

UPDATE July 10, 2018

Earth Station Filing Window Deadline EXTENDED

MVPDs Now Have Until October 17, 2018 to Register Operational, but Unregistered Stations

The FCC's filing window for a limited class of operational, but unregistered earth stations has been extended for an additional 90 days. The extension, announced in a recent [Public Notice](#) by the FCC's International Bureau ("Bureau"), gives MVPDs until **October 17, 2018** to file applications to register fixed-satellite service ("FSS") earth station licenses currently operating in the 3.7-4.2 GHz frequency band. The Bureau also clarified filing options for operators with multiple earth station antennas.

Registration Freeze. Earlier this spring, the FCC's International, Public Safety and Homeland Security, and Wireless Telecommunications Bureaus [announced](#) a temporary freeze on the filing of new or modification applications for fixed-satellite service earth stations, receive-only earth station registrations, and fixed microwave licenses in the 3.7-4.2 GHz frequency band. At the same time, the Bureaus opened a 90-day window during which entities that own or operate existing earth stations in the 3.7-4.2 GHz band may file an application to register or license the earth station if it is not currently registered or licensed.

The Bureaus opened the filing window because the FCC has an open inquiry examining whether to open the 3.7-4.2 GHz band for additional uses. Multichannel video programming distributors ("MVPDs") should take advantage of this opportunity to review whether they have unregistered receive-only earth stations that should be registered. **By registering a receive-only earth station, an MVPD can protect against interference from other entities using the same spectrum.**

To register a receive-only earth station, an MVPD must complete FCC Form 312 (through the online [IBFS](#) database) and pay a \$435 filing fee. For purposes of the registration window, the Bureaus have waived the requirement to also submit a frequency coordination study. Applications to modify a current registration are also permitted to be filed.

Filing Options for Operators with Multiple Earth Station Antennas. To alleviate concerns from MVPDs, the Bureau clarified that MVPDs with multiple receive-only antennas at a single geographic location or address may apply to register these antennas under a single application and pay a single fee of \$435. Additionally, the Bureau announced it will permit MVPDs with multiple geographically diverse receive-only earth stations to register those stations under one application for a single "network" license and pay a single fee (the "Fixed Satellite VSAT System" fee, currently \$10,620). The Bureau waived certain sections of the FCC's rules so that operators can utilize the single "network" license option.

If you have any questions about the receive-only earth stations or FCC applications, please contact Scott Friedman at (314) 462-9000 or sfriedman@cinnamonmueller.com.

FCC Reminds MVPDs of EEO Form 396-C Filing Deadline

Notice lists MVPD Units That Must File Supplemental Investigation Sheet

On July 2, 2018, the FCC's Media Bureau released a [Public Notice](#) reminding multichannel video programming distributors ("MVPDs"), including cable operators, that Form 396-C, the FCC's MVPD Equal Employment Opportunity ("EEO") Program Annual Report, must be submitted electronically by midnight on **October 1, 2018** (the typical September 30th deadline falls on a Sunday this year). To file Form 396-C, login to the Media Bureau's [CDBS Electronic Filing System](#).

The Public Notice also lists the MVPDs that have been randomly selected to file a Supplemental Investigation Sheet ("SIS") along with their Form 396-C. For this year's filing, SIS filers must:

- Include one job description for employees in the "Craft Workers (skilled)" category in Part I of the form.
- Answer questions 2, 3 and 6 in Part II of the form:
 - Describe the employment unit's efforts to disseminate widely its equal employment opportunity program to job applicants, employees, and those with whom it regularly does business.
 - Name the organizations, media, educational institutions, and other recruitment sources used to attract applicants whenever job vacancies become available.
 - Report the findings of the employment unit's analysis of its efforts to recruit, hire, promote in a nondiscriminatory manner and explain any difficulties encountered in implementing its EEO program.
- Attach, as Part III, a copy of the unit's EEO public file report created in 2018 covering the previous 12 months.

If you have any questions about EEO compliance, please contact Scott Friedman at (314) 462-9000 or sfriedman@cinnamonmueller.com.

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