

FCC FACT SHEET*
Empowering Broadband Consumers Through Transparency
Report and Order – CG Docket No. 22-2; GN Docket No. 25-133

Background: In 2021, Congress directed the Commission to enact rules to require the display of broadband consumer labels to disclose to consumers information regarding the broadband plans offered by broadband internet access service providers. The Commission’s initial broadband label rules, adopted in 2022, resulted in sometimes-confusing labels that strayed beyond the statutory framework Congress created, increasing compliance costs for providers in the process. This Report and Order would refocus the rules to give consumers clear, accurate, and concise information that helps them make informed decisions while reducing unnecessary compliance burdens.

What the Report and Order Would Do:

- Allow phone sales representatives to present label information conversationally, as a summary of key label fields, rather than require verbatim recitation;
- Simplify the inclusion of variable passthrough fees, allowing providers to convey them with an “up to” maximum or jurisdiction-specific totals, in lieu of full itemization;
- Remove the expired Affordable Connectivity Program (ACP) reference from the label;
- Clarify that a prominent hyperlink or icon in a customer account portal, instead of displaying the full label, is sufficient to render such information easily accessible in the portal;
- Allow providers to use hyperlinks or icons at the point of sale instead of displaying the full label, provided the links connect directly to the specific plan’s label without additional navigation;
- Retain the requirement to display labels in English and in any other language(s) in which a provider markets its services;
- Eliminate the requirement to provide label contents separately in a machine-readable spreadsheet file while retaining the obligation to make labels accessible to people with disabilities;
- Eliminate the two-year label archiving requirement for discontinued plans;
- Remove the label template from the CFR and delegate further template changes to CGB via Public Notice with advance notice and public version history; and,
- Update the template website reference from “fcc.gov/consumer” to “fcc.gov/broadbandlabels.”

* This document is being released as part of a “permit-but-disclose” proceeding. Any presentations or views on the subject expressed to the Commission or its staff, including by email, must be filed in CG Docket No. 22-2 and GN Docket No. 25-133, which may be accessed via the Electronic Comment Filing System (<https://www.fcc.gov/ecfs>). Before filing, participants should familiarize themselves with the Commission’s *ex parte* rules, including the general prohibition on presentations (written and oral) on matters listed on the Sunshine Agenda, which is typically released a week prior to the Commission’s meeting. See 47 CFR § 1.1200 *et seq.*

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)
Empowering Broadband Consumers Through) CG Docket No. 22-2
Transparency)
Delete, Delete, Delete) GN Docket No. 25-133

REPORT AND ORDER*

Adopted: []

Released: []

By the Commission:

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* This document has been circulated for tentative consideration by the Commission at its July open meeting. The issues referenced in this document and the Commission’s ultimate resolutions of those issues remain under consideration and subject to change. This document does not constitute any official action by the Commission. However, the Chairman has determined that, in the interest of promoting the public’s ability to understand the nature and scope of issues under consideration, the public interest would be served by making this document publicly available. The Commission’s ex parte rules apply and presentations are subject to “permit-but-disclose” ex parte rules. See, e.g., 47 CFR §§ 1.1206, 1.1200(a). Participants in this proceeding should familiarize themselves with the Commission’s ex parte rules, including the general prohibition on presentations (written and oral) on matters listed on the Sunshine Agenda, which is typically released a week prior to the Commission’s meeting. See 47 CFR §§ 1.1200(a), 1.1203.

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I. INTRODUCTION

1. Consumers want information that helps them make informed decisions—information that is relevant, easy to read and understand, and quick to access. Disclosures that become overly complex or difficult to navigate end up frustrating or confusing consumers, not empowering them.

2. In 2021, Congress directed the Commission to enact rules to require the display of broadband consumer labels to disclose to consumers information regarding the broadband plans offered by broadband internet access service providers.¹

3. However, the Commission’s initial rules, adopted in 2022,² resulted in sometimes-confusing labels that strayed beyond the statutory framework Congress created, increasing compliance costs for providers in the process. With this order, we refocus the rules on ensuring that consumers have the clear, accurate, and concise information about broadband plans that they want, making the labels a more useful shopping tool.

4. Specifically, we enable providers to describe label information in a natural, conversational style over the phone; simplify fee presentation to avoid clutter; remove outdated information from the label; use links or icons at point-of-sale to avoid unwieldy amounts of information that can overwhelm consumers; and eliminate requirements that go beyond our mandate, e.g., requiring providers to make label information machine-readable and to keep labels for two years after the plan is no longer available to new customers. At the same time, we ensure the labels remain accessible to people with disabilities, and that labels are displayed in the same language(s) used when marketing a service.

II. BACKGROUND

5. The Infrastructure Act directs the Commission to “promulgate regulations to require the display of broadband consumer labels, as described in the Public Notice of the Commission issued on April 4, 2016 (DA 16-357), to disclose to consumers information regarding broadband internet access service plans.”³ Such labels must “include information regarding whether the offered price is an introductory rate and, if so, the price the consumer will be required to pay following the introductory period.”⁴

6. In November 2022, the Commission adopted rules implementing the Infrastructure Act’s label mandate. The Commission required providers to display labels at points of sale, including non-website locations such as physical stores and telephone sales channels. To comply with the rule, labels must: (1) show prices, including introductory rates; (2) provide one-time and recurring fees and data allowances; (3) provide the length of the contract term, if applicable; (4) disclose typical upload and

¹ We refer to “broadband Internet access service providers” as “ISPs” or “providers” in this Order. The Infrastructure Investment and Jobs Act, Pub. L. No. 117-58, § 60504(a), 135 Stat. 429, 1244 (2021) (Infrastructure Act). Section 60504 is codified at 47 U.S.C. § 1753.

² *Empowering Broadband Consumers Through Transparency*, CG Docket No. 22-2, Report and Order and Further Notice of Proposed Rulemaking, 37 FCC Rcd 13686 (2022) (*Broadband Label Order*). The rules are codified at 47 CFR § 8.1(a).

³ 47 U.S.C. § 1753(a).

⁴ *Id.* § 1753(b)(1).

download speed and typical latency; (5) link to network management practices, among other things; and (6) appear in English and in other languages in which the ISP markets its services in the United States.⁵ The Commission also prescribed requirements that went beyond point-of-sale display, e.g., providers must make labels available on their websites in machine-readable format⁶ and archive labels for no less than two years after a plan is no longer available.⁷ Providers must do so for all standalone mass-market retail broadband internet access services.⁸ In an accompanying *Further Notice of Proposed Rulemaking*, the Commission sought comment on whether to adopt additional rules, such as requiring ISPs to display labels in additional languages and to submit label information directly to the Commission.⁹

7. In August 2023, the Commission addressed three petitions to clarify and/or reconsider certain requirements.¹⁰ Among other things, the Commission affirmed that providers must itemize the fees they add to base monthly prices, including government program-related fees that they choose to pass through to consumers.¹¹ For most of the new rules, the compliance date was April 10, 2024, for providers with more than 100,000 subscriber lines and October 10, 2024, for other providers.¹² The requirements to make label information available in machine-readable format and in customers' online account portals had a compliance date of October 10, 2024, for all providers.¹³

8. On November 3, 2025, the Commission released the *Second Further Notice* seeking comment on proposals to eliminate six requirements.¹⁴ The *Second Further Notice* also sought comment

⁵ See generally *Broadband Label Order*; 47 CFR § 8.1(a)(1) fig. 1, (4).

⁶ As part of this requirement, the Commission also required ISPs to provide the information in any label separately in a spreadsheet file format on provider websites via a dedicated URL that contains all of their labels. *Broadband Label Order*, 37 FCC Rcd at 13707, para. 68.

⁷ See generally *Broadband Label Order*; 47 CFR § 8.1(a)(3), (5).

⁸ *Broadband Label Order*, 37 FCC Rcd at 13692, para. 16; *id.* at 13696, para. 31. The label rule applies to plans offering “broadband Internet access service,” which our rules define as “a mass-market retail service by wire or radio that provides the capability to transmit data to and receive data from all or substantially all internet endpoints, including any capabilities that are incidental to and enable the operation of the communications service, but excluding dial-up internet access service.” See 47 CFR § 8.1(b); 47 U.S.C. §§ 1751(1) (citing 47 CFR § 8.1(b)), 1753(a). The label requirement does not apply to enterprise service offerings or special access services because they are not mass-market retail services. *Broadband Label Order*, 37 FCC Rcd at 13692, para. 17. In addition, the label requirement does not apply to bundled services, e.g., plans bundling voice and broadband internet access services. *Id.* at 13696, para. 31. Entities such as coffee shops, bookstores, airlines, and private end-user networks (e.g., libraries and universities), and other entities that acquire broadband Internet access service from an ISP to enable patrons to access the Internet from their establishments need not to display labels, unless they offer service to patrons as a mass-market retail service. *Id.* at 13693, para. 20.

⁹ *Id.* at 13727-33, paras. 131-52. We refer to the first Further Notice of Proposed Rulemaking that accompanied the *Broadband Label Order* as the *First Further Notice*.

¹⁰ *Empowering Broadband Consumers Through Transparency*, CG Docket No. 22-2, *Order on Reconsideration*, 38 FCC Rcd 8238 (2023) (*Broadband Label Reconsideration Order*).

¹¹ *Id.* at 8241-42, paras. 12-19.

¹² *Consumer and Governmental Affairs Bureau Announces Compliance Dates of April 10, 2024 and October 10, 2024 for Broadband Label Rules*, CG Docket No. 22-2, GN Docket No. 25-133, Public Notice, 38 FCC Rcd 9341 (CGB 2023).

¹³ *Id.*

¹⁴ *Empowering Broadband Consumers Through Transparency*, CG Docket No. 22-2, GN Docket No. 25-133, *Second Notice of Proposed Rulemaking and Further Notice of Proposed Rulemaking*, 40 FCC Rcd 8614 (2025) (*Second Further Notice*). In response to the recent *Delete, Delete, Delete Public Notice*, parties suggested that the Commission eliminate several label requirements because they are burdensome, are not mandated by the Infrastructure Act, and/or provide minimal consumer benefit. See, e.g., Block Communications, Inc. Comments at

(continued....)

on whether to close pending inquiries from the *First Further Notice*, and on other ways to streamline the rules while preserving their consumer benefit.¹⁵ Parties filed twenty-five comments, ten reply comments, and several *ex parte* submissions.¹⁶

III. DISCUSSION

9. In this Order, we eliminate or modify certain broadband label requirements to make the label clearer and more usable for consumers, while better aligning the label with the Infrastructure Act, and in turn, reducing compliance costs. Based on the record in response to the *Second Further Notice*, we amend the rule to: (1) enable providers to describe label information in a natural, conversational style over the phone; (2) enable providers to simplify fee presentation to avoid label clutter; (3) remove outdated information from the label by eliminating the requirement that providers display information about the now-concluded Affordable Connectivity Program; (4) clarify that providers may use hyperlinks or icons within account portals to make the customer’s label “easily accessible”; (5) allow providers to use a hyperlink or icon at the point of sale in lieu of displaying the full label; (6) eliminate the requirement that providers make label information available in machine readable database format; and (7) eliminate the requirement that providers archive labels for at least two years after a service is no longer offered to new customers. We do so while retaining the requirements that labels be accessible to people with disabilities and that providers display labels in any language(s) in which they market their services. We also close open inquiries from the *First Further Notice*.

A. Improving Label Display and Content

1. Phone Sales

10. We enable providers’ phone sales representatives to present label information in natural, conversational style by eliminating the requirement that they read the labels verbatim to customers.¹⁷ We agree with commenters that a more conversational presentation of the labels fits the unique nature of the telephone sale, which is time-limited and requires the consumer to remember information, unlike written

12-13, GN Docket No. 25-133 (Apr. 11, 2025); Taxpayers Protection Alliance Comments at 2, GN Docket No. 25-133 (Apr. 11, 2025) (stating that the labels provide information that is too technical for many consumers to find practical and focus on cost at the expense of reliability); Competitive Carriers Association Reply at 5, GN Docket No. 25-133 (Apr. 28, 2025); U.S. Chamber of Commerce Reply at 2-3, GN Docket No. 25-133 (Apr. 28, 2025); CTIA—The Wireless Association Reply at 3, GN Docket No. 25-133 (Apr. 28, 2025) (CTIA Delete Reply); WISPA—The Association for Broadband Without Boundaries Reply at 2-3, GN Docket No. 25-133 (Apr. 28, 2025) (WISPA Delete Reply). Commenters observe that some of the broadband label rules may exceed the Commission’s mandate in the Infrastructure Act, and for that reason argue that we should revise the rules. *See, e.g.*, International Center for Law & Economics Comments at 18, GN Docket No. 25-133 (Apr. 11, 2025); Free State Foundation Reply at 9, GN Docket No. 25-133 (Apr. 28, 2025). Other *Delete, Delete, Delete Public Notice* commenters support the broadband label rules and opposed these positions. *See, e.g.*, City of San José Reply at 3-4, GN Docket No. 25-133 (Apr. 28, 2025); Local Government Commenters, Anne Arundel County, MD *et al.* Reply at 24-25, GN Docket No. 25-133 (Apr. 28, 2025) (Local Government Delete Reply); Public Interest Joint Commenters, Access Humboldt, *et al.* Reply at 4, GN Docket No. 25-133 (Apr. 28, 2025) (Public Interest Delete Reply); New York State Department of Public Service Reply at 2, GN Docket No. 25-133 (Apr. 28, 2025) (New York Delete Reply); National Association of State Utility Consumer Advocates Reply at 2, GN Docket No. 25-133 (Apr. 28, 2025) (NASUCA Delete Reply); Free Press Reply at 2-3, GN Docket No. 25-133 (Apr. 28, 2025).

¹⁵ *Second Further Notice*, 40 FCC Rcd 8623, paras. 27-29.

¹⁶ *See infra* Appendix C. The comments and reply comments are cited herein, respectively, as “[Name of Filer] Comments” and “[Name of Filer] Reply.”

¹⁷ Comments indicate that telephone calls remain a preferred channel for significant segments of the population, including older adults, lower-income households, and consumers with limited digital literacy, who warrant particular attention to ensure they are not left without meaningful access to label information. *See, e.g.*, AARP Comments at 7-10; The Utility Reform Network Comments at 4-5 (TURN Comments).

labels that consumers can refer to at any point.¹⁸ By contrast, verbatim recitation of a document that consumers cannot see serves neither providers nor consumers well. Provider phone sales representatives must orally summarize the following label fields during the sales interaction: monthly price inclusive of any monthly fees, including the introductory rate and its duration if applicable; typical download and upload speeds; latency; data allowance; contract term duration if applicable; and early termination fees if applicable.¹⁹

11. We agree that consumers using the phone to shop for broadband service may also want the opportunity to see the label. Some commenters²⁰ urge us to require provider phone sales representatives to offer to transmit the full broadband consumer label to the consumer, if the consumer so desires, via text message, email, or U.S. mail—consistent with the consumer’s preference. We decline to do so, but encourage providers to direct consumers to the labels on the provider’s website.

12. The approach we adopt ensures that consumers receive real-time disclosure of the fields most material to a purchase decision and have access to the full label for review without requiring providers to recite a visual document verbatim in an oral format for which it was not designed.²¹ It also addresses the concerns raised in the record by more than a half dozen accessibility organizations: the verbal summary requirement ensures consumers without internet access receive label content during the call and labels will be easily accessible to consumers with disabilities on providers’ websites.²² For these

¹⁸ See Breezeline Comments at 2; ICLE at 9-10; ACA Connects Comments at 8-9; CTIA Comments at 8; WISPA Comments at 5-6; NCTA Reply at 2-3 ; NTCA Reply at 3-4.

¹⁹ The required oral disclosure fields reflect the information consumers most need to evaluate cost and service quality in real time during a telephone sales interaction: monthly price (including fees) tells consumers what they will pay and prevents bill shock; introductory rate and duration flag temporary pricing; typical speeds, latency, and data allowance describe service performance; and contract term and early termination fees disclose commitment and exit costs. These fields collectively enable a consumer to make a meaningful purchase decision during a time-limited phone call without bombarding a consumer with more detailed information that can be accessed on a provider’s website. See, e.g., AARP Comments at 4 (emphasizing the importance of “clear, comprehensive, and accurate information” for consumers shopping for broadband); TURN Comments at 4 (stating the labels were created “to provide clear, easy-to-understand, and accurate information”).

²⁰ See, e.g., NCTA Reply at 3; AARP Comments at 7-8; see also TURN Comments at 4 (opposing removal of telephone from point of sale definition as incompatible with § 8.1(a)(1)’s requirement that label information be available to consumers at the beginning of the shopping process, and citing 2023 ACS data showing 80% of adults with vision difficulty own a smartphone compared to 62.7% with home broadband access); Accessibility Organizations Comments at 10 (Accessibility Organizations Comments). Accessibility Organizations is a coalition of nine disability rights organizations: TDIforAccess, Inc. (TDI), Deaf Equality, National Association of State Agencies for the Deaf and Hard of Hearing (NASADHH), Global Alliance of Speech-to-Text Captioning, Association of Late-Deafened Adults (ALDA), The Conference of Educational Administrators of Schools and Programs for the Deaf (CEASD), accesSOS, Cerebral Palsy and Deaf Organization (CPADO), and Gallaudet University Alumni Association.

²¹ Cognitive science and consumer behavior literature make clear the distinction between written and oral modalities in consumer information. Written disclosure formats allow consumers to scan, self-pace, and make simultaneous comparisons across information elements. In contrast, oral presentation is sequential and time-constrained, placing demands on working memory that written formats do not. See, e.g., James M. Lacko & Janis K. Pappalardo, *Improving Consumer Mortgage Disclosures: An Empirical Assessment of Current and Prototype Disclosure Forms*, FTC Bureau of Economics Staff Report (Jun. 2007), available at <https://www.ftc.gov/reports/improving-consumer-mortgage-disclosures-empirical-assessment-current-prototype-disclosure-forms>. These findings are consistent with the record in this proceeding, which documents that verbatim recitation of the broadband label in a telephone interaction serves neither providers nor consumers effectively. See, e.g., ICLE Comments at 9-10; NCTA Reply at 2-3; NTCA Comments at 3-4.

²² See Accessibility Organizations Comments at 10-11 (emphasizing that alternate accessible formats must remain available upon request).

reasons, we decline to simply exclude telephone calls from the definition of point of sale,²³ which would restrict access to label information for the significant segment of the population that engages in telephone shopping for broadband service²⁴—including many consumers with disabilities.²⁵ To ensure providers retain the flexibility to adapt verbal summaries to diverse customer interactions, we also decline to adopt a mandatory script for phone label disclosures.²⁶

2. Passthrough Fees

13. Rather than continuing to require providers to itemize “passthrough fees”²⁷ that can vary by location, we allow providers to display such fees in the aggregate, either as a maximum or “up to” amount for the total fees applicable in any location where the service plan is offered,²⁸ or as the exact total of such fees assessed in a particular location. The Infrastructure Act directs us to require the display of broadband labels “as described in” a public notice issued by the Commission in 2016,²⁹ and that public notice in turn explains that labels should convey the information consumers need to know “in plain language that is easy to understand without overwhelming consumers with too much information.”³⁰ As a commenter points out, too much detail regarding fees could draw consumers’ attention away from more important label information,³¹ and research suggests that “excessive itemization creates cognitive burdens

²³ See *Second Further Notice*, 40 FCC Rcd at 8617-18, para. 11.

²⁴ See, e.g., AARP Comments at 7-10; TURN Comments at 4-5.

²⁵ Accessibility Organizations Comments at 10-11.

²⁶ TURN Reply at 5.

²⁷ For purposes of this Report and Order, “passthrough fees” are monthly charges that 1) are imposed by a government entity or third-party infrastructure owner rather than set by the provider itself; 2) represent costs the provider chooses to pass through to consumers rather than rolling them into the base monthly price; and 3) vary by consumer location. For example, “passthrough fees” include state and local right-of-way fees, pole attachment fees imposed by third-party pole owners, and similar charges. “Passthrough fees” do not include taxes. ACA Connect raises concerns about maintaining differential treatment of passthrough fees and taxes, claiming that “whether a government-imposed charge is a ‘tax’ or ‘fee’ is not always clear.” See ACA Connects Comments at 6 n.11, quoting ACA Connects, et al., Joint Petition for Clarification or, in the Alternative, Reconsideration, CG Docket No. 22-2 (filed Jan. 17, 2023). But unlike a tax, which must be collected from the consumer, fees paid by the provider are passed through at the provider’s discretion. Therefore, it should not be difficult for providers to differentiate the two. Providers must continue to comply with the requirement to itemize fees that they set or those that do not vary by location, unless they include those costs in the base monthly price specified in the label. See *Broadband Label Order*, 37 FCC Rcd at 13694-95, para. 24 n.49 (“A provider that opts to combine all of its monthly discretionary fees with its base monthly price may do so and list that total price. In that case, the provider need not separately itemize those fees in the label.”).

²⁸ For example, a provider opting to disclose the maximum passthrough fee amount, and whose total passthrough fees do not exceed a maximum of \$13.95 per month in any jurisdiction where service plan “X” is offered, may present those fees on the label for service plan “X” as: “Up to \$13.95 per month.” Providers may, if they wish, continue to itemize these fees individually. Providers retain discretion over the nomenclature they use to describe passthrough fee line items on the label, provided the presentation is clear, accurate, and not misleading.

²⁹ 47 U.S.C. § 1753(a), citing *Consumer and Governmental Affairs, Wireline Competition, and Wireless Telecommunications Bureaus Approve Open Internet Broadband Consumer Labels*, GN Docket No. 14-28, Public Notice, 31 FCC Rcd 3358 (CGB/WCB/WTB 2016) (*2016 Broadband Labels PN*).

³⁰ *2016 Broadband Labels PN*, 31 FCC at 3359.

³¹ ICLE Comments at 10; see also *Broadband Label Order*, 37 FCC Rcd at 13697, para. 35 (regarding data allowances, emphasizing that “it is important to keep the label information as simple as possible for consumers”); *Broadband Label Reconsideration Order*, 38 FCC Rcd at 8242-43, para. 21 (in the context of data allowances, rejecting request to allow labels to display additional data allowances because “allowing providers to clutter the Label with detail about those allowances would undermine its simplicity and utility”).

that reduce consumer welfare.”³² Commenters who advocate for retaining mandatory itemization do not persuasively address these concerns.³³

14. The record also shows that requiring itemization imposes burdens on providers. Itemizing fees often requires providers to generate and maintain a large number of distinct labels to account for state and local variation in fees across their service territories.³⁴ This creates ongoing administrative complexity, particularly for providers operating across multiple jurisdictions.³⁵ By contrast, as demonstrated by the Broadband Internet Technical Advisory Group (BITAG) maximum value field approach, calculating a maximum “up to” amount is technically achievable without requiring a separate label for each jurisdiction.³⁶

15. We amend the rule to allow two additional alternatives for the display of passthrough fees, rather than requiring full itemization of each location-specific fee.³⁷ First, drawing on the BITAG recommendation, we permit providers to present passthrough fees on a single line specifying the maximum passthrough fee that would be paid by any subscriber across all jurisdictions where the service plan is offered—that is, the highest “up to” amount applicable anywhere in the provider’s service territory for that plan. For purposes of this rule, “service territory” means the geographic area within which a provider offers the specific broadband service plan to which the label applies. Alternatively, providers may display, on a jurisdiction-specific basis, the exact total of the passthrough fees that subscribers in that jurisdiction will pay. Providers may also continue to itemize fees individually as current rules permit. The displayed maximum or exact total must be accurate, i.e., it must not understate the current fees applicable to any consumer subscribing to that plan. If fees subsequently increase above the disclosed maximum or exact total, the provider must revise the label accordingly. Because fee disclosure must not understate current fees, we decline to adopt NTCA’s safe harbor based on a historical 12-month average,³⁸ because a backward-looking average may not accurately reflect current fees.

16. We also disagree with commenters who argue that displaying an exact total or maximum amount would undermine the effectiveness of the label, increase consumer confusion, or recreate the bill shock the label was designed to prevent.³⁹ As described above, a single line totaling multiple fees can help consumers compare plan prices without forcing them to make additional calculations. That will reduce consumer confusion, rather than increase it. And because the “up to” amounts must be accurate, they will not cause bill shock, which can occur when providers do not disclose the true cost of service at

³² ICLE Comments at 11 (citation omitted).

³³ See AARP Comments at 8-9; HTTP Comments at 1-2; Public Knowledge Comments at 78; TURN Comments at 10; NYSPSC Comments at 2.

³⁴ See, e.g., ACA Connects Comments at 4-5; ICLE Comments at 10-11; INCOMPAS Comments at 6.

³⁵ NTCA Comments at 5; USTelecom Comments at 5-6.

³⁶ The Broadband Internet Technical Advisory Group (BITAG) is a non-profit organization whose working group included engineers from major broadband providers, recommended displaying the highest applicable fee across all jurisdictions as a single “up to” amount. BITAG Technical Working Group Report on Broadband Consumer Labels (Aug. 2024), <https://www.bitag.org/BITAG-BB-Labels.pdf> (BITAG Report); see also Scott Jordan, *Ex Parte* Notice at 1 (filed Mar. 3, 2026) (citing the BITAG Report). BITAG developed the maximum value field approach to address the label proliferation problem that results from requiring separate line items for fees that vary across jurisdictions.

³⁷ See Breezeline Comments at 2-3 (supporting this approach); NTCA Comments at 5 (supporting this approach in concept); NCTA Comments at 6 (supporting maximum fee display requirement as an alternative).

³⁸ NTCA Comments at 5.

³⁹ See, e.g., TURN Comments at 10.

point-of-sale.⁴⁰ Including maximum passthrough fee amounts will result in some consumers experiencing bills below what is displayed on the label, the opposite of bill shock.

17. For similar reasons, we reject arguments that an “up to” amount will allow providers to hide charges or impair consumers’ ability to understand the fees they may pay.⁴¹ Providers that display an “up to” amount will still clearly disclose the most that a consumer will pay for passthrough fees in any jurisdiction where the plan is offered.⁴² Nothing in the record supports the point that consumer decision-making suffers when multiple fees are consolidated. As long as the exact total or maximum amount is accurate, consumers have the information necessary to make informed purchasing decisions. With respect to Public Knowledge’s concern about the absence of a principled limit on embedded fees, we note that the accuracy requirement provides such a limit; a provider may not embed fees that cause the consumers’ bill to exceed the maximum stated in the applicable label.⁴³ Making clear to consumers the maximum aggregate passthrough fee they will face satisfies the transparency objective of the Infrastructure Act, while potentially reducing the burden of review a consumer may experience with an itemized list that may vary slightly across different provider labels.

18. While we anticipate that most providers will opt to present an “up to” maximum or an exact location-specific fee total, some may choose to continue to itemize passthrough fees. We expect that over time, competitive forces will encourage providers to adopt disclosure formats consumers find most useful, and in all cases the accuracy requirements ensure that consumers can reliably compare total recurring amounts across providers. The approach we adopt preserves transparent, comparable information for consumers while allowing providers flexibility to avoid label proliferation. We also recognize this is a change in course. The Commission declined to allow an “up to” approach in the *Broadband Label Order on Reconsideration*, stating that a single figure would not provide sufficient transparency or facilitate comparison shopping.⁴⁴ With the benefit of a more robust record—including evidence that mandated itemization impedes providers’ flexibility, promotes unnecessary label proliferation, and may undermine consumers’ ability to comparison shop and thereby frustrate the goals of the Infrastructure Act—we conclude that permitting providers to display passthrough fees as a maximum or “up to” amount or exact total gives consumers sufficient disclosure to enable comparison shopping and more effectively meets the objectives of the Infrastructure Act.

3. Affordable Connectivity Program

19. We eliminate the requirement that providers include information about the ACP in the broadband label. The program ended June 1, 2024.⁴⁵ We agree with commenters that retaining a

⁴⁰ We reiterate that providers’ display of fees must be accurate (and must not understate a consumer’s costs) however they decide to present them.

⁴¹ AARP Comments at 8-9; Hispanic Technology and Telecommunications Partnership Comments at 1-2 (HTTP Comments); *see also* NYSpsc Comments at 2 (cautioning that disclosure of state and local fees prevents misleading or incomplete price information and that removing or weakening elements of the label risks returning to a marketplace in which consumers do not have access to clear, accurate cost information).

⁴² *See Broadband Label Order*, 37 FCC Rcd at 13694-95, para. 24 n.49; *Broadband Label Order on Reconsideration*, 38 FCC Rcd at 8242, para. 19 (emphasizing that “if the provider does not impose additional discretionary fees on top of the base monthly price, but instead incorporates them into the monthly price, the provider can state ‘None’ on the label template”).

⁴³ Public Knowledge, et al. Comments at 7.

⁴⁴ *Broadband Label Order on Reconsideration*, 38 FCC Rcd at 8242, para. 18 (“We believe that identifying a maximum dollar figure . . . does not sufficiently disclose to consumers what they will be charged for and how those fees compare to another provider’s service offerings.”).

⁴⁵ *Wireline Competition Bureau Announces the Final Month of the Affordable Connectivity Program*, CC Docket No. 21-450, Public Notice, 39 FCC Rcd 2063, 2067 (WCB 2024) (*ACP Final Month PN*). The ACP Final Month PN stated that “[w]ith the upcoming end of the ACP, providers will not be required to include information on the

(continued....)

reference to an expired program offers no consumer benefit and risks confusing consumers who may be led to believe the program remains available.⁴⁶ We thus decline suggestions that we maintain the requirement as a placeholder obligation that would activate automatically upon establishment of a successor federal broadband affordability program.⁴⁷

4. Customer Account Portal

20. We retain the requirement that providers that give their customers access to their account information via an online portal must give those customers easy access to the label of their current plan. And we amend the rule to clarify that providers may satisfy the “easily accessible” requirement for customer portals by prominently displaying a hyperlink or icon in the customer’s portal directing the customer to the label for their current plan⁴⁸ and thus providers need not display the label itself in the customer’s portal.⁴⁹ We agree with commenters that access to the label via their portal is important to enable subscribers to verify their current plan terms, detect billing discrepancies, and evaluate their current plan’s suitability to their needs.⁵⁰ We believe that allowing providers to use a link or icon, rather than displaying the label alongside all the other information in the portal, will make it easier for consumers to focus on the portal information they wish to read. Display flexibility should also reduce provider compliance costs and benefit consumers accessing their portal on mobile devices.

21. We agree that a static label displayed in a customer’s portal runs the risk of becoming outdated, inaccurate, or misleading as plan terms evolve over time.⁵¹ However, the label accessed in a portal should reflect the terms of the customer’s current plan, rather than the original plan purchased if different, to, among other things, enable market comparisons and better manage their existing plan.⁵² Thus, consumers should not be confused or misled as long as their providers meet their obligations under

ACP in their labels,” but also made clear that this guidance “is subject to change should the funding status of the ACP change.” *Id.* Through our decision today, we effectively make this guidance permanent.

⁴⁶ Taxpayers Protection Alliance Comments at 1 (TPA Comments); WISPA Comments at 2; USTelecom – The Broadband Association, CG Docket No. 22-2, GN Docket No. 25-133 Comments at 3 (USTelecom Comments); CTIA Comments at 9; Breezeline Comments at 3; ACA Connects Comment at 9; NTCA Comments at 5-6; AARP Comments at 9. *See also* NTCA Comments at 6 (raising the concern that retaining ACP information could implicate FTC prohibitions on bait-and-switch tactics if consumers are led to believe they can enroll in a program that no longer exists).

⁴⁷ AARP Comments at 9; Asian Americans Advancing Justice | AAJC (AAJC) *et al.* Comments at 2 (AAJC Comments). AAJC filed jointly with National Council of Asian Pacific Americans, OCA – Asian Pacific American Advocates, Filipina Women’s Network, and Japanese American Citizens League.

⁴⁸ In doing so, we effectively adopt the proposal in the *Second Further Notice* to eliminate the requirement to display the labels themselves in customer portals. *See Second Further Notice*, 40 FCC Rcd 8620, para. 17.

⁴⁹ *See* 47 CFR § 8.1(a)(2). Links should take customers to their current plan and not a general landing page.

⁵⁰ *See, e.g.*, TURN Comments at 9-10; Peha Comments at 3; Accessibility Organizations Comments at 8-9 (arguing that the portal-based display “promotes transparency and enable consumers to recall easily what they purchased in case there are questions in the future about speed, service, or other billing disputes,” and emphasizes that visibility and ease of access are essential to the label’s consumer protection function); TURN Comments at 9; AARP Comments at 9; AAJC Comments at 2; Jordan Comments at 3, 5.

⁵¹ Breezeline Comments at 4; ICLE Comments at 12; NCTA Comments at 3; USTelecom Comments at 3.

⁵² *Broadband Label Order*, 37 FCC Rcd at 13716-17, para. 97 (stating that consumers “should be able to easily access their *existing* plans”) (emphasis added); *id.* (explaining that the portal access provision allows consumers “to more easily compare their *current* plans to alternative plans when shopping for broadband service in the future”) (emphasis added). The *Broadband Label Order* also points out that by being accessible at the portal, the label “assists consumers in identifying billing inaccuracies and unexpected fees,” *id.*, which would not be possible if the label were not required to be associated with the consumer’s current plan.

the rule of providing easy access to the label of each consumer's *current* plan.⁵³ While we recognize that labels may not specify every charge or discount associated with a consumer's current service plan, and thus may not serve as a comprehensive billing reference document,⁵⁴ labels that correspond to a consumer's current plan clearly "can assist in identifying billing inaccuracies and unexpected fees,"⁵⁵ as the rule intends, as well as providing a baseline for future comparison shopping. We also disagree with some commenters' claims that the portal access requirement is "divorced from the purpose of labels: to facilitate *shopping* for broadband services."⁵⁶ In adopting the rule, as noted above, the Commission recognized that portal access to labels "furthers our goal of assisting consumers with comparison shopping by allowing consumers to more easily compare their current plans to alternative plans when shopping for broadband service in the future."⁵⁷

22. Additionally, we are unpersuaded by arguments that the costs of providing access via a link in the consumer's account portal outweigh any consumer benefit to subscribers.⁵⁸ No commenter attempts to quantify these claimed costs. And, as described above, there is ample evidence that the portal requirement benefits consumers. Therefore, we find insufficient basis in the record to revisit the 2022 Order's assessment that "associating a label that is already displayed on a provider's primary advertising web page with a customer's online account should not be overly burdensome, and that the benefits to consumers far outweigh any costs to providers."⁵⁹ We also disagree that information on consumers' bills obviates the need for access to the label.⁶⁰ A label provides information (e.g., "typical" data speeds) that is not included in bills and summarizes key information in a recognizable format that supports comparison shopping, which bills aren't usually designed to do.⁶¹

5. Point-of-Sale Display

23. We give providers flexibility to use links or icons at the point of sale instead of displaying the full label. We agree with commenters that this change will better enable consumers viewing broadband plans on their mobile phones to read and process relevant information.⁶² And it will enable providers to avoid significant design and operational challenges, especially in the mobile device context, where screen space limitations make simultaneous display of marketing content and a full label difficult to achieve without degrading the consumer experience for either.⁶³ An icon or link prominently displayed in close proximity to the advertised plan and that links directly to the associated label can

⁵³ 47 CFR § 8.1(a)(2).

⁵⁴ See USTelecom Reply at 3.

⁵⁵ *Broadband Label Order*, 37 FCC Rcd at 13716-17, para. 97.

⁵⁶ NTCA Comments at 6; *see also* ICLE Comments at 12.

⁵⁷ *Broadband Label Order*, 37 FCC Rcd at 13716-17, para. 97.

⁵⁸ NTCA Comments at 6; USTelecom Comments at 3.

⁵⁹ *Broadband Label Order*, 37 FCC Rcd at 13716-17, para. 97.

⁶⁰ Breezeline Comments at 4; USTelecom Comments at 3; NTCA Reply at 6-7.

⁶¹ *See* Letter from Scott Jordan to Marlene H. Dortch, Secretary, FCC, CG Docket (filed Mar. 3, 2026) Attach. (slide deck examining bills from Charter, Comcast, Cox, AT&T, and Verizon and finding none contained actual measured download speed, upload speed or latency).

⁶² *See* Breezeline Comments at 5-6 (presenting detailed labels directly on marketing pages often overwhelms customers and creates unnecessary confusion, and a clearly marked link or icon would provide a cleaner, more user-friendly experience while still ensuring consumers have full access to all required information); ACA Connects at 10-11 (observing that flexibility "would reduce visual clutter and make web pages easier to navigate, especially when displayed on a mobile device"); WISPA at 5 (arguing that "full static labels make webpages cluttered, difficult to navigate, and visually inaccessible").

⁶³ CTIA Comments at 12-13 (mandating full label display alongside marketing content creates significant design and operational challenges, particularly on mobile devices where screen space is limited).

resolve the operational challenges (e.g., by conserving limited display space on mobile devices) while ensuring that consumers can easily access relevant label information.

24. We recognize this is a change in course from the Commission’s 2022 decision requiring full label display at the point of sale.⁶⁴ In previously declining to allow a link in place of the full label, the Commission noted that “commenters [did] not articulate any particular challenges in displaying the actual label alongside a provider’s marketing materials.”⁶⁵ The record here, however, provides a more specific and documented account of the operational challenges involved in meeting the display requirement.⁶⁶

25. We find that these documented operational challenges, combined with the requirement that any icon or link connect directly to the customer’s specific plan label and appear in close proximity to the associated advertised plan, support modifying the full label display requirement. When a provider places an icon or link next to the advertised plan and that icon or link connects directly to that plan’s label, the consumer is a mere single click away from the label, and need not re-enter the address or engage in a time-consuming search for information relevant to comparison shopping, as some comments suggest.⁶⁷ Our approach strikes an appropriate balance between operational flexibility and consumer access.

26. To ensure consumers can easily compare plans at point-of-sale, links must connect directly to the label for the advertised plan or to a labels page on which the specific plan is immediately identifiable and accessible without additional navigation, address entry, or search. This requirement addresses concerns raised by commenters about immediacy, minimum-click access, and visibility of labels, which continue to guide our approach to point-of-sale display.

6. Multilingual Requirement

27. We retain the requirement that providers display the label in English and any other languages in which the provider markets its services in the United States and its territories. Although the Commission sought comment on whether to remove this requirement, we agree with CTIA and other

⁶⁴ *Broadband Label Order*, 37 FCC Rcd at 13715, para. 91.

⁶⁵ *Id.* at para. 94.

⁶⁶ See CTIA Comments at 12-13 (discussing operational challenges with displaying labels on mobile devices); ACA Connects at 10-11 (asserting that “[c]onfiguring webpages to display the complete label—particularly in a way that is responsive, accessible, and compatible with existing site architecture—has been a consistent point of pain for smaller ACA Connects Members,” and adding that for providers that rely on third-party vendors or legacy website templates, “integrating the full label into those systems has required unexpected redesigns, custom coding, and recurring maintenance”).

⁶⁷ See TURN Comments at 6; Accessibility Organizations Comments at 12 (citing 47 CFR § 8.1(a)(1)); Public Knowledge et al. Comments at 11. Although commenters raise these concerns primarily in the context of portal display and telephone disclosure, the principles they articulate apply with equal force to point of sale display, where consumers are making active purchase decisions and immediate access to label information is most critical. See *id.*; see also Letter from Asian Americans Advancing Justice – AAJC, Benton Institute for Broadband & Society, Common Cause, Consumer Reports, MediaJustice, National Consumer Law Center, National Hispanic Media Coalition, New America’s Open Technology Institute, Public Knowledge, and United Church of Christ Media Justice Ministry to Marlene H. Dortch, Secretary, FCC, CG Docket No. 22-2, at 2-3 (filed Apr. 27, 2022) (AAJC et al. Letter) (arguing that labels must be “immediately visible” to consumers at the point of sale and that relegating crucial service information to back pages or requiring credit card submission before label access undermines transparency); New America’s Open Technology Institute Comments, CG Docket No. 22-2, at 8-9 (Mar. 9, 2022) (arguing that labels must be prominently displayed and immediately visible when consumers interact with provider marketing materials, and that ISP ordering systems that conceal label access until late in the purchase flow, including after entry of address and credit card information, undermine the transparency purpose of the rule; noting that labels must be accessible to prospective customers “by merely browsing the website, app, or other marketing materials”).

commenters supporting retaining the requirement⁶⁸ and find it is a commonsense way of ensuring the label is a useful tool for consumers.⁶⁹

28. We find insufficient the arguments of two commenters urging us to eliminate this requirement.⁷⁰ We see no cost data or other evidence to indicate that retaining the requirement will deter providers from marketing in languages other than English.⁷¹ In the absence of such evidence, it is reasonable to infer that a provider will not incur a substantial incremental cost in translating the label to a language in which the provider is already conducting marketing, and the consumer benefit is concrete and immediate. If a provider has affirmatively sought out and recruited customers in their native language, investing in the research, outreach, and translation resources that multilingual marketing entails, the record offers no persuasive evidence that translating a standardized label into that same language would impose an unreasonable burden. As CTIA acknowledges, the current requirement reflects sound policy precisely because providers that market in a given language already possess the translation resources necessary to produce the label in that language.⁷²

B. Eliminating Burdensome Reporting and Recordkeeping Requirements

1. Machine-Readability and Data File Requirements

29. We eliminate the requirement that providers make the contents of labels available separately in a machine readable spreadsheet file format hosted at a dedicated URL,⁷³ while emphasizing that providers remain obligated to make labels accessible to consumers with disabilities, including ensuring such information is compatible with screen readers and other assistive technologies used by people with disabilities.⁷⁴ We agree with commenters arguing that this action aligns the label requirements more closely with the Infrastructure Act's purpose of disclosure to consumers, not third parties, and alleviates a significant burden on providers.⁷⁵ The Infrastructure Act directs the Commission to require "the display of broadband consumer labels" that provide consumers with information about

⁶⁸ See CTIA Comments at 9; USTelecom Comments at 4; NTCA Comments at 10-14; Tri-Caucus Comments at 1-2; NYSPSC Comments at 2-3; AARP Comments at 11-12; AAJC Comments at 2; Accessibility Organizations Comments at 10; Public Knowledge et al. Comments at 4-5; TURN Reply at 5-6.

⁶⁹ See 47 CFR § 8.1(a)(4).

⁷⁰ See Breezeline Comments at 4; WISPA Comments at 5.

⁷¹ Breezeline Comments at 4.

⁷² CTIA Comments at 9-10 ("[A] policy of displaying labels in any language in which a provider markets is sound, as providers will already have experience and resources for translating materials into the languages they use for marketing.").

⁷³ 47 CFR § 8.1(a)(3); *Second Further Notice*, 40 FCC Rcd at 8620, para 20 (proposing to delete 47 CFR § 8.1(a)(3)). The eliminated requirement is for a separately hosted machine-readable data file in a format such as CSV, JSON, or XML, designed primarily for bulk data aggregation by third parties. This is distinct from the label that consumers view directly in their browser, in formats such as HTML, which are inherently compatible with assistive technologies such as screen readers and do not require additional software or steps to access.

⁷⁴ See 47 CFR § 8.1(a)(1) (providing that labels must be "easily accessible to consumers, including consumers with disabilities, at the point of sale"); *Broadband Label Order*, 37 FCC Rcd at 13712, paras. 81-82.

⁷⁵ See, e.g., ACA Connects Comments at 6 (asserting that the requirement "has no clear basis in the statute" and imposes burdens "particularly [on] small and mid-sized providers with limited engineering resources"); USTelecom Comments at 2 (arguing the requirement "has no clear purpose or benefit except for third parties seeking to mine this information," and noting that, in any event, such third parties can "collect this information directly from the consumer-formatted versions of the labels that providers will continue to make available on their websites"); CTIA Comments at 5 (noting that this data structure "was never intended to be used by consumers" and is "accessed only infrequently"); ICLE Comments at 13 ("The expense is not data storage but the systems development and maintenance required to extract label information from providers' various systems, format it consistently according to specifications, validate it for accuracy and update it continuously as plans change.").

broadband plans.⁷⁶ This requirement was modeled on nutrition labels, which are focused on point-of-sale disclosure to consumers.⁷⁷

30. In requiring machine readability, the Commission appeared to believe third-party access advances the statutory objective by facilitating the creation of comparison-shopping tools for consumers, as well as enabling more efficient data collection and compliance monitoring by the Commission, and promoting marketplace research.⁷⁸ However, the Infrastructure Act's directive "to disclose to consumers information" and the prior Commission-approved label referenced in the Act do not appear to contemplate third-party data aggregation and research.⁷⁹ Section 60504 only directs us to require the display of labels to *disclose information* about broadband plans *to consumers*. Nor does the Commission's 2016 public notice—cited in section 60504 of the Infrastructure Act as a description of what we are directed to require—indicate that the labels described in that public notice must be in machine-readable data file formats for processing by computers. To the contrary, the public notice found that the format of the approved labels "displays [the key factors consumers need to know] in plain language that is easy to understand."⁸⁰ For these reasons, we reach a different conclusion than the Commission did in 2022.⁸¹

31. We also conclude that the substantial compliance burdens imposed by this requirement are not justified by the minimal, if any, likely benefits for consumers.⁸² The current record offers a fuller description of the relevant compliance burdens than was available to the Commission in 2022.⁸³ We also

⁷⁶ 47 U.S.C. § 1753(a); *see also* 2016 Broadband Labels PN, 31 FCC at 3358 (noting the Commission's prior finding that labels would provide consumers "an easy way to understand provider prices, performance, and network practices" by "convey[ing] the required information in a simple-to-understand format that would enable consumers to compare services of different broadband providers").

⁷⁷ *See, e.g.*, 47 U.S.C. § 1753(a) (directing the Commission to "require the display of broadband consumer labels, as described in [the 2016 Broadband Labels Public Notice]"). The format of the labels approved in that public notice bear an obvious resemblance to nutrition labels. Further, the 2015 Open Internet Order, which adopted the transparency rule that the original broadband label was designed to implement, also described the format of a broadband label as "similar to a nutrition label." 2015 Open Internet Order, 30 FCC Rcd at 5680, para. 179; *see also* 2018 Preserving Internet Freedom Order, 33 FCC Rcd at 624-25, para. 179. In adopting the broadband label rule in 2022, the Commission repeatedly analogized a broadband label to a nutrition label. *See, e.g.*, Broadband Label Order, 37 FCC Rcd at 13690, 13706, 13715, paras. 14, 64, 92. The Nutrition Labeling and Education Act ensures consumers receive standardized information at the point of purchase. While researchers and app developers may use nutrition label data for various purposes, including facilitating consumer shopping, the statutory mandate centers on consumer access, not facilitating third-party data aggregation. *See, e.g.*, Pub. L. No. 101-535, 104 Stat. 2353 (1990).

⁷⁸ Broadband Label Order, 37 FCC Rcd at 13708-09, paras. 69-72.

⁷⁹ *See id.* at 13708, para. 69 (acknowledging that section 60504 of the Infrastructure Act does not expressly address the format requirements for broadband labels).

⁸⁰ 2016 Broadband Labels PN, 31 FCC at 3359.

⁸¹ We note that the machine-readability requirement was adopted prior to the Supreme Court's decision in *Loper Bright Enterprises v. Raimondo*, 603 U.S. 369, 392 (2024), ruling (among other things) that "agency interpretations of statutes . . . are not entitled to deference."

⁸² *See, e.g.*, ACA Connects Comments at 6-7 ("[A]ny benefits are outweighed by the costs of generating, hosting, and continuously updating machine-readable broadband labels, which are particularly burdensome for small and mid-sized providers with limited engineering resources."); Breezeline Comments at 4 ("Developing and maintaining specialized machine-readable files for every individual plan entails significant cost and time for little corresponding benefit to consumers.").

⁸³ *See, e.g.*, ICLE Comments at 12-14 (identifying the primary expense as "the systems development and maintenance required to extract label information from providers' various systems, format it consistently according to specifications, validate it for accuracy, and update it continuously as plans change. These are nontrivial software development and database-management tasks.").

find insufficient evidence that the requirement is needed to facilitate transparency and consumer decision-making, as some commenters argue.⁸⁴ The statute and our consumer-focused requirements give consumers the transparency necessary to make good purchase decisions. And there is no record evidence that any third parties have used machine-readable label content to develop pro-consumer tools.⁸⁵

32. Some commenters raise concern that, without machine readability, labels will not be easily accessible to consumers with disabilities.⁸⁶ We emphasize that our action in this Order does not affect providers' obligation to make labels accessible to consumers with disabilities, including ensuring such information is compatible with screen readers and other assistive technologies used by people with disabilities.⁸⁷ The rules' requirement that labels be easily accessible to consumers with disabilities is independent of the machine-readability provision deleted by this Order.⁸⁸ We remind broadband providers of the guidance on accessibility offered by the Web Content Accessibility Guidelines.⁸⁹ While machine readability in some form may be involved in ensuring that labels are easily accessible to people with vision disabilities (e.g., by being compatible with screen readers, among other steps), the more specific machine-readability requirement of section 8.1(a)(3)—that label content be provided separately in a spreadsheet file format via a dedicated uniform resource locator (URL) that contains all of a provider's labels—was not adopted to advance accessibility.⁹⁰

2. Archiving

33. We eliminate the requirement that providers archive all labels for at least two years after a service plan is no longer available to new customers and the provider has removed the plan's label from its website or alternate sales channels.⁹¹ In adopting the archiving requirement in 2022, the Commission assumed that archiving would not impose a significant incremental burden on providers.⁹² However, the current record indicates there are substantial compliance costs, while supporters do not point to any demonstrated consumer benefit.⁹³ According to providers, archiving imposes ongoing costs that fall hardest on small providers,⁹⁴ diverting time and resources from core operations.⁹⁵ NTCA explains, for

⁸⁴ BroadbandToolkit.com Comments at 2-3; John Peha Comments at 6; AARP Comments at 11; Accessibility Organizations Comments at 7; TURN Comments at 6.

⁸⁵ ICLE Comments at 13.

⁸⁶ Accessibility Organizations Comments at 7 (“[I]t is our experience that this requirement is essential to ensure that DeafBlind, blind, or low-vision consumers using assistive technologies are able to receive the benefits associated with the broadband label rules.”); TURN Comments at 6 (characterizing machine-readable labels as “both a critical accessibility and research tool” and stating that “screen readers and refreshable braille displays are just a few examples of the technologies that require machine-readability to function”).

⁸⁷ See *Broadband Label Order*, 37 FCC Rcd at 13712, paras. 81-82.

⁸⁸ Compare 47 CFR § 8.1(a)(1) with *id.* § 8.1(a)(3).

⁸⁹ See generally Web Content Accessibility Guidelines (WCAG) 2.1, W3C Recommendation (May 6, 2025), <https://www.w3.org/TR/WCAG21>.

⁹⁰ *Broadband Label Order*, 37 FCC Rcd at 13708-09, paras. 69-72.

⁹¹ See 47 CFR § 8.1(a)(5).

⁹² *Broadband Label Order*, 37 FCC Rcd at 13718-19, para. 102.

⁹³ CTIA Comments at 6 (arguing that the cost of maintaining archives outweighs their “limited theoretical value”); see also NCTA Comments at 4; INCOMPAS Comments at 21. As the Commission noted in the *Broadband Label Order*, “requiring labeling for services no longer available to new customers has a substantially diminished benefit for purposes of comparison shopping.” *Broadband Label Order*, 37 FCC Rcd at 13718, para. 101.

⁹⁴ See, e.g., WISPA Comments at 6.

⁹⁵ *Id.*; ACA Connects at 8 (arguing that archiving is a costly task, consuming personnel hours that could be better spent elsewhere).

example, that the enforcement rationale for the rule is “based on speculative future utility in complaint proceedings.”⁹⁶ CTIA and ICLE further contend that requiring archiving of labels for service plans that are no longer offered to new purchasers does not aid comparison shopping for currently available services.⁹⁷

34. We emphasize that deleting this provision does not affect the Commission’s transparency rule, which requires a broadband provider to “publicly disclose accurate information regarding the network management practices, performance characteristics, and commercial terms of its broadband internet access services sufficient to enable consumers to make informed choices regarding the purchase and use of such services.”⁹⁸ We believe the transparency rule and the requirement that customers maintain access to their current plan label through their account portal—as well as other sources of information such as the customer’s service agreement, monthly bills, and records of any plan changes during a customer’s subscription⁹⁹—sufficiently address concerns that, absent archiving, subscribers whose service plans are no longer offered to new customers would be deprived of access to key information about their plans.¹⁰⁰

35. The *Broadband Label Order* explained that archived labels would help the Commission and state authorities investigate potential inaccuracies in labels, including in cases arising from consumer complaints.¹⁰¹ Yet it did not point to any provision of the Infrastructure Act, nor anything in the *2016 Broadband Label PN*, suggesting that an archiving requirement is needed to achieve the Congressional purpose, and we affirmatively conclude today that it is not needed. Further, the *Broadband Label Order* merely speculated that giving subscribers the ability to request archived labels would help them,¹⁰² without indicating why other customer records, including billing and service agreements, would not do the same at lower marginal cost.

36. We disagree with commenters who say the archiving requirement is essential for enforcement. We retain authority to obtain historical plan data through investigative demands when needed to evaluate potential noncompliance.¹⁰³ Providers have other incentives to retain records of their marketing materials in light of federal and state bans on deceptive advertising. And we disagree that archiving is essential for the customers themselves to check if they received the service they signed up for. Service agreements, billing statements, and other records already provide much of the information relevant to resolving billing or service disputes.¹⁰⁴

C. The Label Template

1. Removing the Template from the CFR

37. We adopt our proposal to remove the label template from the Code of Federal Regulations. As we stated in the *Second Further Notice*, our approach will allow us to more easily update

⁹⁶ NTCA Comments at 8.

⁹⁷ ICLE Comments at 14-15; CTIA Comments at 6.

⁹⁸ 47 CFR § 8.1(a).

⁹⁹ See ICLE Comments at 14-15 (asserting that “[p]roviders maintain these records as part of normal business operations and for their own accounting purposes.”).

¹⁰⁰ See TURN Reply at 8-9.

¹⁰¹ *Broadband Label Order*, 37 FCC Rcd at 13718-19, para. 102.

¹⁰² *Id.* at 13719, para. 104.

¹⁰³ See, e.g., 47 U.S.C. § 403.

¹⁰⁴ See ICLE Comments at 14 (noting “[w]hen a customer disputes a bill, they reference their service agreements and bills, not the archived point-of-sale label . . .”).

the visual layout and other formatting elements of the label.¹⁰⁵ No party objects to our proposal, and we agree with the Accessibility Organizations that we should make sure to maintain version control and that updates, including revision history, remain publicly accessible.¹⁰⁶ The template will be maintained at fcc.gov/broadbandlabels. We delegate to the Consumer and Governmental Affairs Bureau responsibility to describe any future changes to the template in a Public Notice before such changes take effect. Providers' underlying obligations remain governed by section 8.1 of the Commission's rules.

2. Updating the Template

38. We adopt our proposal to replace the "fcc.gov/consumer" reference in the template¹⁰⁷ with "fcc.gov/broadbandlabels."¹⁰⁸ This change, which is unopposed, is necessary to enable consumers to access directly the broadband label information maintained by the Commission.

D. Eliminating Outdated Rules

39. We adopt our proposal to remove section 8.1(a)(7) from our rules.¹⁰⁹ That provision set forth implementation deadlines for the *Broadband Label Order*: April 10, 2024 for providers with more than 100,000 subscribers and October 10, 2024 for smaller providers. These deadlines have passed, and providers are now subject to the label requirements.

1. Issues from the First Further Notice of Proposed Rulemaking

40. We close the Commission's inquiry into the various proposals on which the Commission sought comment in the *First Further Notice*.¹¹⁰ Specifically, the Commission sought comment on whether to: specify additional accessibility standards (such as ASL, Braille, and tactile indicators); require the display of labels in additional languages; require disclosure of discounts and other price variables in labels; extend label requirements to bundled services; modify or supplement required performance information; require specific disclosures in the label regarding network management and privacy; require interactive labels; employ focus groups, surveys, or subject matter experts to provide feedback on future changes to the label; publish a style guide and implementation tools to assist providers and enhance consistency in label presentation; and permit ISPs to submit labels information directly to the Commission, in lieu of providing labels directly at the point of sale and archiving them.¹¹¹ The record indicates that these proposals would unduly complicate the display of labels, contrary to the Commission's objective that labels convey the information consumers need to know "in plain language that is easy to understand without overwhelming consumers with too much information,"¹¹² or would impose unwarranted compliance burdens on providers. Further, some of the proposals may not align with the authority Congress gave the Commission in the Infrastructure Act.¹¹³

41. Several commenters support the Commission's intention to close its inquiry into the *First Further Notice* proposals, arguing that those proposals would impose unnecessary burdens, exceed the Commission's statutory authority under the Infrastructure Act, and undermine the streamlining objective

¹⁰⁵ *Second Further Notice*, 40 FCC Rcd at 8621, para. 22.

¹⁰⁶ See Accessibility Organizations Comments at 11.

¹⁰⁷ 47 CFR § 8.1(a)(1) fig. 1.

¹⁰⁸ *Second Further Notice*, 40 FCC Rcd at 8622, para. 24.

¹⁰⁹ *Id.* at 8622, para. 25.

¹¹⁰ *Id.* at 8623, paras. 27-29.

¹¹¹ *Broadband Label Order*, 37 FCC Rcd at 13728-33, paras. 132-52.

¹¹² *2016 Broadband Labels PN*, 31 FCC at 3359; 47 U.S.C. § 1753(a).

¹¹³ Breezeline Comments at 6; CTIA Comments at 11; ACA Connects Comments at 11-12.

in this proceeding.¹¹⁴ Although one commenter urges the Commission not to close its inquiry into defining ‘typical’ performance metrics, arguing that the current approach results in disclosures that are not comparable between providers,¹¹⁵ we agree with the commenters who argue that the current rule is sufficient.

42. Other commenters oppose closing the inquiry into additional accessibility standards, specifically those relating to ASL-accessible formats, Braille, and tactile indicators, arguing that text-based accessibility alone does not adequately serve all consumers with disabilities.¹¹⁶ They urge the Commission to acknowledge multimodal accessibility as an open issue warranting further examination.¹¹⁷ We find that the requirement that providers make the labels easily accessible to people with disabilities sufficiently directs providers to ensure accessibility while providing flexibility to meet the requirement.¹¹⁸ To the extent accessibility concerns arise, providers will need to act to ensure an individual has access to the provider’s labels. We also encourage consumers to utilize the Commission’s Consumer Inquiries and Complaints Center to apprise the Commission of any accessibility concerns requiring additional assistance.¹¹⁹

2. Other Matters

43. We decline to exclude mass-market services that are marketed to business customers from the label requirements, as CTIA asks.¹²⁰ The Infrastructure Act directs the Commission to require labels for “broadband internet access service,” as defined in section 8.1(b) of the Commission’s rules or any successor regulation.¹²¹ The Commission originally adopted this provision in 2010 and it has remained substantively unchanged since then.¹²² It defines “broadband internet access service” as “a mass-market retail service by wire or radio that provides the capability to transmit data to and receive data from all or substantially all internet endpoints, including any capabilities that are incidental to and enable the operation of the communications service, but excluding dial-up internet access service.”¹²³ Given the lack of evidence in the record regarding the costs imposed by the labeling requirement on providers of mass-market services used by business customers, we find no reason to pursue a definitional change.

44. We also decline to exclude E-Rate and Rural Health Care (RHC) services from the label requirements, as urged by DQE Communications LLC (DQE), a broadband provider that exclusively serves enterprise and business customers.¹²⁴ Although DQE claims that the label requirement imposes

¹¹⁴ See, e.g., Breezeline Comments at 6; CTIA Comments at 11; ACA Connects Comments at 11-12; WISPA Comments at 7; NTCA Comments at 10-11.

¹¹⁵ Jordan Comments at 7.

¹¹⁶ See, e.g., Accessibility Organizations Comments at 13-14; TURN Comments at 7.

¹¹⁷ Accessibility Organizations Comments at 13-14.

¹¹⁸ See 47 CFR § 8.1(a)(1); *Broadband Label Order*, 37 FCC Rcd at 13712, paras. 81-82.

¹¹⁹ See Consumer Inquiries and Complaint Center, <https://consumercomplaints.fcc.gov>.

¹²⁰ CTIA Comments at 10. No other commenters address this question, except in the context of E-Rate and Rural Health Care services, as discussed below.

¹²¹ 47 U.S.C. §§ 1751(1), 1753(a).

¹²² See *2010 Preserving Internet Freedom Order*, 25 FCC Rcd at [89], Appx. B (adding section 8.11(a) of the rules). Section 8.11(a) was later renumbered as section 8.1(b) without any change in the text.

¹²³ 47 CFR § 8.1(b). The definition also “encompasses any service that the Commission finds to be providing a functional equivalent of the service” defined in the rules or that is used to evade the protections set forth in the rules. 47 CFR § 8.1(b).

¹²⁴ DQE Comments at 1-2.

disproportionate costs and obligations,¹²⁵ it does not describe with specificity the costs and obligations it incurs with respect to E-Rate and RHC customers. Given that the label requirement applies to all mass-market broadband services,¹²⁶ it would appear that, to the extent such “off-the-shelf” services are requested by E-Rate or RHC customers,¹²⁷ the necessary labels should already be available from the upstream providers of such mass-market broadband services, and thus can be readily displayed, with minimal if any alteration, by any E-Rate or RHC provider making use of such services. Therefore, in the absence of any contrary evidence, we conclude that minimal, if any, cost would be incurred by DQE or similarly situated providers in passing such labels on to their E-Rate and RHC customers.

45. Further, the Schools, Health & Libraries Broadband Coalition and the Consortium for School Networking (SHLB/CoSN) list a variety of benefits that they claim result from making labels for mass-market services available to schools, libraries, and rural health care facilities.¹²⁸ They state that in a variety of circumstances, including limited budgets, lack of competitive options, and insufficient technical expertise to navigate complex proposals, a school, library, or health care provider may choose to purchase a mass-market internet service, rather than an individualized service offered in response to an RFP.¹²⁹ They add that by providing standardized, clear information about services available in the mass market, labels also help institutions evaluate bids, comply with program rules requiring cost-effectiveness, and plan procurements.¹³⁰ According to SHLB/CoSN, labels also assist with documentation for funding applications, which often require details such as monthly price, contract length, and speeds—information that labels present “in a uniform and concise manner.”¹³¹

E. Legal Authority

46. We conclude that section 60504 of the Infrastructure Act provides the Commission with the authority to modify the broadband label rules as discussed herein. Section 60504 directs the Commission to “promulgate regulations to require the display of broadband consumer labels, as described in the Public Notice of the Commission issued on April 4, 2016 (DA 16–357), to disclose to consumers information regarding broadband internet access service plans.”¹³² The 2016 Public Notice described broadband consumer labels as an implementation of the Commission’s broadband transparency rule.¹³³ In approving a specific format and content for broadband labels, the *2016 Broadband Labels PN* characterized them as “a simple-to-understand format describing the key factors consumers need to know when considering broadband service. . . .”¹³⁴ The changes we adopt today better align the rules with section 60504 by removing or modifying a number of requirements that do not appear to be needed to

¹²⁵ *Id.*

¹²⁶ *Broadband Label Order*, 37 FCC Rcd at 13692, para. 17 (affirming that enterprise service offerings, including services offered through customized or individually negotiated arrangements, are not “mass-market retail services” and therefore not covered by the label rule).

¹²⁷ DQE Comments at 2.

¹²⁸ SHLB/CoSN Comments at 1.

¹²⁹ *Id.* at 4-5.

¹³⁰ *Id.* at 6-7.

¹³¹ *Id.*

¹³² 47 U.S.C. § 1753(a).

¹³³ See 47 CFR § 8.1(a); *2016 Broadband Labels PN*, 31 FCC Rcd at 3358-59, citing *Protecting and Promoting the Open Internet*, GN Docket No. 14-28, Report and Order on Remand, Declaratory Ruling, and Order, 30 FCC Rcd 5601, 5669-81, paras. 154-81 (2015) (*2015 Open Internet Order*).

¹³⁴ *2016 Broadband Labels PN*, 31 FCC Rcd at 3358-59.

achieve the core statutory objective.¹³⁵ We conclude that the label display requirements adopted herein raise no First Amendment concerns.¹³⁶

47. Sections 13 and 257 of the Communications Act of 1934, as amended,¹³⁷ which the Commission has previously relied on as authority for the broadband transparency rule, provide additional authority.¹³⁸ To the extent that broadband labels continue to be used for offerings through the E-Rate and Rural Health Care universal service programs, section 254 supplies authority.¹³⁹ We also note the Commission’s finding in the *Broadband Label Order* that Title III of the Act provides additional authority for the rules adopted here with respect to wireless providers.¹⁴⁰

F. Costs and Benefits

48. This Order streamlines the existing broadband label requirements by making minor changes to the information required to be presented and the way in which the information is required to be presented. These changes are expected to reduce costs for broadband providers, while still providing consumers information to make informed broadband purchases.

49. First, the Order modifies the requirement for presenting the broadband label on a sale by phone so that customer service representatives no longer have to read the label contents verbatim. This change will allow representatives to communicate the contents of the broadband label in a more natural and understandable way, which should benefit consumers. Next, instead of requiring providers to itemize all fees, which may vary by location, the rules set forth in this Order allow providers to include either (1) the “up to” (i.e., maximum) total amount of passthrough fees that a subscriber would be charged in any location where the service plan is offered, or (2) the exact total amount the consumer would be charged for broadband fees in a particular location. Under both options, the required label content is simplified, enabling providers to convey the information consumers need to know “in plain language that is easy to understand without overwhelming consumers with too much information.”¹⁴¹ In addition, the first alternative—displaying the maximum a consumer would be charged—reduces compliance costs for providers because they are no longer required to create multiple labels when fees vary by location.

50. Further, this Order allows providers to use hyperlinks to labels at the point of sale and in customer account portals, rather than displaying the full label. While using hyperlinks to broadband labels instead of displaying the labels automatically may result in fewer consumers reading the label, interested consumers still have the opportunity to view the broadband label. The Order also eliminates the requirement that providers provide the contents of labels separately, in a machine-readable

¹³⁵ See *supra* Part III.B (removing machine-readability and archiving provisions). In addition to the statutory authority basis described above, the Commission’s policy rationale for each modification is set forth in the relevant sections of this Order.

¹³⁶ Only one commenter raised First Amendment concerns in this proceeding. CTIA argued that requiring full label display “substantially and unnecessarily impacts and interferes with providers’ ability to design their marketing materials and websites.” See CTIA Comments at 10-11. We note that this concern is addressed by our decision in this Order, which does not impose the specific display requirement CTIA challenged.

¹³⁷ 47 U.S.C. §§ 163, 257.

¹³⁸ See *Restoring Internet Freedom*, WC Docket No. 17-108, Declaratory Ruling, Report and Order, and Order, 33 FCC Rcd 311, 445-50, paras. 232-38 (2018) (*2018 Restoring Internet Freedom Order*). Although section 257 subsequently was amended to shift aspects of that provision to the new reporting requirement enacted in section 13 of the Act, “it was not altered in any material respect for purposes of the Commission’s authority in this regard.” *Mozilla Corp. v. FCC*, 940 F.3d 1, 47 (D.C. Cir. 2019).

¹³⁹ 47 U.S.C. § 254.

¹⁴⁰ *Broadband Label Order*, 37 FCC Rcd at 13712, para. 120.

¹⁴¹ *2016 Broadband Labels PN*, 31 FCC at 3359; 47 U.S.C. § 1753(a) (directing the Commission to require the display of labels “as described in the [2016 Broadband Label PN]”).

spreadsheet file format on their websites via a dedicated uniform resource locator (URL). Because consumers themselves, including consumers with disabilities, will still be able to read the labels, we do not expect that eliminating this requirement will hurt consumers, and doing so could potentially reduce providers' compliance costs. Lastly, the Order eliminates the requirement that providers retain labels for two years after they discontinue plans. This change will not affect consumers' access to labels for plans currently offered to the public and may lower costs of storage for providers. Collectively, we expect the rule changes set forth in this Order to reduce providers' costs while imposing no material harms on consumers.

IV. PROCEDURAL MATTERS

51. *Regulatory Flexibility Act.* The Regulatory Flexibility Act of 1980, as amended (RFA),¹⁴² requires that an agency prepare a regulatory flexibility analysis for notice and comment rulemakings, unless the agency certifies that “the rule will not, if promulgated, have a significant economic impact on a substantial number of small entities.”¹⁴³ Accordingly, the Commission has prepared a Final Regulatory Flexibility Analysis (FRFA) concerning the possible impact on small entities of the rule changes contained in this Order. The FRFA is set forth in Appendix B.

52. *Paperwork Reduction Act Analysis.* This Report and Order may contain new or substantively modified information collection requirements subject to the Paperwork Reduction Act of 1995 (PRA).¹⁴⁴ All such requirements will be submitted to the Office of Management and Budget (OMB) for review under section 3507(d) of the PRA.¹⁴⁵ OMB, the general public, and other Federal agencies are invited to comment on any new or modified information collection requirements contained in this proceeding. In addition, we note that pursuant to the Small Business Paperwork Relief Act of 2002, 44 U.S.C. § 3506(c)(4), we previously sought specific comment on how the Commission might further reduce the information collection burden for small business concerns with fewer than 25 employees. In Appendix B, we have assessed the effects of the required collection of information on these small entities.

53. *Congressional Review Act.* The Commission has determined, and the Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget, concurs, that this rule is “non-major” under the Congressional Review Act, 5 U.S.C. § 804(2). The Commission will send a copy of this Report and Order to Congress and the Government Accountability Office pursuant to 5 U.S.C. § 801(a)(1)(A).

54. *Additional Information.* For additional information about this proceeding, contact Michelle Branigan, Consumer Policy Division, Consumer and Governmental Affairs Bureau, Federal Communications Commission, at (202) 418-1345 or Michelle.Branigan@fcc.gov.

V. ORDERING CLAUSES

55. Accordingly, **IT IS ORDERED** that, pursuant to the authority found in sections 13, 201(b), 254, 257, 301, 303, 316, and 332 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 163, 201(b), 254, 257, 301, 303, 316, 332, and section 60504 of the Infrastructure Investment and Jobs Act, Pub. L. 117-58, 135 Stat. 429, 1244 (2021), 47 U.S.C. § 1753, this Report and Order is hereby **ADOPTED**.¹⁴⁶

¹⁴² See 5 U.S.C. § 603. The RFA, *see* 5 U.S.C. § 601, et seq., has been amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA), Pub. L. No. 104-121, Title II, 110 Stat. 847 (1996).

¹⁴³ 5 U.S.C. § 605(b).

¹⁴⁴ Pub. L. No. 104-13, 109 Stat. 163 (1995) (codified at 44 U.S.C. §§ 3501-3520).

¹⁴⁵ 44 U.S.C. § 3507(d).

¹⁴⁶ Pursuant to Executive Order 14215, 90 Fed. Reg. 10447 (Feb. 20, 2025), this regulatory action has been determined to be not significant under Executive Order 12866, 58 Fed. Reg. 68708 (Dec. 28, 1993).

56. **IT IS FURTHER ORDERED** that Part 8 of the Commission's Rules **IS AMENDED** as set forth in Appendix A of this Report and Order.

57. **IT IS FURTHER ORDERED** the rule amendments set forth in Appendix A of this Report and Order **SHALL BE EFFECTIVE** 30 days after publication in the Federal Register, except for those amendments that contain new or modified information collection requirements, which will not become effective until the Office of Management and Budget completes review of any information collection requirements that the Consumer and Governmental Affairs Bureau determines is required under the Paperwork Reduction Act. The Commission directs the Consumer and Governmental Affairs Bureau to announce the effective date of those rules by subsequent Public Notice.

58. **IT IS FURTHER ORDERED** that the Commission's rulemaking proceeding initiated by the First Further Notice of Proposed Rulemaking in CG Docket No. 22-2 **IS HEREBY TERMINATED**.

59. **IT IS FURTHER ORDERED** that the Commission's Office of the Secretary **SHALL SEND** a copy of this *Report and Order*, including the Final Regulatory Flexibility Analysis, to the Chief Counsel for Advocacy of the Small Business Administration.¹⁴⁷

60. **IT IS FURTHER ORDERED** that the Office of the Managing Director, Performance Program Management, **SHALL SEND** a copy of this Report and Order in a report to Congress and the Government Accountability Office pursuant to the Congressional Review Act, 5 U.S.C. § 801(a)(1)(A).

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch
Secretary

¹⁴⁷ See 5 U.S.C. § 603.

APPENDIX A

Final Rules

For the reasons stated in the preamble, the Federal Communications Commission amends 47 CFR part 8 as follows:

PART 8—INTERNET TRANSPARENCY FOR CONSUMERS

1. The authority citation for part 8 continues to read as follows:

Authority: 47 U.S.C. 151, 152, 154, 201(b), 257, 302a, 303(r), 312, 333, 503 and 1753.

SUBPART A – Broadband Transparency

2. Delayed indefinitely, amend § 8.1 by revising paragraph (a) to read as follows:

§ 8.1 Transparency.

(a) * * *

(1)(i) Any person providing broadband internet access service shall create and display an accurate broadband consumer label for each stand-alone broadband internet access service it currently offers for purchase. The label must be prominently displayed, publicly available, and easily accessible to consumers, including consumers with disabilities, at the point of sale with the content and in the format prescribed by the Commission in “[Fixed or Mobile] Broadband Consumer Disclosure Label,” **located at [FCC website]**~~in figure 1 to this paragraph (a)(1).~~

~~Figure 1 to Paragraph (a)(1) – [Fixed or Mobile] Broadband Consumer Disclosure Label~~

(ii) A label shall itemize any monthly fees not included in the monthly price, except that passthrough fees may be presented in the aggregate, as either the maximum monthly total or the exact monthly total of such fees assessed on subscribers in the geographic area to which the label applies.

(2) (i) Broadband internet access service providers shall display the label required under paragraph (a)(1) of this section at each point of sale. *Point of sale* is defined to mean a provider’s website and any alternate sales channels through which the provider’s broadband internet access service is sold, including a provider-owned retail locations, third-party retail locations, and ~~over the phone~~ telephone sales channels. For labels displayed on provider websites, the label **(or an icon or link that connects directly to the label)** must be displayed in close proximity to the associated advertised service plan. *Point of sale* also means the time a consumer begins investigating and comparing broadband service offerings available to them at their location. For alternate sales channels, providers must document each instance when it directs a consumer to a label and retain such documentation for two years. This requirement will be deemed satisfied if, instead, the provider: establishes the business practices and processes it will follow in distributing the label through alternative sales channels; retains training materials and related business practice documentation for two years; and provides such information to the Commission upon request, within thirty days. *Point of sale* for purposes of the E-Rate and Rural Health Care programs is defined as the time a service provider submits its bid to a program participant. Providers participating in the E-Rate and Rural Health Care programs must provide their labels to program participants when they submit their bids to participants.

(ii) Broadband internet access service providers that offer online account portals to their customers shall

also make each customer’s **current plan** label easily accessible to the customer in such portals, **by displaying the label (or an icon or link that connects directly to the label).**

(iii) At telephone points of sale, a provider satisfies the display requirement of paragraph (a)(2) by orally summarizing the following label fields during the sales interaction: monthly price inclusive of monthly fees, including the introductory rate and its duration if applicable; typical download and upload speeds; latency; data allowance; contract term duration if applicable; and early termination fees if applicable. Verbatim recitation of the label is not required to satisfy this obligation.

(3) [Removed and Reserved]

* * * * *

(5) [Removed and Reserved]

* * * * *

(7) [Removed and Reserved]

* * * * *

3. Amend § 8.1 by revising paragraph (b) to read as follows:

§ 8.1 Transparency.

* * *

(b)(1) Broadband internet access service is a mass-market retail service by wire or radio that provides the capability to transmit data to and receive data from all or substantially all internet endpoints, including any capabilities that are incidental to and enable the operation of the communications service, but excluding dial-up internet access service. This term also encompasses any service that the Commission finds to be providing a functional equivalent of the service described in the previous sentence or that is used to evade the protections set forth in this part. For purposes of paragraphs (a)(1) through (6) of this section, “mass-market” services exclude service offerings customized for the customer through individually negotiated agreements even when the services are supported by federal universal service support.

(2) In this section, “passthrough fee” means a monthly charge that:

- (i) is imposed by a government entity or third-party infrastructure owner rather than set by the provider itself;**
- (ii) represents costs that the provider recovers from consumers as a separate charge rather than incorporating them into the base monthly price; and**
- (iii) varies by consumer location.**

* * * * *

APPENDIX B

Final Regulatory Flexibility Analysis

1. As required by the Regulatory Flexibility Act of 1980, as amended (RFA),¹ the Federal Communications Commission (Commission) incorporated an Initial Regulatory Flexibility Analysis (IRFA) in the Empowering Broadband Consumers Through Transparency Second Further Notice of Proposed Rulemaking (Notice) released in November 2025.² The Commission sought written public comment on the proposals in the Notice, including comment on the IRFA. The comments received are addressed below. This Final Regulatory Flexibility Analysis (FRFA) conforms to the RFA and it (or summaries thereof) will be published in the Federal Register.³

A. Need for, and Objectives of, the Rules

2. The Commission adopted broadband label requirements in the *Broadband Label Order* to provide consumers with easy-to-understand and accurate information about broadband service plans, as mandated by the Infrastructure Investment and Jobs Act.⁴ Since the initial implementation of these rules, for larger providers in April 2024 and for smaller providers in October 2024, the Commission has received feedback from industry stakeholders through the *Delete, Delete, Delete* proceeding asserting that certain aspects of the current broadband label requirements may be unnecessarily burdensome for providers while not providing commensurate benefits to consumers.⁵

3. The primary objective of the *Report and Order* (Order) is to simplify regulatory requirements while maintaining the transparency benefits that broadband labels offer consumers. Specifically, the Order (1) enables providers to describe labels in a natural, conversational style over the phone, rather than requiring customer service representatives to read label contents verbatim; (2) simplifies fee presentation by allowing providers to include either the maximum or exact amount consumers would be charged for fees that may vary by location, rather than requiring itemization of all such fees; (3) removes outdated information about the now concluded Affordable Connectivity Program (ACP) from the label; (4) allows use of hyperlinks or icons at the point of sale and in customer account portals; (5) eliminates the requirement that providers make label content machine readable; and (6) eliminates the requirement that providers retain labels for two years after a service is no longer offered to new customers. At the same time, the Order ensures that labels remain accessible to people with disabilities and requires providers to present them in English and in any other language a provider uses in marketing.

4. The Order does not change the core label requirements to display a broadband consumer label containing critical information about the provider's service offerings, including information about pricing, introductory rates, data allowances, and performance metrics.

¹ 5 U.S.C. §§ 601 *et seq.*, as amended by the Small Business Regulatory Enforcement and Fairness Act (SBREFA), Pub. L. No. 104-121, 110 Stat. 847 (1996).

² *Empowering Broadband Consumers Through Transparency*, CG Docket No. 22-2, GN Docket No. 25-133, Second Further Notice of Proposed Rulemaking and Notice of Proposed Rulemaking, 40 FCC Rcd 8614 (2025) (*Second Further Notice*), Appendix B.

³ 5 U.S.C. § 604.

⁴ *Empowering Broadband Consumers Through Transparency*, CG Docket No. 22-2, Report and Order and Further Notice of Proposed Rulemaking, 37 FCC Rcd 13686 (2022) (*Broadband Label Order*); The Infrastructure Investment and Jobs Act, Pub. L. No. 117-58, 135 Stat. 429, § 60504(a) (2021) (Infrastructure Act).

⁵ *Delete, Delete, Delete*, GN Docket No. 25-133, Public Notice, DA 25-219 (GN 2025) (*Delete, Delete, Delete Public Notice*); *Consumer and Governmental Affairs Bureau Announces Compliance Dates of April 10, 2024 and October 10, 2024 for Broadband Label Rules*, CG Docket No. 22-2, Public Notice, 38 FCC Rcd 9341 (CGB 2023).

B. Summary of Significant Issues Raised by Public Comments in Response to the IRFA

5. NTCA, WISPA, Breezeline, ACA Connects, and Joink filed comments regarding the impact of the rule on small entities.

6. NTCA – The Rural Broadband Association (NTCA) was the only commenter to include a section specifically responding to the IRFA.⁶ NTCA, which represents small, rural local exchange carriers, supports the Commission’s proposals as burden-relieving for small entities, and urged the Commission to avoid imposing any additional requirements beyond those proposed in the FNRPM.⁷ NTCA identified a material inconsistency between the 2023 Paperwork Reduction Act (PRA) Worksheet supporting this proceeding, which estimated zero capital, operation, and maintenance costs for small companies, and the Commission’s own acknowledgement in the 2022 Broadband Label Order that certain label tasks “may require more time for providers that are less likely to have in-house attorneys and compliance departments to assist in the preparation broadband labels, and thus will need to engage outside legal resources to implement several proposed requirements.”⁸ NTCA further argued that even reliance on existing internal staff generates real opportunity costs, as compliance draws resources away from network investment and other operational priorities, concluding that elimination of the identified requirements would provide meaningful economic benefits to small providers.⁹

7. WISPA, Breezeline, ACA Connects, and Joink also raised cost and burden concerns to small entities in their comments on the Notice more generally. These commenters supported the proposed eliminations as measures that would reduce unnecessary compliance costs and administrative burden for providers, including small entities, without undermining the consumer transparency goals of the broadband label requirements.¹⁰

8. USTelecom and other commenters noted compliance costs and burdens associated with the existing broadband label requirements but did not specifically address the impacts of those requirements on small entities.¹¹

C. Response to Comments by the Chief Counsel for the Small Business Administration Office of Advocacy

9. Pursuant to the Small Business Jobs Act of 2010, which amended the RFA,¹² the Commission is required to respond to any comments filed by the Chief Counsel for the Small Business Administration (SBA) Office of Advocacy, and also provide a detailed statement of any change made to the proposed rules as a result of those comments.¹³ The Chief Counsel did not file any comments in response to the proposed rules in this proceeding.

D. Description and Estimate of the Number of Small Entities to Which the Rules Will Apply

10. The RFA directs agencies to provide a description of, and where feasible, an estimate of

⁶ NTCA Comments at 18-19.

⁷ *Id.*

⁸ *Id.* at 18, citing the 2022 *Broadband Label Order* at para 118.

⁹ *Id.* at 19.

¹⁰ See WISPA Comments at 1, 6; WISPA Reply at 6-9; Breezeline Comments at 1, 3, 5; ACA Connects Comments at 3-4, 10; Joink Comments at 1-2.

¹¹ See USTelecom Comments at 2-3, 5; CTIA Comments at 5-6.

¹² Small Business Jobs Act of 2010, Pub. L. No. 111-240, 124 Stat. 2504 (2010).

¹³ 5 U.S.C. § 604 (a)(3).

the number of small entities that may be affected by the adopted rules.¹⁴ The RFA generally defines the term “small entity” as having the same meaning as the terms “small business,” “small organization,” and “small governmental jurisdiction.”¹⁵ In addition, the term “small business” has the same meaning as the term “small business concern” under the Small Business Act.¹⁶ A “small business concern” is one which: (1) is independently owned and operated; (2) is not dominant in its field of operation; and (3) satisfies any additional criteria established by the SBA.¹⁷ The SBA establishes small business size standards that agencies are required to use when promulgating regulations relating to small businesses; agencies may establish alternative size standards for use in such programs, but must consult and obtain approval from SBA before doing so.¹⁸

11. Our actions, over time, may affect small entities that are not easily categorized at present. We therefore describe three broad groups of small entities that could be directly affected by our actions.¹⁹ In general, a small business is an independent business having fewer than 500 employees.²⁰ These types of small businesses represent 99.9% of all businesses in the United States, which translates to 34.75 million businesses.²¹ Next, “small organizations” are not-for-profit enterprises that are independently owned and operated and are not dominant in their field.²² While we do not have data regarding the number of non-profits that meet that criteria, over 99 percent of nonprofits have fewer than 500 employees.²³ Finally, “small governmental jurisdictions” are defined as cities, counties, towns, townships, villages, school districts, or special districts with populations of less than fifty thousand.²⁴ Based on the 2022 U.S. Census of Governments data, we estimate that at least 48,724 out of 90,835 local government jurisdictions have a population of less than 50,000.²⁵

12. The rules adopted in the Order will apply to small entities in the industries identified in the chart below by their six-digit North American Industry Classification System (NAICS)²⁶ codes and

¹⁴ *Id.*

¹⁵ *Id.* § 601(6).

¹⁶ *Id.* § 601(3) (incorporating by reference the definition of “small-business concern” in the Small Business Act, 15 U.S.C. § 632). Pursuant to 5 U.S.C. § 601(3), the statutory definition of a small business applies “unless an agency, after consultation with the Office of Advocacy of the Small Business Administration and after opportunity for public comment, establishes one or more definitions of such term which are appropriate to the activities of the agency and publishes such definition(s) in the Federal Register.”

¹⁷ 15 U.S.C. § 632.

¹⁸ 13 CFR 121.903.

¹⁹ 5 U.S.C. § 601(3)-(6).

²⁰ See SBA, Office of Advocacy, *Frequently Asked Questions About Small Business* (July 23, 2024), https://advocacy.sba.gov/wp-content/uploads/2024/12/Frequently-Asked-Questions-About-Small-Business_2024-508.pdf.

²¹ *Id.*

²² 5 U.S.C. § 601(4).

²³ See SBA, Office of Advocacy, *Small Business Facts, Spotlight on Nonprofits* (July 2019), <https://advocacy.sba.gov/2019/07/25/small-business-facts-spotlight-on-nonprofits>.

²⁴ 5 U.S.C. § 601(5).

²⁵ See U.S. Census Bureau, 2022 Census of Governments – Organization, <https://www.census.gov/data/tables/2022/econ/gus/2022-governments.html>, tables 1–11.

²⁶ The North American Industry Classification System (NAICS) is the standard used by Federal statistical agencies in classifying business establishments for the purpose of collecting, analyzing, and publishing statistical data related to the U.S. business economy. See www.census.gov/NAICS for further details regarding the NAICS codes identified in this chart.

corresponding SBA size standard.²⁷ Where available, we also provide additional information regarding the number of potentially affected entities in the identified industries below.

Table 1. Census Bureau Data by NAICS Code Table

Regulated Industry (NAICS Classification)	NAICS Code	SBA Size Standard	Total Firms²⁸	Small Firms²⁹	% Small Firms in Industry
Wired Telecommunications Carriers ³⁰	517111	1,500 employees	3,054	2,964	97.05
Wireless Telecommunications Carriers (except Satellite) ³¹	517112	1,500 employees	2,893	2,837	98.06
Telecommunications Resellers ³²	517121	1,500 employees	1,386	1,375	99.21
Satellite Telecommunications	517410	\$47 million	275	242	88.00
All Other Telecommunications	517810	\$40 million	1,079	1,039	96.29

²⁷ The size standards in this chart are set forth in 13 CFR 121.201, by six digit NAICS code.

²⁸ See U.S. Census Bureau, *2017 Economic Census of the United States, Employment Size of Firms for the U.S.: 2017*, Table ID: EC1700SIZEEMPfirm, and *2017 Economic Census of the United States, Selected Sectors: Sales, Value of Shipments, or Revenue Size of Firms for the U.S.: 2017*, Table ID: EC1700SIZEREVfirm.

²⁹ *Id.*

³⁰ Affected Entities in this industry include Incumbent Local Exchange Carriers (Incumbent LECs), Interexchange Carriers (IXCs), Local Exchange Carriers (LECs), Wired Broadband Internet Access Service Providers.

³¹ Affected Entities in this industry include Wireless Broadband Internet Access Service Providers and Wireless Telephony.

³² Affected Entities in this industry include Toll Resellers.

Table 2. Telecommunications Service Provider Data

2024 Universal Service Monitoring Report Telecommunications Service Provider Data ³³ (Data as of December 2023)	SBA Size Standard (1500 Employees)		
	Affected Entity	Total # FCC Form 499A Filers	Small Firms
Incumbent Local Exchange Carriers (Incumbent LECs)	1,175	917	78.04
Interexchange Carriers (IXCs)	113	95	84.07
Local Exchange Carriers (LECs) ³⁴	4,904	4,493	91.62
Local Resellers	222	217	97.75
Toll Resellers	411	398	96.84
Telecommunications Resellers	633	615	97.16
Wired Telecommunications Carriers ³⁵	4,682	4,276	91.33
Wireless Telecommunications Carriers (except Satellite)	585	498	85.13
Wireless Telephony	326	247	75.77

E. Description of Economic Impact and Projected Reporting, Recordkeeping and Other Compliance Requirements for Small Entities

13. The RFA directs agencies to describe the economic impact of adopted rules on small entities, as well as projected reporting, recordkeeping and other compliance requirements, including an estimate of the classes of small entities which will be subject to the requirement and the type of professional skills necessary for preparation of the report or record.³⁶

14. The Order streamlines existing broadband label requirements by making targeted changes to the information providers are required to provide and to the manner in which it must be displayed. The Commission expects these changes to reduce costs for providers, including small entities, while continuing to provide consumers with information needed to make informed broadband purchasing decisions. The Commission expects the rule changes set forth in this Order to reduce provider costs while imposing no material harm on consumers.

15. The Order's changes reduce compliance obligations in the following respects, each of which is particularly beneficial to small entities that are less likely than large providers to maintain dedicated in-house legal and technical compliance staff. First, the fee presentation change allows providers to disclose the maximum or exact amount consumers would be charged for location-variable fees, eliminating the need to create and maintain multiple location-specific labels. Second, the point of sale and account portal changes allow providers to use hyperlinks or icons in lieu of the full label display, reducing the technical burden of full label display systems. Third, elimination of the machine readability requirement removes a technical backend obligation that imposed costs without commensurate consumer

³³ Federal-State Joint Board on Universal Service, Universal Service Monitoring Report at 26, Table 1.12 (2024), <https://docs.fcc.gov/public/attachments/DOC-408848A1.pdf>.

³⁴ Affected Entities in this industry include all reporting fixed local service providers (CLECs & ILECs).

³⁵ Local Resellers fall into another U.S. Census Bureau industry (Telecommunications Resellers) and therefore data for these providers is not included in this industry.

³⁶ 5 U.S.C. § 604(a)(5).

benefit. Fourth, the telephone sales modification allows customer service representatives to describe label contents conversationally rather than verbatim, reducing training and scripting burdens. Fifth, elimination of the two-year archiving requirement may lower storage costs. Sixth, removal of the outdated ACP information (ACP) eliminates the need to maintain a label element that no longer serves any consumer information purpose.

16. The core broadband label requirements remain in effect for all providers, including small entities. Providers must continue to display a label containing critical information pricing, introductory rates, data allowances, and performance metrics. Compliance will continue to require professional skills in legal compliance, marketing, and broadband technology. Small entities that lack in-house compliance staff may continue to require professional assistance, although we expect that the elimination of several requirements will substantially reduce the scope and cost of such assistance.

17. The Order does not impose any new reporting, recordkeeping, or other compliance obligations on small entities. All adopted changes reduce burdens relative to existing requirements.

F. Discussion of Steps Taken to Minimize the Significant Economic Impact on Small Entities, and Significant Alternatives Considered

18. The RFA requires an agency to provide “a description of the steps the agency has taken to minimize the significant economic impact on small entities...including a statement of the factual, policy, and legal reasons for selecting the alternative adopted in the final rule and why each one of the other significant alternatives to the rule considered by the agency which affect the impact on small entities was rejected.”³⁷

19. *Elimination of six compliance requirements.* The most significant step taken to minimize economic impact on small entities is the elimination of six compliance requirements that generated disproportionate administrative, technical and financial burden, particularly for smaller providers, without commensurate consumer benefit. The legal and policy basis for each elimination is grounded in the Commission’s finding that these requirements were not mandated by the Infrastructure Act or the 2016 Broadband Labels Public Notice and thus exceeded the Commission’s statutory mandate. Eliminating requirements that lack statutory grounding and imposed real costs on small entities directly advances the RFA’s objectives.

20. *Fee Presentation Flexibility.* Rather than requiring itemization of all location-variable fees, which entailed creating multiple label versions for different service areas, the Order allows providers to disclose either the maximum or exact amount a consumer will be charged for these fees. This approach achieves the transparency goal while substantially reducing administrative complexity, especially for small entities serving multiple geographic markets.

21. *Hyperlink and Icon Alternative.* The Order allows providers to satisfy point of sale and customer portal display requirements through hyperlinks or icons linking to broadband labels rather than full-label display at the point of sale. This reduces the technical burden of label display systems while preserving consumer access to label information.

22. *Implementation Timing.* The Commission notes that the 2022 Broadband Label Order provided differential implementation timelines, giving smaller providers (those with 100,000 or fewer subscribers) a six-month extension beyond the deadline applicable to large providers. Because the changes adopted in this Order exclusively reduce compliance obligations, no additional differential implementation schedule for small entities is necessary. The Commission also removes the now-moot deadline provision at section 8.1(a)(7) to streamline the rules.

G. Report to Congress

23. The Commission will send a copy of the *Order* including this Final Regulatory

³⁷ *Id.* § 604(a)(6).

Flexibility Analysis, in a report to Congress pursuant to the Congressional Review Act.³⁸ In addition, the Commission will send a copy of the *Order*, including this Final Regulatory Flexibility Analysis, to the Chief Counsel for the SBA Office of Advocacy and will publish a copy of the *Order*, and this Final Regulatory Flexibility Analysis (or summaries thereof) in the Federal Register.³⁹

³⁸ 5 U.S.C. § 801(a)(1)(A).

³⁹ *Id.* § 604(b).

APPENDIX C
List of Commenters
Initial Comments

Commenter	Abbreviated Name	Date Filed
AARP	AARP	1/16/26
ACA Connects—America’s Communications Association	ACA Connects	1/16/26
Asian Americans Advancing Justice AAJC, OCA - Asian Pacific American Advocates, and the National Council of Asian Pacific Americans	AAJC	1/12/26
Breezeline	Breezeline	1/20/26
CPAC Foundation Center for Regulatory Freedom	CPAC/CRF	1/2/26
CTIA—The Wireless Association ®	CTIA	1/16/26
Hispanic Technology and Telecommunications Partnerships (HTTP)	HTTP	12/19/25
INCOMPAS	INCOMPAS	1/20/26
International Center for Law & Economics	ICLE	1/2/26
Joink, LLC	Joink	12/30/25
J. Randolph Luening, BroadbandToolkit.com (a business unit of Signals Analytics, LLC)	BroadbandToolkit.com	1/16/26
Scott Jordan (UC-Irvine)	Jordan	1/16/26
Media Access Project	MAP	1/20/26
NCTA – The Internet & Television Association	NCTA	1/16/26
New York State Public Service Commission	NYSPSC	1/13/26
NTCA—The Rural Broadband Association and the Wireless	NTCA	1/16/26
Jon Peha (Carnegie Mellon)	Peha	12/31/25
Public Knowledge National Digital Inclusion Alliance Open Technology Institute at New America National Consumer Law Center Benton Institute for Broadband & Society The Leadership Conference on Civil and Human Rights	Public Knowledge et al.	1/20/26
Representatives Nanette Barragan, Troy Carter, Doris Matsui, and 28 of their Colleagues in the House of Representatives	Tri-Caucus	12/4/26
SHLB Coalition The Consortium for School Networking	SHLB/CoSN	1/12/26
TDIforAccess, Inc. Deaf Equality	Accessibility Organizations	1/16/26

National Association of State Agencies for the Deaf and Hard of Hearing Global Alliance of Speech-to-Text Captioning Association of Late-Deafened Adults The Conference of Educational Administrators of Schools and Programs for the Deaf accessSOS Cerebral Palsy & Deaf Organization Gallaudet University Alumni Association		
USTelecom –The Broadband Association	USTelecom	1/16/26
The Utility Reform Network	TURN	1/16/26
David Williams	Williams	1/2/26
WISPA – The Association for Broadband Without Boundaries	WISPA	1/20/16

Reply Comments

Commenter	Abbreviated Name	Date Filed
City of Boston, MA	Boston	2/18/26
DQE Communications LLC	DQE	1/21/26
Scott Jordan (UC-Irvine)	Jordan	2/17/26
NCTA – The Internet and Television Association	NCTA	2/17/26
NTCA – The Rural Broadband Association, Wireless Service Providers Association	NTCA and WISPA	2/17/26
Public Knowledge, National Digital Inclusion Alliance, MediaJustice, Common Sense Media, Everyone on Cit of Boston, New America’s Open Technology Institute, Benton Institute for Broadband and Society, NTEN, Massachusetts Digital Equity Coalition, Massachusetts Law Reform Institute	Public Knowledge et al.	2/17/26
The Utility Reform Network	TURN	2/13/26
USTelecom –The Broadband Association	USTelecom	2/16/26
WISPA – The Association for Broadband Without Boundaries	WISPA	2/17/26

Ex Parte Filings

Commenter	Abbreviated Name	Date Filed
Scott Jordan (UC-Irvine)	Jordan	3/3/26 3/6/26 3/10/26 3/11/26