
UPDATE
April 23, 2019

FCC Issues Information Collection Requirement for Earth Station Owners

Certifications Due by May 28, 2019

On April 11, 2019, the FCC released a [Public Notice](#) announcing that earth station licensees and registrants must submit certain information to the FCC by May 28, 2019. The FCC seeks information regarding earth station and satellite licensees (and registrants) current use of the 3.7-4.2 GHz band (also known as the “C-Band”). This information collection requirement stems from the FCC’s July 13, 2018 [Order and NPRM](#) proposing potential opportunities for additional terrestrial uses in the C-Band.

Operators of fixed-satellite service (“FSS”) earth stations in the C-Band that are licensed or registered **must certify the accuracy of all information on their licenses or registrations** as reflected in the FCC’s [International Bureau Filing System](#) (“IBFS”). This includes cable operators who have registered receive-only earth stations, with one exemption. Certification is **not required** for new or modified registrations filed during the recent C-Band filing window from April 19, 2018 to October 31, 2018.

All required information must be submitted electronically via IBFS using the “Pleadings and Comments” link. FSS earth station licensees and registrants must file certifications as a pleading type “C- band certification” for each call sign. Each certification must include the relevant call sign(s), file numbers, and applicant or registrant name, along with the following signed statement: “The undersigned, individually and for the applicant, licensee, or registrant, hereby certifies that all information reflected in his or her licenses or registrations in IBFS, including any attached exhibits, are true, complete and correct to the best of his or her knowledge and belief, and have been made in good faith.” The statement must be signed by an authorized representative.

Note: The Public Notice also emphasizes that all earth station operators, including those exempt from the certification filing requirement, are required to update their information in IBFS in the event of a change in contact information or any of the operational parameters.

If you have any questions about this filing requirement or earth stations in general, please contact Scott Friedman at (314) 462-9000 or sfriedman@cinnamonmueller.com.

FCC Eliminates Obligations to Maintain Public Channel Lineups

On April 12, 2019, the FCC released a [Report and Order](#) eliminating both the requirement for cable operators to maintain at their local office a current listing of the cable television channels that each cable system delivers to its subscribers and the related obligation that certain cable operators make their channel lineup available through the FCC-hosted online public inspection file. The FCC took these steps as part of its continuing efforts to reduce outdated rules and unnecessary regulatory burdens that can impede competition and innovation in the media marketplace.

In the Report and Order, the FCC concluded that channel lineup information is available from many sources today and that operators have a competitive incentive to ensure that this information is widely disseminated. The FCC also recognized that its rules require cable operators to provide information to subscribers regarding the “channel positions of programming carried on the system” and “products and services offered” at the time of installation, at least annually, and at any time upon request. Further, the FCC agreed with NCTA, ACA and others that it is now easy to access channel lineup information from company websites, on-screen electronic program guides, and paper guides.

Note: Cable systems with 1,000 or more subscribers must upload their public inspection files to the FCC-hosted online database. Cable systems with fewer than 1,000 subscribers are not required to use the FCC-hosted online database. These systems may instead continue to maintain their files locally.

Accordingly, upon publication of the Order in the Federal Register, the rules requiring cable operators to maintain a channel lineup at the local office and in the online public inspection file will be eliminated.

If you have any questions about public inspection files or other FCC regulatory requirements, please contact Scott Friedman at (314) 462-9000 or sfriedman@cinnamonmueller.com.

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