
UPDATE September 18, 2018

EAS National Test Rescheduled to Back-up Date

Test Will Now be Held on October 3, 2018

On September 17, 2018, the FCC's Public Safety and Homeland Security Bureau released a [Public Notice](#) announcing that FEMA has postponed the Emergency Alert System ("EAS") test to the back-up test date of October 3, 2018. Originally scheduled for September 20, 2018, the test will now be held at 2:20pm EDT on October 3, 2018. FEMA rescheduled the test due to ongoing response efforts to Hurricane Florence. All EAS Participants, including cable operators, must participate in this nationwide test.

As part of the test process, EAS Participants were required to complete Form One in the EAS Test Reporting System ("ETRS") by August 27, 2018, will be required to file the "day of test" information sought by ETRS Form Two on the EAS test date, October 3, 2018, and must file ETRS Form Three on or before November 19, 2018.

The EAS alert will be transmitted in English and Spanish and include both audio and the text of the test message, which can be used to populate an accessible video crawl.

If you have questions about EAS or about preparing your cable system for the upcoming nationwide EAS test, please contact Scott Friedman at (314) 462-9000 or sfriedman@cinnamonmueller.com.

FCC Regulatory Fee Payments Due by 11:59 PM EDT on September 25, 2108

On August 29, 2018, the FCC released an [Order](#) establishing its Fiscal Year 2018 regulatory fees, and announced that regulatory fee payments must be made no later than 11:59 p.m., EDT, on September 25, 2018.

All licensees must use the [Fee Filer System](#), and review, create, update, or change the fees owed. Then, each licensee must choose a payment method – online payment with a credit or debit card, online payment from a bank account, or sending a wire transfer.

Fee amounts. The FCC has set the following regulatory fees:

- **2018 Cable/IPTV regulatory fee:** Cable systems (including IPTV systems) that had subscribers as of December 31, 2017 must pay \$0.77 per subscriber, an \$0.18 decrease from 2017.
- **CARS licenses and permits:** CARS facilities operating on October 1, 2017 must pay \$1,075, a \$140 increase from 2017, even if the facility's license expired after October 1, 2017.

- **Interconnected VoIP regulatory fee:** \$0.00291 for each dollar of interstate and international telecommunications revenue that a provider reports on its Form 499-A.

De minimis exemption. Entities whose total regulatory fee liability, including all categories of fees for which payment is due, is \$1,000 or less are exempt from payment. Municipal providers and providers that qualify as non-profit entities are also exempt from regulatory fees.

If you have any questions about the payment of FY 2018 regulatory fees, please contact Scott Friedman at (314) 462-9000 or sfriedman@cinnamonmueller.com.

EEO Form 396-C Due October 1, 2018

Multichannel video programming distributors (“MVPDs”), including cable operators, must submit Form 396-C, the FCC’s MVPD Equal Employment Opportunity (“EEO”) Program Annual Report, 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](#).

MVPDs that have been randomly selected (see here: [Public Notice](#)) to file a Supplemental Investigation Sheet (“SIS”) along with their Form 396-C must complete the following:

- 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 (312) 372-3930 or sfriedman@cinnamonmueller.com.

Please visit our website at www.cinnamonmueller.com to learn more about our lawyers and practice. You can reach Cinnamon Mueller at (314) 462-9000. *This update is provided by the law firm of Cinnamon Mueller. The document is intended for informational purposes only as a service to clients of Cinnamon Mueller. It is not intended to provide specific legal advice or to substitute obtaining appropriate legal counsel. We encourage you to consult with counsel to address special compliance issues and for assistance in negotiating or handling any such matter referred to in the update.*