
UPDATE
June 2, 2020

**Approaching Deadline: MVPDs Must Submit Contact Information
for Broadcast Carriage Elections by July 31, 2020**

Earlier this year, 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.

Truth-in-Billing Compliance Deadline is December 20, 2020, NOT June 20, 2020

Earlier this spring, the FCC's Media Bureau released an [Order](#) extending the effective date of the new truth-in-billing obligations under the Television Viewer Protection Act of 2019 ("TVPA") until **December 20, 2020**. The Media Bureau took this action due to the national coronavirus emergency.

The TVPA originally set June 20, 2020 as the effective date of the truth-in-billing requirements, but it gave the FCC authority to extend this deadline up to six months for "good cause." The Media Bureau's Order granted the maximum six-month extension.

Overview. The truth-in-billing provisions of the TVPA require MVPDs to "give consumers a breakdown of all charges related to the MVPD's video service" before entering into a contract with a consumer for service, and also provides consumers 24 hours in which to

cancel such service without penalty. Moreover, the TVPA also requires MVPDs to provide greater transparency in electronic bills and prohibits MVPDs and providers of fixed broadband Internet access service from charging for the use of equipment owned by the consumer.

MVPD Video Obligations. The numerous duties imposed on MVPDs regarding the sale of MVPD services include:

Transparency Obligation. Before entering into a contract with a consumer, the MVPD must provide the consumer (by phone, in person, online, or by other reasonable means) with the total monthly charge for the service selected by the consumer, whether provided individually or as part of a bundle. The charge must include related administrative fees, equipment fees or other charges, and a good faith estimate of any taxes, fees, or government-imposed charges. If the service involves a promotional discount, the MVPD must also note the amount of the discount and when it will expire.

Formal Notice Obligation. Within 24 hours of entering into a contract with a consumer for a multichannel video programming service, the MVPD shall send the consumer by email, online link, or other reasonably comparable means, a copy of the information above.

Consumer Right to Cancel. A consumer shall have the right to cancel a contract without early cancellation or other disconnection fees or penalties within 24 hours of the MVPD sending the information to the consumer.

E-Billing Disclosure Requirements. If an MVPD provides a bill in electronic format, the bill must include (i) an itemized statement setting forth the amount charged for the provision of service and the amount of all related taxes, administrative fees, equipment fees, or other charges; (ii) the termination date of the contract between the MVPD and consumer; and (iii) the termination date of any applicable promotional discount.

Consumer Rights to Accurate Equipment Charges. Under the TVPA, an MVPD or provider of fixed broadband internet access service may not charge a consumer for (i) using covered equipment (such as a router) provided by the consumer, or (ii) renting, leasing, or otherwise providing covered equipment that the provider has not yet provided to the consumer or that the consumer has returned to the provider. A provider may assess charges for equipment that has been returned if the charges cover the period prior to its return.

If you have questions about the TVPA or billing in general, please contact Bruce Beard at (314) 394-1535 or bbeard@cinnamonmueller.com or Scott Friedman at (314) 462-9000 or sfriedman@cinnamonmueller.com.

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