



Federal Communications Commission
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SMALL ENTITY COMPLIANCE GUIDE

**Empowering Broadband Consumers Through Transparency
Broadband Consumer Labels**

FCC 22-86, Released November 17, 2022

FCC 23-68, Released August 29, 2023

CG Docket No. 22-2

In accordance with Section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996, this Small Entity Compliance Guide (Guide) is intended to help small entities—small businesses, small organizations (non-profits), and small governmental jurisdictions—comply with the 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 the Commission has 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)

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

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I. OBJECTIVES OF THE PROCEEDING

The 2021 Infrastructure Investment and Jobs Act (Infrastructure Act), among other things, directs the Commission to require broadband Internet access service providers (ISPs or providers) to display, in the form of labels, certain information regarding their broadband Internet access service plans.¹ The law further provides that the labels shall make clear whether the offered price is an introductory rate and, if so, what the consumer must pay after the introductory period ends.

To implement certain provisions of the Infrastructure Act, the Commission adopted the *Broadband Label Order* requiring ISPs to display, at the point of sale, labels that disclose certain information about broadband prices, introductory rates, data allowances, and broadband speeds, and to include links to information about their network management practices and privacy policies.² In an Order on Reconsideration released after the *Broadband Label Order*, the Commission addressed three petitions asking the Commission to clarify and/or reconsider certain label requirements. The amendments to the initial rules are included as part of this Guide.³

Access to clear, easy-to-understand, and accurate information about broadband Internet access services helps consumers make informed choices and is central to a well-functioning marketplace that encourages competition, innovation, low prices, and high-quality service. A label associated with stand-alone broadband service will provide important information to consumers when selecting a provider and plan.

In addition to label content, the Commission adopted requirements for the label's format and display location to ensure consumers can make side-by-side comparisons of various service offerings from an individual provider or from alternative providers—something essential for making informed decisions. In this way, the label resembles the well-known nutrition labels that consumers have come to rely on when shopping for food products. The Commission also required that the label be accessible for people with disabilities and for non-English speakers. Finally, to enable third parties to easily analyze information and help consumers with their purchase decisions, the Commission required providers to make the label content available in a machine-readable format.

Below is the label template the Commission requires ISPs to display at the point of sale. This template establishes the formatting and content of all requirements adopted in the *Broadband Label Order*.⁴ The rules originally required providers to include information regarding whether they participate in the Affordable Connectivity Program (ACP). While this requirement was eliminated given the lack of additional funding to continue the program, it is subject to change should the funding status of the ACP change.⁵

¹ The Infrastructure Investment and Jobs Act, Pub. L. No. 117-58, 135 Stat. 429, § 60504(a) (2021) (Infrastructure Act).

² See *Empowering Broadband Consumers Through Transparency*, CG Docket No. 22-2, Report and Order and Further Notice of Proposed Rulemaking, FCC 22-86 (2022) (*Broadband Label Order*).

³ See *Empowering Broadband Consumers Through Transparency*, CG Docket No. 22-2, Order on Reconsideration, FCC 23-68 (2023).

⁴ For additional resources on the broadband label requirements, see <https://www.fcc.gov/broadbandlabels>.

⁵ See *Wireline Competition Bureau Announces the Final Month of the Affordable Connectivity Program*, Public Notice, DA 24-195, at 5 (WCB Mar. 4, 2024).

Broadband Facts

Provider Name

Service Plan Name and/or Speed Tier

[Fixed or Mobile] Broadband Consumer Disclosure

Monthly Price	\$00.00
----------------------	----------------

This monthly price is an introductory rate	Yes / No
--	----------

Time the introductory rate applies	YY months
------------------------------------	-----------

Monthly price after the introductory rate	\$00.00
---	---------

Length of contract	YY months
--------------------	-----------

Link to Terms of Contract

<https://www.example.com/terms-of-contract>

Additional Charges & Terms

Provider Monthly Fees

Fee description	\$00.00
-----------------	---------

Fee description	\$00.00
-----------------	---------

Fee description	\$00.00
-----------------	---------

Fee description	\$00.00
-----------------	---------

One-Time Purchase Fees

Fee description	\$00.00
-----------------	---------

Fee description	\$00.00
-----------------	---------

Early Termination Fee	\$00.00
-----------------------	---------

Government Taxes	Included/Varies by Location/\$00.00
------------------	-------------------------------------

Discounts & Bundles

Visit the link below for available billing discounts and pricing options for broadband service bundled with other services like video, phone, and wireless service, and use of your own equipment.

<https://www.example.com/discounts>

Speeds Provided with Plan

Typical Download Speed	000 Mbps
------------------------	----------

Typical Upload Speed	000 Mbps
----------------------	----------

Typical Latency	00 ms
-----------------	-------

Data Included with Monthly Price	000 GB
---	---------------

Charges for Additional Data Usage	\$/GB
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<https://www.example.com/data-usage>

Network Management Policy

<https://www.example.com/network-management>

Privacy Policy

<https://www.example.com/privacy>

Customer Support

Phone: (555) 555-5555

Website: <https://www.example.com>

Learn about the terms used on this label. Visit the Federal Communications Commission's Consumer Resource Center.

fcc.gov/consumer

Unique Plan Identifier: F0005937974123ABC456EMC789

II. COMPLIANCE REQUIREMENTS

The *Broadband Label Order* adopts a new broadband label to help consumers comparison shop among broadband services. Specifically, the rules require ISPs to display, at the point of sale, a broadband consumer label containing critical information about the provider's service offerings, including information about pricing, introductory rates, data allowances, and performance metrics. The Commission's rules require that ISPs display the label for each stand-alone broadband Internet access service they currently offer for purchase, and that the label link to other important information such as network management practices, privacy policies, and other educational materials. ISPs must display the labels on their websites and at alternate sales channels such as retail stores, kiosks, and on the phone. The label must be accessible for people with disabilities and for non-English speakers.

Labels must also be available via a customer's online account portal. ISPs shall maintain an archive of all labels for a period of no less than two years from the time the service plan reflected in the label is no longer available for purchase by a new subscriber and the provider has removed the label from its website or alternate sales channels. In addition, third parties will be able to easily analyze information contained in the labels and help consumers with their purchase decisions, as providers are required to make the label content available in a machine-readable format on their websites.

A. LABEL CONTENT - 47 CFR § 8.1(a)(1)

The Broadband Consumer Label Must Include the Following Information:

1. **Provider Name** (e.g., AT&T, Comcast, Frontier, Verizon, etc.)
2. **Service Plan Name and/or Speed Tier**
 - Providers may identify their plans by speed (e.g., "300 Mbps," "500 Mbps"), by terminology of their choice (e.g., "Gigabit Connection," "Performance Pro," or "Blast Internet"), or, in the case of mobile broadband providers, "4G" or "5G."
 - The plan itself need not be identified by speed tier; however, if a provider identifies the plan name by speed tier, the speed tier must be accurate and consistent with the speed metrics identified elsewhere in the label.
3. **Monthly Price**
 - A provider must display on the label, at a minimum, the base monthly price for the stand-alone broadband service offering (i.e., an offering that is not bundled with other services such as multichannel video or voice).
 - Providers may include their discretionary fees and government taxes in the monthly price. If they do not include such fees and taxes in the monthly price, see requirements under Additional Charges and Terms, below.
 - Providers must display only the "retail" monthly broadband price—the price a provider offers broadband to consumers before applying any discounts such as those for paperless billing, automatic payment (autopay), or any other discounts. The provider may, however, include a link from the label to a webpage explaining such discounts.
4. **Introductory Rates**
 - Introductory rates on the label must also display the rate that applies following the introductory period. In addition, the label must clearly

disclose either the length of the introductory period or the date on which the introductory period will end.

- Providers may give more details about their non-introductory pricing through a link on the label, but the introductory and post-introductory rates must be disclosed on the label itself.
- If the listed monthly price is not an introductory rate, the provider must simply state so, and no further disclosures are required on the label. The provider may still include a link to promotional pricing options elsewhere on its website.

5. **Contract Plans**

- The provider must state whether the monthly price displayed on the label requires the consumer to commit to a contract and display the length of the contract term on the label.
- If a contract is required for the displayed monthly price, providers should link to the terms and conditions of the contract on its website.
- *Bundled Plans* - Providers offering broadband Internet access service bundled with other services may note that via a link in the “click here” portion of the “Discounts & Bundles” section of the label where they describe other discounts.

6. **Additional Charges and Terms**

- *Discretionary Provider Fees* - The label must list any recurring monthly fees a provider imposes on top of the base monthly price. These fees include all non-government mandated charges, such as network access charges, 911 charges, and Universal Service Fund charges (this list is not exhaustive). If a provider instead opts to roll all monthly discretionary fees into its base monthly price, it need not separately itemize those fees on the label and may state “None” on the label.
- *One-Time Fees* - The label displayed for a consumer must include the name and cost of each one-time fee assessed by the provider. This includes one-time fees such as a charge for purchasing a modem, gateway, or router; an activation fee; a deposit; an installation fee; or a potential charge for late payment.
- *Cancellation Fees* - The provider must also identify any one-time fees the provider will impose if the customer cancels their broadband service before the end of a contract term (e.g., an early termination fee) and provide a link to a full explanation of when such fee is triggered.

7. **Data Allowances**

- Providers must identify the amount of data included with the plan for the monthly price disclosed on the label.
- Providers must also disclose any additional charges or reductions in service for any data used in excess of the amount included in the plan. In addition, they must identify the increment of additional data, e.g., “each additional 50GB,” if applicable, and disclose any additional charges for the additional data.

8. Government Taxes

- Providers must state on the label that taxes will apply and that they may vary depending on location. They are not required to identify the amount of such taxes, but may do so if they wish.
- Providers that opt to roll government taxes into the base monthly price may state “Taxes Included” or add some similar language in place of the statement that the amount of government tax “varies by location.”

9. Performance Information

- *Speed and Latency* - Providers must disclose in the labels speed and latency metrics associated with their broadband services. Specifically, providers are required to display their typical upload and download speeds and typical latency, consistent with their current obligations under the existing transparency rule and the *2011 Enforcement Bureau and Office of General Counsel Advisory Guidance*.⁶
- *Fixed broadband service* - Fixed broadband service providers that choose to participate in the Measuring Broadband America (MBA) program may disclose their results as a sufficient representation of the actual performance their customers can expect to experience for the relevant speed tier. Fixed broadband service providers that do not participate may use the methodology from the MBA program to measure actual performance, or may disclose actual performance based on internal testing, consumer speed test data, or other data regarding network performance, including reliable, relevant data from third-party sources.
- *Mobile broadband service* - Mobile broadband service providers that have access to reliable information on network performance may disclose the results of their own or third-party testing. Those mobile broadband service providers that do not have reasonable access to such network performance data may disclose a Typical Speed Range (TSR) representing the range of speeds and latency that most of their consumers can expect, for each technology and service tier offered.
- All providers must display their typical latency for that particular speed tier, either based on MBA methodology or other relevant testing data.

10. Network Management and Privacy Policies

- Providers must include in the label a link to their network management practices and privacy policies on their websites and may not describe such practices and policies in the label itself.
- Providers must, however, either include necessary information on their websites about blocking, throttling, and paid prioritization or transmit such information to the Commission to comply with the current transparency rule requirements.

⁶ See *FCC Enforcement Bureau and Office of General Counsel Issue Advisory Guidance for Compliance with Open Internet Transparency Rule*, GN Docket No. 09-191, WC Docket No. 09-191, Public Notice, 26 FCC Rcd 9411, 9411 (EB/OGC 2011).

11. FCC Webpage/Glossary

- Providers must include in the label a link to the Commission’s website, where the FCC will post on a webpage a glossary of terms used on the label, along with other consumer educational materials and tools to assist providers in complying with the rules.

12. Unique Plan Identifier

- ISPs must develop unique identifiers for each of their plans and attach them to the broadband label.
- The unique identifier should consist of a unique ID for fixed plan or mobile plan (“F” for fixed plans and “M” for mobile plans), followed by the broadband provider’s FCC Registration Number, and ending with a provider-chosen string of precisely 15 alphanumeric characters uniquely identifying the specific plan within the broadband provider’s offerings.
- The Unique Plan Identifier shall not include special characters such as &, *, and %. For example, AT&T could specify a fixed broadband offering as F + 0005937974 + 123ABC456DEF789. This would appear on the label as F0005937974123ABC456DEF789.
- Unique identifiers should be sufficiently distinctive so that third parties and the Commission can identify the specific plan identified by the unique identifier.

B. LABEL FORMAT

1. **Template - 47 CFR § 8.1(a)(1).** The label template that providers must use resembles the well-known food nutrition label (see above). Providers may not customize the label, as the Commission believes such customization undermines the central function of the label—to facilitate comparison shopping between providers and services.
2. **Accessibility for People with Disabilities - 47 CFR § 8.1(a)(1).** The Commission strongly encourages ISPs to comply with the well-established legal requirements included in the Americans with Disabilities Act (ADA) and the Web Content Accessibility Guidelines (WCAG) when displaying their labels. The WCAG are routinely updated; therefore, providers’ websites should be modified over time consistent with such updates. When providing the labels, ISPs must follow the ADA and associated guidance provided by the Department of Justice, including giving primary consideration to the individual’s choice of alternate format, including “qualified readers, taped texts, audio recordings, braille materials, large print materials, or other effective methods of making visually delivered materials available to individuals with visual impairments.”
3. **Display in Languages Other Than English - 47 CFR 8.1(a)(4).** Labels must be printed or displayed online in English. Providers must also make labels available in any other languages in which the ISP markets its services in the United States. For example, if the ISP’s marketing materials on its website are available in Spanish, the Spanish version of the website must display the associated broadband labels in Spanish as well.
4. **Machine Readable Spreadsheets - 47 CFR § 8.1(a)(3).** Information included in the label must be made available to the public in a machine-readable format and on a provider’s website via a dedicated URL that contains all of a provider’s given labels.

Providers should make each label’s information available by providing the information separately in a spreadsheet file format such as .csv. Providers must publicize the URL with the label data in the transparency disclosures required under 47 CFR § 8.1(a), including accurate information regarding the network management practices, performance characteristics, and commercial terms of its broadband internet access services. These machine-readable files must provide the same categories of information as those presented in each label, including the unique identifier described above.⁷

The Commission will make available on the Commission’s website resources designed to help providers satisfy the machine-readability requirement, such as sample machine-readable spreadsheet files.

C. POINT OF SALE AND LABEL DISPLAY LOCATION 47 CFR § 8.1(a)(2)

ISPs must display the label at the “point of sale,” which is defined as the time a consumer begins investigating and comparing broadband service offerings available at their location. This includes websites, alternate sales channels, and online account portals.

1. **Websites.** The primary web page is considered the point of sale—where consumers begin to shop for and compare broadband service offerings available at their location. Providers must display the labels on their websites after the consumer enters any required service location information, but labels do not need to be included on mass marketing channels or prior to customers specifying their service location.

Once the consumer has entered location information, the label must appear on the provider’s primary advertising web page that identifies the plans available to the consumer. Providers must display the actual label—not simply an icon or a link to the label—in close proximity to the associated plan advertisement.

Providers are not required to use any particular font size for the label information. However, providers should ensure that the labels are prominently displayed on any device on which the consumer accesses and views the labels, including mobile devices.

2. **Alternate Sales Channels.** ISPs that use alternate sales channels (e.g., company retail locations, third-party owned retail locations, or over the phone) must make the label available to consumers at each point of sale. Providers are required to provide a hard copy of the label only if the provider cannot ensure the consumer will be able to access the label either with an Internet connection at home or in the retail location.

Accessing Label Web Page. At alternate sales channels, ISPs could direct the consumer to the specific web page on which the label appears by, for example, providing Internet access in the retail location or giving the customer a card with the printed URL or a QR code, or orally providing information from the label to the consumer over the phone. This information may be similar to that on the primary web page mentioned above. When providing information over the phone, the provider must read the entire label to the consumer. If the consumer does not have Internet access at home or elsewhere, the ISP must ensure that the consumer can use the printed URL or QR code in its retail location.

⁷ Examples of machine-readable formats are available on the Commission’s website. *Broadband Consumer Labels* (May 7, 2024), <https://www.fcc.gov/broadbandlabels> (follow “For Providers” tab).

3. **Online Account Portals.** ISPs that offer online account portals to their customers must make each customer's label easily accessible to the customer in such portals. After purchasing broadband service for which the ISP provided a label, consumers should be able to easily access and review the terms of their existing plans to ensure they are receiving the services and price they agreed to at the time of purchase.

III. RECORDKEEPING AND REPORTING REQUIREMENTS

The *Broadband Label Order* contains new information collection requirements for broadband Internet access service providers. To meet the label requirements, ISPs must create a label for each of their stand-alone broadband service offerings in the format described above in section II(A), resembling the format adopted by the Food and Drug Administration (FDA). ISPs are required to display the labels at each point of sale, as detailed above in section II(B).

- A. **Documenting Customer Interaction - 47 CFR § 8.1(a)(2).** Providers shall document each instance when it directs a consumer to a label at an alternate sales channel and retain such documentation for two years. As an alternative to documenting each consumer interaction, a provider may, instead: 1) establish the business practices and processes it will follow in distributing the label through alternative sales channels; 2) retain training materials and related business practice documentation for two years; and 3) provide such information to the Commission upon request, within 30 days.
- B. **Archiving Labels - 47 CFR § 8.1(a)(5).** ISPs must archive all labels required by the *Broadband Label Order* for at least two years after the service plan is no longer offered to new customers and the label is no longer displayed at the point of sale. The provider must provide any archived label to the Commission, upon request, within 30 days. It must similarly provide any archived label to an existing customer whose service plan is associated with the particular label, upon request and within 30 days. ISPs must archive evidence sufficient to support the accuracy of the labels' content, such as the data that supported the performance information that appeared on the label, along with any links to relevant network management practices and privacy policies.

IV. IMPLEMENTATION DATES

Most providers must comply with the rules in the *Broadband Label Order* and *Order on Reconsideration* by April 10, 2024. Providers with 100,000 or fewer subscriber lines must comply by October 10, 2024.

- Apart from the exceptions explained below, the Commission established a six-month period for most providers to come into compliance with the new requirements and ensure they can implement necessary changes in a cost-effective way that aligns with their individual business models and potential customers. This six-month period began on October 10, 2023 with the announcement in the Federal Register that the Office of Management and Budget (OMB) completed its review of the rules.
- The Commission adopted a one-year implementation period for providers with 100,000 or fewer subscriber lines.
- Compliance with the requirement to make labels accessible in customer online account portals will not be required for all providers until October 10, 2024.
- Compliance with the requirement to make label information available in a machine-readable format will not be required for all providers until October 10, 2024.

V. INTERNET LINKS

A copy of the *Broadband Label Order*, is available at: <https://www.fcc.gov/document/fcc-requires-broadband-providers-display-labels-help-consumers>.

A copy of the Federal Register Summary of the *Broadband Label Order* is available at: <https://www.govinfo.gov/content/pkg/FR-2022-12-16/pdf/2022-26854.pdf>.

A copy of the *Order on Reconsideration* is available at: <https://www.fcc.gov/document/fcc-declines-reconsider-broadband-consumer-label-rules>.

A copy of the Federal Register Summary of the *Order on Reconsideration* is available at: <https://www.govinfo.gov/content/pkg/FR-2023-09-18/pdf/2023-20115.pdf>.

A copy of the Federal Register Summary announcing compliance dates of rules in the *Order on Reconsideration* is available at <https://www.govinfo.gov/content/pkg/FR-2023-10-10/pdf/2023-21682.pdf>.

A copy of the Public Notice announcing the compliance dates for the rules is available at: <https://docs.fcc.gov/public/attachments/DA-23-943A1.pdf>.

A copy of the Public Notice updating compliance obligations for inclusion of the ACP on labels is available at: <https://docs.fcc.gov/public/attachments/DA-24-195A1.pdf>.

Additional resources on the broadband label requirements are available at: <https://www.fcc.gov/broadbandlabels>.