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**UPDATE**  
**June 4, 2019**

**FCC Announces August 7, 2019 EAS National Test**

**EAS Participants Must Complete ETRS Form One by July 3, 2019**

Yesterday, June 3, 2019, the FCC's Public Safety and Homeland Security Bureau released a [Public Notice](#) announcing that FEMA, in collaboration with the FCC, will conduct an Emergency Alert System ("EAS") test on August 7, 2019 at 2:20 pm EDT with a backup date of August 21, 2019. The Public Notice also provides notice that the EAS Test Reporting System ("ETRS") is now open and accepting 2019 filings. EAS Participants, which include cable operators, must renew their identifying information in ETRS Form One by **July 3, 2019**.

The Bureau also reminded all EAS Participants that they must file the "day of test" information sought by ETRS Form Two on the EAS test date, August 7, 2019, and must file ETRS Form Three on or before September 23, 2019.

Unlike in recent years, the 2019 nationwide test will only be disseminated using a hierarchical, broadcast-based distribution system, otherwise known as the "daisy chain" and not over the Internet using the Integrated Public Alert and Warning System ("IPAWS"). Because the test will be disseminated in this manner, FEMA has indicated that "full message text and multilingual messaging will not be available." Nonetheless, the Public Notice reminds EAS Participants that the alerts must comply with the FCC's accessibility requirements and, as such, will include both audio and visual elements as required by the FCC's rules.

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](mailto:sfriedman@cinnamonmueller.com).

**Copyright Forms and Fees Due by August 29, 2019**

Cable operators must file with the U.S. Copyright Office their Statement of Accounts (Form SA1-2 or SA3) and pay any royalty fees due for the January 2019 – June 2019 accounting period by **August 29, 2019**. The following forms apply:

- **SA1-2 Short Form.** For use by cable systems with semiannual gross receipts of less than \$527,600.
- **SA3 Long Form.** For use by cable systems with semiannual gross receipts of \$527,600 or more.

Cable operators may now electronically sign and submit their SOAs. Excel-based SA1-2E Short Form and SA3E Long Form, along with additional instructions regarding the forms, are available for download on the Copyright Office's [Section 111 webpage](#). Cable operators may choose to continue to use the paper-based forms as well.

Copyright filings must be accompanied by a filing fee in addition to the royalty payment. The filing fee is calculated based on the type of form filed:

SOA Type	Filing Fee
SA-1 (\$137,100 or less gross revenues)	\$15
SA-2 (\$137,101 – \$527,599 gross revenues)	\$20
SA-3 (\$527,600 or more gross revenues)	\$725

Operators must also remit the royalty fee and filing fee in a single electronic payment. If you have any questions about copyright forms or fees, please contact Bruce Beard at (314) 394-1535 or [bbeard@cinnamonmueller.com](mailto:bbeard@cinnamonmueller.com).

### **FCC Proposes FY 2019 Cable Regulatory Fees**

On May 8, 2019, the FCC released a [Notice of Proposed Rulemaking](#) seeking comment on its proposed regulatory fees for fiscal year 2019. Congress requires the FCC to annually collect regulatory fees to cover its operational costs, and the FCC sets the fees by calculating the proportion of the total number of FCC employees needed to regulate a particular service.

In the NPRM, the FCC seeks comment on a number of proposed changes to its allocation of employees and fee structures, including whether to further raise the DBS regulatory fee rate to \$0.60 per subscriber per year and whether to raise its *de minimis* exemption from its current \$1,000 threshold.

Comments are due June 7, 2019. Reply Comments are due June 24, 2019.

**Proposed Regulatory Fees.** The FCC has proposed the following regulatory fees:

- **2019 Cable/IPTV regulatory fee:** The FCC has proposed that cable systems (including IPTV systems) that had subscribers as of December 31, 2017 pay \$0.86 per subscriber, a \$0.09 increase from 2018.
  - **DBS regulatory fee:** In 2015, the FCC made DBS a sub-category of the Cable/IPTV fee category and adopted an initial regulatory fee of \$0.12 per subscriber. The FCC increased the DBS fee to \$0.27 per subscriber in 2016, \$0.38 per subscriber in 2017, \$0.48 per subscriber in 2018, and has proposed a \$0.60 per subscriber fee for 2019.
- **CARS licenses and permits:** The FCC has proposed that CARS facilities operating on October 1, 2018 pay \$1,225.00, even if the facility's license expired after October 1, 2018.
- **Interconnected VoIP regulatory fee:** The FCC proposes an ITSP fee of \$0.00319 for each dollar of interstate and international telecommunications revenue that a provider reports on its Form 499-A.

**Filing Procedures and Window.** Following adoption of its FY 2019 Fee Order (likely in August 2019), the FCC will collect these fees during a subsequent filing window (likely in September 2019). All licensees must use their FRN and password to access the [Fee Filer System](#), and review, create, update, or change the fees owed. Then, each licensee must make payments electronically –

online payment with a credit card, online payment from a bank account, or by sending a wire transfer. Fee Filer will print a Form 159-E for users to transmit via fax for wire transfers.

If you have any questions about regulatory fee payments, please contact Scott Friedman at (314) 462-9000 or [sfriedman@cinnamonmueller.com](mailto:sfriedman@cinnamonmueller.com).

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