Brennan*

**10:00 - 10:15 - NETWORKING AND EXHIBITS****10:15 - 11:00 - GENERAL CONFERENCE SESSION****The Internet of Things and Taxation of Electronic Commerce**

The Internet of Things – the networking of real-world devices and systems – is poised to allow a proliferation of devices to communicate over the Internet and telecommunication systems. Taxability of systems with a telecommunications component is often uncertain under state law, and the federal Internet Tax Freedom Act prohibits discriminatory taxation of electronic commerce. This panel will consider how to navigate the complex state and local taxation issues of telecommunications, data, and equipment in an era of rapidly diversifying products and services, and with a particular focus on devices that communicate directly through telecommunications services.

*Matt Boch, Associate, McDermott, Will & Emery*  
*Bradley O'Donnell, Partner, Communications Transaction Tax, Ryan*  
*Dustin Davis, Director, Communications Transaction Tax, Ryan*

**10:15 - 11:00 BREAKOUT SESSION 1****Before You Get Caught: The Voluntary Disclosure of Telecommunications Taxes in the 50 States**

Telecommunications taxation is so varied and complex, many companies don't know they have exposure until due diligence by a prospective buyer, lender or investment banker uncovers it. And exposure at the federal, state, city or local level could mean significant holdbacks or escrows in a deal, or major accounting reserves for unpaid liabilities. Once exposure is identified, the voluntary disclosure agreement provides clarity, and some measure of finality, in quantifying risk, and also can limit your liability and result in a waiver of penalties. But the voluntary disclosure rules of the various states, cities and federal programs are as different as the tax types they impose (think football district tax). This session will cover identifying tax exposure, when to file for a VDA, the mechanics of voluntary disclosures around the country and when to start collecting and remitting taxes. Speakers will also discuss acquisition strategies for both targets and buyers when telecom taxes are unpaid or underpaid.

*Thomas M. Lynch, Partner, Thomas Lynch & Associates*  
*Lynn Brusky, Vice President of Tax, Star2Star Communication*

**10:15 - 11:00 BREAKOUT SESSION 2****Confronting Regulatory Classification Uncertainties and Mitigating Risk Through the Tax Mapping Process**

Service providers and policy-makers navigating the choppy seas that stand between the traditional switch-based networks of the past century to the all-IP, "Internet of Everything" future, are finding that regulatory uncertainties have proliferated with no signs of resolution any time soon. There are many ways telecom businesses can utilize tax calculation software to manage and mitigate these regulatory risks and financial exposures. This session will discuss how a particular service is classified by the FCC for regulatory purposes, and how that can have material implications for providers and their customers. The presenters will use SIP-trunking and other services with unclear regulatory implications as examples, and detail practical ways to confront regulatory uncertainties to minimize exposure and manage risks.

*David J. Rubenstein, CPA, Corporate Professional Services Senior Manager, Telecommunications & Utility Tax, Wolters Kluwer*  
*Robert (Bob) C. Geppert, Managing Director, State & Local Tax, KPMG LLP*

11:00 - 11:15 - NETWORKING AND EXHIBITS

11:15 - 12:00 - GENERAL CONFERENCE SESSION

**Managing Sales Tax Exemptions for Telecommunications**

Maintaining various federal and state/local and other exemptions applicable to multiple tax types billed by telecommunications is an enormous challenge. This session will consider each of the taxes on a state and federal level; provide a detailed analysis of the applicable exemptions; and present the various methods that an organization can utilize to ensure tax exemptions are kept current. The presenters will also give best practices and experience for organizing applicable documentation using a centralized and paperless environment that can be readily synced and matched against auditor requested data.

**Robert Marshek**, Director of Operations, Imaging Science & Services  
Additional Speakers to be announced

11:15 - 12:00 **BREAKOUT SESSION 1**

**Anatomy of a USF Contribution Audit: Recent Developments and Practical Tips**

USF contribution audits are tough. The USAC audit process is thorough and lengthy, typically lasting about a year for a large provider. Join this session to learn about what to expect in a contribution audit, how it is different from a tax audit, what's changed recently and practical tips for surviving one. We will also cover how recent FCC reforms and modernization to the disbursement side of USF are affecting the contribution side of the equation, your company's bottom line and the prospects for future audits.

**Danielle Frappier**, Partner, Davis Wright Tremaine

## Registration Information

**REGISTRATION FEE: Two ways to save!**

1. Register by April 10th and save \$200
2. **Buy One, Get One Free Service Provider Offer.** To be eligible for the special rate, you, and the person you are registering, must be approved full-time employees of a wireless or wireline phone company, cable MSO, ISP or VoIP provider. Pay for one and the second person can attend for free.

	Before 4/10	After 4/10
<input type="checkbox"/> <b>Tutorial and Conference</b>	\$1,295	\$1,495
<input type="checkbox"/> <b>Conference Only</b>	\$995	\$1,195
<input type="checkbox"/> <b>Tutorial Only</b>	\$495	\$695

**PLEASE NOTE:** Attendance at this conference is open to tax professionals employed by communications service providers, tax software and research vendors and those companies advising communications service providers (consultants, attorneys, and accountants). We respectfully request that employees and contractors to state and local governments and contract auditors NOT attend.

### FOUR EASY WAYS TO REGISTER:

- 1 **BY PHONE:** Call 703-734-7050 for immediate registration.
- 2 **ON-LINE:** Go to [www.telestrategies.com](http://www.telestrategies.com)
- 3 **BY MAIL:** Complete the registration form and mail to:  
TeleStrategies, P.O Box 7443, McLean, VA 22106
- 4 **BY FAX:** Complete the registration form and fax to: 703-556-3959

**Payment Information:** Registration fee must be paid prior to event.

**Transfers and Substitutions:** Transfers and substitutions are permissible up to 24 hours in advance of conference date.

**Cancellations and No-Shows:** If you are unable to attend, there is no penalty if your cancellation is received in writing two weeks prior to the conference date. Cancellations after that date are subject to a 25% service charge. Registrants who do not attend and who do not cancel before the conference date are liable for the full registration. If the conference is cancelled, TeleStrategies is not responsible for any airfare, hotel or other costs incurred by the registrant.

### REGISTRANT'S INFO:

NAME \_\_\_\_\_ TITLE \_\_\_\_\_

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### PREPAYMENT REQUIRED:

(Payment in full is required before attendance.)

- My check in enclosed in the amount of \$\_\_\_\_\_.
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SIGNATURE \_\_\_\_\_

**FREE SERVICE PROVIDER COLLEAGUE REGISTRATION:** Each Service Provider who registers and pays can invite a colleague to join them at no additional cost. If you have not identified your guest at this time, you may register them a future time by calling the TeleStrategies registrar at 703-734-7050 and referencing your registration.

### COLLEAGUE'S INFO:

NAME \_\_\_\_\_ TITLE \_\_\_\_\_

COMPANY \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY/STATE/PROVINCE/COUNTRY \_\_\_\_\_ ZIP/POSTAL OR COUNTRY CODE \_\_\_\_\_

TEL \_\_\_\_\_ EMAIL \_\_\_\_\_

11:15 - 12:00 **BREAKOUT SESSION 2**

### Refund Roadblocks - How to Jump Them

Deemed denials, standing, documentation burdens and sampling issues are just some of the many roadblocks that jurisdictions put in the way of refund claims. Municipalities bring their own unique challenges. This breakout session will make sure you know what to watch out for, and how to get around these bumps in the road.

*Margaret Wilson, Reeder Wilson LLP*

11:15 - 12:00 **BREAKOUT SESSION 3**

### The Tangled Web of State Income Tax Apportionment: What's Now and What's Next?

State income tax apportionment is a constantly changing and evolving area that presents unique challenges to telecommunication companies. This session will review the current rules and recent trends in state income tax apportionment with a focus on special rules that apply only to telecommunication companies. The session will also closely examine the national litigation in the AT&T cases as well as recent developments in the area of alternative apportionment.

*David A. Hughes, Horwood Marcus & Berk Chartered*

## PRE-CONFERENCE TUTORIALS

### TUTORIAL 1: WEDNESDAY, MAY 14, 2014

9:00 AM - 4:30 PM (FULL DAY, 7 HOURS CPE)

## Understanding Communications Taxation

*Jim Nason, Tax Managing Partner, Telecommunications, Deloitte Tax LLP*

*With the Deloitte Tax Telecommunications Team*

A mainstay of the TeleStrategies' Communications Taxation event, this intense introductory seminar continues to be refreshed and updated to cover not only the basics of our current tax system for communications service providers, but a deeper dive into key tax considerations associated with "cutting edge" services and applications. This is a must for people new to the communications space or those that want a refresher of Communications Tax 101+. The first part of the program continues to be focused on the core aspects of telecom taxation with the afternoon taking on the more challenging issues facing today's communications tax professional.

#### I. Overview of Communications Taxation

- Taxation of basic local, long distance, wireless, and video services
- General taxes including gross receipts, sales, and telecommunications-specific taxes

#### II. Sourcing and Apportioning Transaction Taxes

- Understanding the Goldberg rule when it applies and when it doesn't
- State's position and formulas on interstate services

#### III. Wireless Taxation including Prepaid

- Sourcing of wireless services and the challenges
- Tax issues specific to wireless service providers as well as the applicability of various taxes and surcharges

#### IV. Exempt Customers, Sales for Resale and Taxation

- Understanding gross receipt taxes and telecommunications sale for resale exclusions and exempt customers
- Key differences among the states regarding resale taxation

#### V. Internet and Emerging Services Taxation

- Taxation of Internet access and new/emerging services
- Differences in taxation of telephone, data, TV and other related services
- Taxation of transport vs. content services vs. digital media

#### VI. Bundled Services Taxation

- What services are being bundled, how are they taxed and what are the challenges to existing tax models?
- What approaches are the states using to tax these bundles? Is there an answer to: what constitutes "books and records"?

#### VII. Current Trends and Developments in the Taxation of Telecommunications

- What are the big issues taking center stage in administrative decisions and the courts?
- What is on the mind of tax policymakers in state and local jurisdictions?

#### VIII. Telecommunications Services: An Operational Tutorial

- Become more conversant with how telecommunications services are delivered.
- What a telecommunications professional needs to know to "talk the talk"!

#### IX. Regulation, Fees, Surcharges and Other Charges (When a Tax is Not a Tax)

- Basic understanding of regulatory issues, concerns and changes facing the communications company
- Overview of regulatory mandates and related fees (911, USF, and more)

#### X. Transaction Tax System/Process Fundamentals

- Hear what you need to know in implementing/upgrading an automated transaction tax solution
- Common pitfalls and opportunities

### TUTORIAL 2: WEDNESDAY, MAY 14, 2014

1:00 - 5:00 PM (HALF DAY, 4.5 HOURS CPE)

## Taxation Issues for Communications Companies

*PwC Tax Telecommunications Team*

1:00 - 2:45

#### Federal Universal Service Fund (FUSF)

This session will introduce you to FUSF and explore updates. We will also take a deep dive into FUSF accessibility, compliance and return mechanics, the audit process, recent FCC orders, and significant pitfalls and traps. In addition, we will be covering Universal Service Administrative Company (USAC) audits and significant risk areas.

*Arti Deliaj, Director, PwC*

2:45 - 3:00 - BREAK

3:00 - 4:40

#### Top Ten Audit Issues by Telecommunications Tax Departments

Experience an interactive discussion on issues such as outdated billing systems that belong on display in the Smithsonian, complexities of statutory/regulatory/judicial changes and aggressive auditors and much more! We will offer solutions to how these issues can be addressed on a daily basis.

*David Prebut, Director, PwC*

*Dawn Scott, Director, PwC*

4:40 - 5:00 - FINAL Q&A

## Hotel Info

<http://www.telestrategies.com/tax/hotel.htm>

TeleStrategies is pleased to host the 2014 Communications Taxation Conference at **Disney's Yacht & Beach Club Resort**. Please contact Disney World Reservations directly at (407) 934-7000, or visit

<http://www.disneyurl.com/TeleStrategiesCommunicationsTaxationConference2014> to reserve a room online. Mention that you are with the TeleStrategies Communications Tax group to receive the discount rate of \$209 per night\*. Please make your reservation by **April 20** to receive the discounted rate. TeleStrategies cannot guarantee the rate once the room block is full, or after April 20.

### ABOUT THE DISNEY YACHT AND BEACH CLUB (VIA DISNEY WORLD WEB SITE):

Delight in the formal grace of a grand New England-style yacht club at this lakeside hotel. Relax in the inviting elegance of a plush lobby replete with nautical touches, explore the whimsical Stormalong Bay and rent a variety of watercraft from Bayside Marina. Sharing many amenities with its pastel-toned sister, Disney's Beach Club Resort, Disney's Yacht Club Resort is walking distance to Epcot and a convenient boat ride to Disney's Hollywood Studios.

### Hotel information:

1700 Epcot Resorts Boulevard, Lake Buena Vista, Florida 32830-8407  
Valet and Complimentary Self Parking Available



\* Note: Disney has extended the discount rate in advance of the program and through the weekend after the program, for those families who wish to extend their stay and enjoy the parks.

## CPE Credits



TeleStrategies Inc. is registered with the National Association of State Boards of accountancy (NASBA) as a sponsor of continuing professional education on the National Registry of CPE Sponsors. State boards of accountancy have final authority on the acceptance of individual courses for CPE credit. Complaints regarding registered sponsors may be addressed to the National Registry of CPE Sponsors, 150 Fourth Avenue North, Suite 700, Nashville, TN 37219-2417. Web site: [www.nasba.org](http://www.nasba.org)

**Credits available:** 19\*  
**Method of presentation:** Group-Live  
**Advance preparation:** None

**Program level:** Basic  
**Prerequisites:** None

For more information regarding administrative policies such as complaint resolution, please call TeleStrategies at 703-734-7050.

\* The two-day conference offers 12 hours of CPE. Deloitte pre-conference offers 7 hours of CPE. PwC pre-conference offers 4.5 hours of CPE. Attendees must sign in and sign out to receive CPE credit.

## CLE Credits



TeleStrategies, Inc. received CLE approval in 2013 in Kansas (11), Missouri (9.6), Nebraska (8.75), Pennsylvania (9) and Virginia (14.5). CLE is available in 17 other states using reciprocity agreements with these existing approvals. If you would like CLE credits in a state not listed, please send an email to [jtowndsend@telestrategies.com](mailto:jtowndsend@telestrategies.com).

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