

UPDATE August 6, 2019

FINAL REMINDER: Nationwide Emergency Alert System Test TOMORROW, August 7, 2019

Yesterday, the FCC and FEMA released a [Public Notice](#) reminding the public that FEMA will conduct a nationwide test of the Emergency Alert System (“EAS”) on **Wednesday, August 7, 2019 at 2:20pm EDT**. All EAS Participants, including multichannel video programming distributors (“MVPDs”) must receive and broadcast the test message in an accessible format. The test will be approximately one minute long.

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. 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 to take necessary steps to ensure that the alerts comply with the FCC’s accessibility requirements and are accessible to individuals who are deaf or hard of hearing and individuals who are blind or visually impaired.

In conjunction with the National Test, **EAS Participants must also file “day of test” information sought by ETRS Form Two on Wednesday, August 7, 2019 and must file ETRS Form Three on or before September 23, 2019.**

If you have questions about EAS or about preparing for the upcoming nationwide EAS test, please contact Scott Friedman at (314) 462-9000 or sfriedman@cinnamonmueller.com or Bruce Beard at (314) 394-1535 or bbeard@cinnamonmueller.com.

Enforcement Bureau Announces Deadline for MVPDs to File EEO Form 396-C

On August 5, 2019, the FCC’s Enforcement Bureau released a [Public Notice](#) announcing that 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 **September 30, 2019**. To file Form 396-C, login to the Media Bureau’s [CDBS Electronic Filing System](#).

MVPDs that have been randomly selected 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 “Service Workers” category in Part I of the form.
- Answer questions 4, 5 and 8 in Part II of the form:
 - Explain the employment unit’s efforts to promote in a nondiscriminatory manner to positions of greater responsibility.

- Describe the employment unit's efforts to encourage entrepreneurs to conduct business in a nondiscriminatory manner with all parts of its operation and provide an analysis of the results of those efforts.
- Describe the manner in which the employment unit conducts its continuing review of job structure and employment practices.
- Attach, as Part III, a copy of the unit's EEO public file report created in 2019 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.

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.

FCC Form 477 Due September 3, 2019

The next Form 477 is due September 3, 2019. Telephone, broadband, and interconnected VoIP providers must report information about broadband connections and local telephone service as of June 30, 2019.

As a reminder, Form 477 must be filed online through the [FCC's filing interface](#). Instructions for filers can be found [here](#). Filers can also review a brief summary of the Form 477 changes made in 2014 on the FCC's [website](#).

If you have any questions about Form 477, please contact Scott Friedman at 314) 462-9000 or sfriedman@cinnamonmueller.com.

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