



Federal Communications Commission
Washington, D.C. 20554

April 16, 2018

DA 18-376

Small Entity Compliance Guide

Cable Television Technical and Operational Standards

FCC 17-120
MB Docket No. 12-217
Released September 25, 2017

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—to 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 decisions 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 maybe considered as evidence of the reasonableness or appropriateness of proposed fines, penalties and 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)
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I. OBJECTIVES OF THE PROCEEDING

The Commission's signal quality rules apply to cable operators and are intended to ensure that subscribers receive high-quality picture and sound. The Commission's signal leakage rules apply to multichannel video programming distributors (MVPDs) (cable and non-cable) that utilize coaxial cable systems and are intended to ensure that such systems do not leak signals that could interfere with other services.

II. COMPLIANCE REQUIREMENTS

A. Digital Performance Standards (47 CFR §§ 76.601, 76.602 & 76.605)

- Cable operators that deliver digital signals to their subscribers using Quadrature Amplitude Modulation (QAM) must adhere to Digital Cable Network Interface Standard, Society of Cable Telecommunications Engineers 40 2016, <http://www.scte.org/SCTEDocs/Standards/SCTE%2040%202016.pdf>.
- The new rules do not require signal quality testing for digital signals. Cable operators must continue to test signal quality for any analog signals they carry.

B. Digital Signal Leakage (47 CFR §§ 76.610, 76.611, 76.1804)

- The Commission's digital signal leakage rules impose three major requirements:
 - First, MVPDs that operate coaxial cable plants must notify the Commission and provide geographic information about their systems before they use frequencies for digital signals in the aeronautical radio frequency bands above an average power level equal to or greater than 10^{-5} watts across a 30 kHz bandwidth in any 2.5 millisecond time period.
 - Second, MVPDs must ensure that their system design, installation and operation comply with Sections 76.610 and 76.611 of the Commission's rules to prevent leakage in the 108-137 and 225-400 MHz bands and conduct compliance testing four times per year.
 - Third, MVPDs must calculate their cumulative signal leakage and report their results to the Commission once per year.

III. RECORDKEEPING AND REPORTING REQUIREMENTS

The *Report and Order* contains a new recordkeeping requirement for MVPDs utilizing digital signals on coaxial cable systems. Before transmitting any digital signal with average power exceeding 10^{-5} watts across a 30 kHz bandwidth in a 2.5 millisecond time period, an MVPD shall file FCC Form 321 to notify the Commission. The notification must include:

- (a) The legal name and local address of the MVPD;
- (b) The names and FCC identifiers of the system communities affected;
- (c) The names and telephone numbers of local system officials who are responsible for compliance with the Commission's signal leakage rules;
- (d) Carrier frequency, tolerance, and type of modulation of all carriers in the aeronautical bands at any location in the cable distribution system and the maximum of those average powers measured

over a 2.5 kHz bandwidth as described in the introductory paragraph Section 76.1803 of the Commission's rules;

(e) The geographical coordinates of a point near the center of the system, together with the distance (in kilometers) from the designated point to the most remote point of the plant, existing or planned, that defines a circle enclosing the entire plant;

(f) Certification that the monitoring procedure used complies with the Commission's signal leakage rules or description of the routine monitoring procedure to be used; and

(g) The cumulative signal leakage index derived under Section 76.611(a)(1) of the Commission's rules or the results of airspace measurements derived under Section 76.611(a)(2), including a description of the method used and the method of calibrating the measurement equipment.

(h) Aeronautical Frequency Notifications, FCC Form 321, shall be personally signed either electronically or manually by the operator; by one of the partners, if the operator is a partnership; by an officer, if the operator is a corporation; by a member who is an officer, if the operator is an unincorporated association; or by any duly authorized employee of the operator.

(i) Aeronautical Frequency Notifications, FCC Form 321, may be signed by the operator's attorney in case of the operator's physical disability or of his absence from the United States. The attorney shall in that event separately set forth the reasons why the FCC Form 321 was not signed by the operator. In addition, if any matter is stated on the basis of the attorney's belief only (rather than the attorney's knowledge), the attorney shall separately set forth the reasons for believing that such statements are true; and

(j) The FCC Registration Number (FRN).

IV. IMPLEMENTATION DATE

The rules in the *Report and Order* become effective April 23, 2018, sixty (60) days after publication of the text or summary thereof in the Federal Register with the exception of the recordkeeping requirement. That rule requires approval by the Office of Management and Budget (OMB) under the Paperwork Reduction Act and will become effective once the Commission publishes a notice in the Federal Register announcing OMB approval and the effective date.

V. INTERNET LINKS

A copy of the *Cable Television Technical and Operational Standards* Report and Order is available at:

https://apps.fcc.gov/edocs_public/attachmatch/FCC-17-120A1.docx (Word);

https://apps.fcc.gov/edocs_public/attachmatch/FCC-17-120A1.pdf (Acrobat).

A copy of the Federal Register Summary of the *Cable Television Technical and Operational Standards* Report and Order is available at:

<https://www.gpo.gov/fdsys/pkg/FR-2018-02-22/pdf/2018-03547.pdf>.

A copy of the Society of Cable Telecommunications Engineers standard number 40 is available at:

<http://www.scte.org/SCTEDocs/Standards/SCTE%2040%202016.pdf>