
UPDATE March 6, 2018

Accessibility Recordkeeping Compliance Certification Due April 2, 2018

On March 1, 2018, the FCC released a [Public Notice](#) reminding telecommunications carriers, interconnected VoIP and advanced communications service (“ACS”) providers that they **must file their annual accessibility compliance certificate (covering 2017) by April 2, 2018**. This certificate certifies that the provider has operating procedures in place to ensure compliance with the recordkeeping requirements contained within the FCC’s rules adopted in accordance with the 21st Century Communications and Video Accessibility Act (“CVAA”) of 2010.

Background. Pursuant to Sections 225, 716 and 718 of the Communications Act, telecommunication carriers, including interconnected VoIP providers, and ACS providers must ensure that their services and equipment are accessible to individuals with disabilities, if readily achievable. Providers subject to Sections 225, 716, or 718 are required to maintain, in the ordinary course of business and for a reasonable period, records of efforts they have taken to implement those sections, including:

- Information about the provider’s efforts to consult with individuals with disabilities;
- Descriptions of the accessibility features of its products and services; and
- Information about the compatibility of such products and services with peripheral devices or specialized consumer premise equipment commonly used by individuals with disabilities to achieve access.

Who must file:

- Telecommunications carriers;
- Interconnected VoIP providers; and
- ACS providers (e.g., providers of email, text messaging, instant messaging, interoperable video conferencing services).

What must the certification contain? All covered providers must submit an annual certification certifying that the company has established operating procedures adequate to ensure compliance with the recordkeeping rules and that the records are being kept accordingly. In addition, covered providers must designate and keep current:

- A contact person authorized to resolve accessibility-related complaints from consumers;
- An agent to accept service of complaints filed with the FCC.

How to File. Providers must submit their certifications through the Recordkeeping Compliance Certification and Contact Information Registry (“RCCCI Registry”), available [here](#). You will need your FCC Registration Number and password to login to the RCCCI Registry. Step-by-step instructions and FAQs with filing are available [here](#).

If you have further questions regarding accessibility and FCC compliance, please contact Bruce Beard at (314) 394-1535 or bbeard@cinnamonmueller.com.

FCC Eliminates Rules Requiring Paper Copies of FCC Regulations

On February 20, 2018, the FCC released a [Report and Order](#) eliminating its rules that require certain cable systems to maintain paper copies of relevant FCC regulations. Because up-to-date versions of the relevant FCC rules are available online through the [Code of Federal Regulations](#) (“CFR”), the FCC found that requiring cable systems to keep hard copies of its rules to be outdated and unnecessarily burdensome.

Eliminated Rules. Cable operators serving 1,000 or more subscribers are no longer required to maintain a physical, hard copy of Part 76 of the FCC’s rules. CARS licensees are likewise no longer required to maintain a physical copy of Part 78 of the FCC’s rules and, in cases where aeronautical obstruction markings of antennas are required, a copy of Part 17. Both cable operators and CARS licensees are still required to be familiar with the relevant parts of the CFR and the rules governing their operations.

Despite eliminating the Part 76 and Part 78 hard copy requirement, the FCC left in place the requirement under Part 11 for entities subject to the Emergency Alert System (“EAS”) to maintain a copy of the EAS Operating Handbook. The EAS Handbook must be located at normal duty positions or EAS equipment locations when an operator is required to be on duty, and must be immediately available to staff responsible for authenticating messages and initiating actions.

Effective Date. The rules will be eliminated when a summary of the FCC’s Order is published this Spring in the Federal Register.

If you have further questions regarding FCC or EAS compliance, or your recordkeeping requirements, please contact Scott Friedman at (314) 462-9000 or sfriedman@cinnamonmueller.com.

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