



Federal Communications Commission
Washington, D.C. 20554

March 8, 2019

DA 18-1315

SMALL ENTITY COMPLIANCE GUIDE

FCC Form 325 Collection

FCC 18-136

MB Docket No. 17-290

Released September 26, 2018

This Guide is prepared in accordance with the requirements of Section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996. It is intended to help small entities—small businesses, small organizations (non-profits), and small governmental jurisdictions—comply with the revised rules adopted in the above-referenced Federal Communications Commission (FCC or Commission) rulemaking dockets. This Guide is not intended to replace or supersede these rules, but to facilitate compliance with the rules. Although we have attempted to cover all parts of the rules that might be especially important to small entities, the coverage may not be exhaustive. This Guide cannot anticipate all situations in which the rules apply. Furthermore, the Commission retains the discretion to adopt case-by-case approaches, where appropriate, that may differ from this Guide. Any decision regarding a particular small entity will be based on the statute and any relevant rules.

In any civil or administrative action against a small entity for a violation of rules, the content of the Small Entity Compliance Guide may be considered as evidence of the reasonableness or appropriateness of proposed fines, penalties or damages. Interested parties are free to file comments regarding this Guide and the appropriateness of its application to a particular situation. The FCC will then consider whether the recommendations or interpretations in the Guide are appropriate in that situation. The FCC may decide to revise this Guide without public notice to reflect changes in the FCC's approach to implementing a rule, or it may clarify or update the text of the Guide. Direct your comments and recommendations, or calls for further assistance, to the FCC's Consumer Center:

1-888-CALL-FCC (1-888-225-5322)

TTY: 1-888-TELL-FCC (1-888-835-5322)

Videophone: 1-844-4-FCC-ASL (1-844-432-2275)

Fax: 1-866-418-0232

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I. OBJECTIVES OF THE PROCEEDING

In the *Report and Order* in MB Docket No. 17-290, the Commission eliminates the Form 325, Annual Report of Cable Television Systems, filing requirement, which collects operational information from cable television systems nationwide. This information includes data about subscriber numbers, equipment information, plant information, frequency and signal distribution information, and programming information. The Commission finds that marketplace, operational, and technological changes have overtaken Form 325 and rendered it increasingly obsolete, as reflected by the Commission's limited use of Form 325 data. For example, Form 325's questions about analog operations and system-based organization do not reflect the technical realities of present-day cable service and many of the expected changes to the cable industry that Form 325 was designed to monitor have already taken place. Moreover, much of the information collected by the form can be obtained from alternative sources without the burden imposed on cable operators and the Commission by the Form 325 filing requirement. The Commission finds that the Form 325 is outdated and that its elimination advances the Commission's goal of reducing unnecessary regulatory burdens that can impede competition and innovation in the media marketplace.

II. COMPLIANCE REQUIREMENTS

The *Report and Order* eliminates provisions of the Commission's rules that require the operator of every cable television system serving 20,000 or more subscribers and a sampling of operators with systems serving fewer than 20,000 subscribers to file Form 325 with the Commission.

III. RECORDKEEPING AND REPORTING REQUIREMENTS

The Commission's actions in the *Report and Order* did not create any new recordkeeping or reporting requirements.

IV. IMPLEMENTATION DATE

The rules in the *Report and Order* became effective upon publication of the text or summary thereof in the Federal Register, i.e., on November 29, 2018.

V. INTERNET LINKS

A copy of the *FCC Form 325 Collection Order* is available at:
<https://docs.fcc.gov/public/attachments/FCC-18-136A1.pdf>.

A copy of the Federal Register Summary of the *FCC Form 325 Collection Order* is available at:
<https://www.federalregister.gov/documents/2018/11/29/2018-25323/form-325-data-collection-modernization-of-media-regulation-initiative>.