



PUBLIC NOTICE

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EAS WAIVERS FOR CERTAIN SMALL CABLE TELEVISION SYSTEMS REQUESTING WAIVER EXTENSIONS EXTENDED TO JUNE 30, 2006

ADDITIONAL INFORMATION TO SUPPORT CERTAIN PENDING EAS WAIVER REQUESTS SOUGHT BY APRIL 15, 2006

By this Public Notice, the Enforcement Bureau (Bureau) of the Federal Communications Commission (Commission) extends the waivers of the Emergency Alert System (EAS) requirements under section 11.11(a) of the Commission's Rules (Rules), 11 C.F.R. § 11.11(a), previously granted to the cable television companies listed in Appendices A and B. Specifically, for those companies listed in Appendix A, we grant a brief extension of their current waivers until June 30, 2006, to allow time for the Bureau to review the information filed in support of their waiver requests. For those companies listed in Appendix B, we allow them until April 15, 2006, to correct their filings by supplying all information required to support a request for an EAS waiver, as set forth below. In the absence of such a correction, the companies listed in Appendix B must come into compliance with the Commission's EAS rules by June 30, 2006.

BACKGROUND

The Cable Television Consumer Protection and Competition Act of 1992 added new section 624(g) to the Communications Act of 1934, as amended, which required that cable systems be capable of providing EAS alerts to their subscribers.¹ Pursuant to this provision, in 1994, the Commission adopted rules requiring cable systems to participate in EAS.² In 1997, the Commission extended the deadline for cable systems serving fewer than 10,000 subscribers to comply with the EAS rules to October 1, 2002.

¹ Section 624(g) provides that "each cable operator shall comply with such standards as the Commission shall prescribe to ensure that viewers of video programming on cable systems are afforded the same emergency information as is afforded by the emergency broadcasting system pursuant to Commission regulations" 47 U.S.C. § 544(g).

² *Amendment of Part 73, Subpart G, of the Commission's Rules Regarding the Emergency Broadcast System*, Report and Order and Further Notice of Proposed Rule Making, 10 FCC Rcd 1786 (1994), *reconsideration granted in part, denied in part*, 10 FCC Rcd 11494 (1995).

The Commission also set standards under which these small companies could request a waiver of the October 1, 2002 deadline.³ Over 300 cable companies received such extensions, which were to last one, two, or three years. The last group of extensions, granted to approximately 100 small cable companies, was due to expire on October 1, 2005. On September 23, 2005, the Enforcement Bureau released an Order that extended all existing EAS cable waivers from October 1, 2005 to March 1, 2006.⁴ Subsequently, 56 small cable providers filed requests for further extension of the March 1 deadline.

To allow the Bureau sufficient time to review the newly filed supporting data, we hereby extend the EAS compliance date to June 30, 2006, for the cable companies listed in Appendix A. By that date, the Bureau will address the substance of the waiver requests. The companies listed in Appendix B must supplement their current filings, no later than April 15, 2006, to include all information required under the Commission's rules and orders.⁵ In the absence of such a filing, any company listed in Appendix B must come into compliance with the Commission's EAS rules no later than June 30, 2006. The extension granted by this Public Notice applies only to those small cable companies listed in Appendices A and B, *i.e.*, those companies that filed requests prior to the release of this Public Notice. All other cable companies that had been subject to the September 23rd Order are expected to be in compliance with the Commission's EAS rules no later than March 1, 2006.

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³ An EAS waiver request must contain the following: justification for the waiver, with reference to the particular rule section for which a waiver is sought; information about the financial status of the entity, such as a balance sheet and income statement for the previous two years; the number of other entities that serve the requesting entity's coverage area and that are expected to install EAS equipment; and the likelihood (such as proximity or frequency) of hazardous risks to the requesting entity's audience. *See Amendment of Part 7, of the Commission's Rules Regarding the Emergency Broadcast System*, Second Report and Order, 12 FCC Rcd 15503 (1997).

⁴ *Petitions for Waiver of the Emergency Alert System Rules filed by Various Cable Television Systems*, Order, 20 FCC Rcd 14818 (2005) (2005 Order).

⁵ *Id.*

Appendix A

Branch Cable
Buford Communications, LP
Cable Communications of Willsboro
Carson Communications
Cass Cable TV
CenCom, Inc.
Cequel III Communications
Charter Communications
Com-Link, Inc.
Consolidated Cable, Inc.
DuCom Cable T.V.
Glass Antenna Systems
Glenwood Telecom
Goldfield Communications Services
Green Hills Multi-Media
Grove Communications
Hamilton County Cable
Hart Cable, Inc.
Howard Cable
Hyde County Cablevision
James Cable
Karbon TV Systems
Livermore Cable
Lone Pine Television
Milestone Communications
Milford Cable TV
Millennium Digital Media
Minerva Valley Cablevision
Neu Ventures, Inc., d/b/a Mountain Zone TV Systems
NewWave Communications
Nex-Tech, Inc.
North American Communications
North State Cablevision
Northland Cable Properties
Northland Communications
Nova Cablevision, Inc.
Oldtown Community Systems
PEC Cable
Pine Rural TV Cable
Pinpoint Communications
Polaris Cable
Prairieburg Telephone Co.
Project Services, Inc.
Rio Cablevision, Inc.
Riviera Cable TV
Tel-Star Cablevision, Inc.
Upper Peninsula Communications
US Cable of Coastal-Texas
Waterville Cable TV

Appendix B

Beck's Cable System
Bocco Cable
Cable Services, Inc.
Classic Communications d/b/a Cebridge Connections
CNMI Cablevision, LLC, dba Marianas Cablevision
Hawkeye Telephone Co.
Herr Cable
Whitehall Cable TV