



PUBLIC NOTICE

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**CONSUMER & GOVERNMENTAL AFFAIRS BUREAU REMINDS MVPDs OF JULY 10, 2017
DEADLINE TO PASS THROUGH AUDIBLE EMERGENCY INFORMATION DURING
LINEAR PROGRAMMING ON SECOND SCREEN DEVICES**

MB Docket No. 12-107

By this Notice, the Consumer & Governmental Affairs Bureau of the Federal Communications Commission (FCC or Commission) reminds multichannel video programming distributors (MVPDs) of their upcoming obligation to pass through a secondary audio stream¹ containing audible emergency information, when they permit consumers to access linear programming on second screen devices over the MVPD's network as part of their MVPD services.² Providing emergency information aurally on the secondary audio stream enables viewers who are blind or visually impaired to access the same emergency information that is presented visually.³ The compliance deadline for this requirement is July 10, 2017.⁴

Specifically, each MVPD must ensure that any application or plug-in that it provides to consumers to access linear programming (*i.e.*, programming that is prescheduled by the MVPD)⁵ on tablets, smartphones, laptops, and similar devices⁶ over the MVPD's network as part of its MVPD services is capable of passing through an aural representation of the emergency information on a secondary audio stream.⁷ For purposes of these rules, linear programming is accessed over the MVPD's

¹ A secondary audio stream is an audio channel, other than the main program audio channel, that is typically used for foreign language audio and video description. *Accessible Emergency Information, and Apparatus Requirements for Emergency Information and Video Description*, Second Report and Order and Second Further Notice of Proposed Rulemaking, 30 FCC Rcd 5186, 5187, para. 1, n.2 (2015) (*Accessible Emergency Information Second Report and Order*).

² See *id.* at 5191-98, paras. 9-16, 19-21; see also 47 CFR § 79.2(b)(6).

³ See 47 CFR § 79.2(b)(2)(ii); *Accessible Emergency Information, and Apparatus Requirements for Emergency Information and Video Description: Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010*, Report and Order and Further Notice of Proposed Rulemaking, 28 FCC Rcd 4871 (2013).

⁴ *Accessible Emergency Information Second Report and Order*, 30 FCC Rcd at 5187, para. 2, n.4.

⁵ 47 CFR § 79.2(b)(6).

⁶ The phrase "similar devices" includes other devices on which subscribers can view MVPD-provided linear programming over the MVPD's network (*e.g.*, personal computers, game consoles, Roku devices). *Accessible Emergency Information Second Report and Order*, 30 FCC Rcd at 5191, para. 9, n.25.

⁷ 47 CFR § 79.2(b)(6).

network if it can only be received via a connection provided by the MVPD⁸ using an MVPD-provided application or plug-in.⁹ This is distinguishable from video programming provided over the Internet, which can be accessed by an MVPD subscriber using either an MVPD-provided connection, or a third-party Internet service provider or broadband connection.¹⁰

We also remind manufacturers that, since December 20, 2016, they have been required to provide a mechanism that is simple and easy to use, such as one that is reasonably comparable to a button, key, or icon, for activating the secondary audio stream to access audible emergency information on covered video devices.¹¹

The fact sheet summarizing the Commission's accessible emergency information rules is available at: <https://www.fcc.gov/consumers/guides/accessibility-emergency-information-television>. A Small Entity Compliance Guide intended to help small entities comply with the accessible emergency information rules is available at: <https://www.fcc.gov/document/implementation-twenty-first-century-communications-video-accessibility>.

To request this Public Notice or any other materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov, or call the Consumer and Governmental Affairs Bureau at 202-418-0530 (voice) or 202-418-0432 (TTY).

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⁸ Video is "received via a connection provided by the MVPD" if it is received either via an MVPD's broadband connection or if it is video that comes over a coaxial or satellite connection that is converted to IP in the home gateway. *Accessible Emergency Information Second Report and Order*, 30 FCC Rcd at 5191, para. 9, n.28.

⁹ *Id.* at 5191, para. 9.

¹⁰ *Id.* at 5191, para. 9, n.29.

¹¹ *Id.* at 5198-205, paras. 22-36; *see also* 47 CFR § 79.105(d). Covered devices include apparatus that are designed to receive or play back video programming transmitted simultaneously with sound that are provided by entities subject to Sections 79.2 and 79.3 of the Commission's rules, are manufactured or imported for use in the United States, and use a picture screen of any size, subject to certain exemptions. *See Accessible Emergency Information Second Report and Order*, 30 FCC Rcd at 5198, para. 22, n.75; *see also* 47 CFR § 79.105(a)-(b).