
UPDATE
March 3, 2020

FCC Announces COALS System Update: MVPDs Must Submit Contact Information for Broadcast Carriage Elections by July 31, 2020

On February 27, 2020, the FCC's Media Bureau released a [Public Notice](#) announcing updates to the Cable Operations and Licensing System ("COALS"), giving users immediate access to the Carriage Election Notification Point of Contact ("CENPOC") fields. Cable Operators may now submit the required contact information via COALS to allow the receipt of broadcast carriage elections notices and carriage questions later this year.

This contact information must be uploaded no later than July 31, 2020.

Background. This new requirement stems from the FCC's [Order](#) last July modernizing its carriage election notice rules to permit broadcasters to post their must carry and retransmission consent elections online, and to send notices to covered MVPDs by email only when changing their election status. This electronic notice regime replaces the current requirement for broadcasters to send a notice via certified mail to MVPDs every three years.

While notices will now be submitted electronically rather than via certified mail, the triennial October 1st deadline for broadcasters to submit their carriage elections will remain. Accordingly, broadcasters must upload their carriage elections into their public files and email the required notifications to MVPDs by October 1, 2020.

Contact Information Process. Cable operators may provide their CENPOC information by signing into COALS and completing the fields on the "COALS Account Profile" screen. For COALS users that also have online public inspection files, the CENPOC will automatically update to the user's online public inspection file within 24 hours.

If you have questions about broadcast carriage elections, must carry or retransmission consent, please contact Scott Friedman at (314) 462-9000 or sfriedman@cinnamonmueller.com.

Accessibility Recordkeeping Compliance Certification Due April 1, 2020

On February 12, 2020, the FCC released a [Public Notice](#) reminding telecommunications carriers, interconnected VoIP and advanced communications service ("ACS") providers that they **must file their annual accessibility compliance certificate (covering 2019) by April 1, 2020**. This certificate certifies that the provider has operating procedures in place to ensure compliance with the recordkeeping requirements contained within the FCC's rules adopted in accordance with the 21st Century Communications and Video Accessibility Act of 2010.

Who must file. Telecommunications carriers, Interconnected VoIP providers, and ACS providers (e.g., providers of email, text messaging, instant messaging, interoperable video conferencing services).

What must the certification contain? All covered providers must submit an annual certification certifying that the company has established operating procedures adequate to ensure compliance with the recordkeeping rules and that the records are being kept accordingly. In addition, covered providers must designate and keep current:

- A contact person authorized to resolve accessibility-related complaints from consumers;
- An agent to accept service of complaints filed with the FCC.

How to File. Providers must submit their certifications through the [Recordkeeping Compliance Certification and Contact Information Registry](#). You will need your FCC Registration Number and password to login. Step-by-step instructions and FAQs with filing are available [here](#).

If you have further questions regarding accessibility and FCC compliance, please contact Bruce Beard at (314) 394-1535 or bbeard@cinnamonmueller.com.

FCC Form 499-A Due April 1, 2020

All providers of telecommunications, including resellers and those offering interconnected VoIP service, with very limited exceptions, must file their annual telecommunications revenue report (Form 499-A) **on or before April 1, 2020**. This includes any entity that relies on the *de minimis* exception for contributions to the federal Universal Service Fund (“USF”).

Information reported on Form 499-A is used to calculate the support contribution an entity must pay into the USF as well as the Telecommunications Relay Service (“TRS”), North America Numbering Plan (“NANP”), and Local Number Portability Administration (“LNPA”) funds. Providers owing less than \$10,000 in USF support are considered *de minimis* and do not have to contribute to USF, but must still file the form and pay any TRS and NANP contributions due.

All covered providers must complete the [Form 499-A Worksheet](#) (also available as an [online form](#)) using 2019 revenue data.

Note: Each USF-related violation carries its own forfeiture amount. Failure to file Form 499-A or failure to file the form on time can result in hefty financial penalties. Additional forfeitures can be assessed for failing to contribute to USF, TRS, and NANP.

If you have any questions regarding these filings, please contact Bruce Beard at (314) 394-1535 or bbeard@cinnamonmueller.com.

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